



The
Freedom
Initiative

FRIEND OR FOE?

Saudi Arabian Government
Repression in the US and Worldwide

OCTOBER 2021



“ I have left my home, my family, and my job and I am raising my voice. To do otherwise would betray those who languish in prison. I can speak when so many cannot.

Jamal Khashoggi

Saudi journalist and
Washington Post columnist.



DEDICATION

This report is dedicated to the ideas and legacies of the late Jamal Khashoggi (d. 2018),¹ Dr. Abdullah al-Hamid (d. 2020),² and Salah Al-Shehi (d. 2020),³ whose lives were brutally stolen only because they expressed their beliefs in freedom, justice, fairness, democracy, and a better Saudi Arabia for all. Jamal Khashoggi was a Washington Post journalist and lawful permanent resident of the United States who peacefully called for democracy in the Middle East. For this, he was savagely butchered in a diplomatic facility in Turkey in 2018 by Saudi officials while trying to finalize paperwork for his marriage.

Dr. Abdullah al-Hamid was the co-founder of the Saudi Civil and Political Rights Association (ACPRA) and a scholar who inspired many in Saudi Arabia to peacefully organize and stand up to repression at the hands of the Saudi government. Dr. al-Hamid died while in detention in Saudi Arabia in April 2020 after prolonged medical neglect when, sadly, campaigns calling for his treatment fell on deaf ears. Ten of al-Hamid's ACPRA colleagues remain behind bars, collectively facing 199 years combined in prison sentences and travel bans.⁴ Since his death, countless human rights activists, writers, critics and even apolitical individuals have been detained, tortured, and charged as terrorists for tweeting, supporting, sympathizing with and even offering condolences to Dr. al-Hamid and ACPRA.

Saudi journalist Salah al-Shehi, described by Jamal Khashoggi as a “dear friend,” was detained in 2018 due to his public criticisms of government corruption in Saudi Arabia. He was charged with “insulting the royal court” and sentenced to five years in prison and a five-year travel ban upon completion of the prison sentence. Al-Shehi was also a victim of medical neglect while in prison. Al-Shehi lost his life before serving his full sentence.⁵ Despite the lives that were prematurely stolen from them at the hands of the Saudi government, the work and ideas that Dr. al-Hamid, al-Shehi and Jamal Khashoggi fought for and shared continue live on and inspire people from Saudi Arabia and all around the world.

TABLE OF CONTENTS

DEDICATION	2
.....	
EXECUTIVE SUMMARY	4
.....	
INTRODUCTION	14
.....	
RESEARCH METHODOLOGY	16
.....	
ANALYZING CASES OF SAUDI REPRESSION WORLDWIDE	25
.....	
EVALUATING THE IMPACT OF SAUDI ARABIA'S GLOBAL PRACTICES OF REPRESSION: ANALYSIS OF SURVEY AND INTERVIEW RESPONSES	37
.....	
ASSESSING JUSTICE AND ACCOUNTABILITY FOR US PERSONS DEALING WITH SAUDI ARABIAN REPRESSION	44
.....	
FINDINGS AND CONCLUSIONS	53
.....	
RECOMMENDATIONS	55
.....	

FRIEND OR FOE:

EXECUTIVE SUMMARY

This report investigates and analyzes the impact of Saudi Arabia's policies of detention, harassment, and entrapment of US citizens and their family members, situating these as part of worldwide repression campaigns, particularly against those who focus on human rights or policy issues critical of the Saudi government. The report focuses on detention of US persons and their family members, unlawful travel bans against US persons and their family members, forms of entrapment within the borders of Saudi Arabia, and transnational surveillance, harassment, and intimidation campaigns, in 2021. The report is based on research conducted through a systematic evaluation of cases of US persons (American citizens, legal permanent residents, or resident visa holders), surveys of 20 Saudis in diaspora,



and 10 semi-structured interviews. The results of the research are clear: the impact of Saudi Arabia's repressive tactics reach beyond the borders of Saudi Arabia. Global in nature, the widespread and systematic campaign of arrest, intimidation, defamation, imprisonment, torture, threats, and abuse are a global experience. This report outlines the details of some of these cases, the impact that it has on individual lives, and the need for perpetrators to be held accountable in order to protect the physical and mental wellbeing of individuals living under threat from the Saudi Arabian government around the world.

This report focuses primarily on the US context due to the close and increasingly controversial dynamics of the US-Saudi alliance, and, in addition to the impact on families, it explores how these dynamics impact individuals worldwide. The report finds that, rather than protect US persons, the close relationship between the US and Saudi may in fact endanger those who have fought for principles declared as primary national interests of US foreign policy.⁶ To this end, this report offers tangible suggestions and solutions for US policymakers and civil society to strengthen protections for these individuals and champion policies that can better address Saudi Arabia's repressive intentions in the future.

CASES

At least eighty-nine US persons or their family members were detained, disappeared, or under travel bans at some point in 2021 in Saudi Arabia. These cases include:

Salah al-Haidar,⁷ Dr. Bader al-Ibrahim,⁸ Khalid al-Haidar, Aziza al-Yousef,⁹ Dr. Walid Fitaihi,¹⁰ Dr. Abdulaziz al-Dukehil,¹¹ Salman al-Awdah, Abdulrahman al-Sadhan,¹² Loujain al-Hathloul,¹³ Mohammed al-Rabiah,¹⁴ Mohammed al-Qahtani,¹⁵ Mohammed al-Imam, Mohamed al-Habib, Ayman Al-Drees,¹⁶ Abdullah Jelani,¹⁷ Omar Al-Jabri, Sarah al-Jabri, two US citizen residents in Saudi, one US citizen tourist to Saudi Arabia, and two American mothers and their three children¹⁸ as well as 23 family members who were placed on travel bans as a form of collective punishment, and 41 family members and colleagues of US persons detained as reprisals of speaking out against the Saudi government while in the US.

Of these, at least seven are US citizens, at least eight are US LPR or US visa holders, at least 18 are the immediate family member of US citizens or LPRs, and one is a first cousin of US citizens.

Based on Fi's research, **at least three US citizens remain wrongfully detained in jails in Saudi Arabia**, one of the US citizens is elderly and in critical medical condition and Saudi authorities are refusing to permit a medical release. **At least four other US citizens** who have been released from prison **remain entrapped in Saudi Arabia under travel bans and face terrorism charges**. In 2021, Fi confirmed at least one case of a young US citizen tourist to Saudi Arabia, who was wrongfully detained at an airport in Saudi Arabia, reportedly tortured, and drugged to the point of hospitalization before being released from al-Ha'ir prison. Despite release from prison, the American tourist remained under travel ban for another six months before being permitted to exit Saudi Arabia. At least three US LPR or visa holders have been released but remain under travel ban with criminal charges, four US LPRs or visa holders remain in detention, and eight family members of US citizens and LPRs remain detained. One US LPR and father of US citizens remains disappeared; Mohammed al-Imam has not been heard from since his disappearance nor presented any formal charges, and Saudi authorities have offered no information as to his whereabouts despite congressional inquiries on his behalf to Saudi Arabian authorities.

In all but one case involving alleged "corruption," terrorism charges in Saudi Arabian courts against US persons have been issued in relation to social media statements in support of groups or individuals internationally recognized as civil society or human rights groups or their members (most prevalent are ACPRA of which the late Dr. Abdullah al-Hamid was a co-founder) or, for tweets or communication with individuals who have criticized the government. **Sometimes, "criticism" of government can be as simple as a complaint about the rise in taxes or high unemployment rates in Saudi Arabia.** Other terrorist charges in Saudi courts against US citizens relate to obtaining US citizenship without permission from the Saudi government, sending money overseas, supporting protests, or communicating with peaceful dissidents deemed "hostile" to the Saudi government due to public criticisms of their human rights record or policy.



Of the aforementioned cases, the harshest sentences have been against Salman al-Odeh, who is facing the death penalty,¹⁹ and Abdulrahman al-Sadhan who is facing 40 years combined in detention and travel bans. Both were charged in relations to tweets on their public twitter accounts.

At least 47 US citizen women and children were entrapped at some point in time in Saudi Arabia²⁰ under male guardianship or kafala laws in 2020 and 2021. In some of these cases it was a spouse or male guardian prohibiting a woman or children from exiting the country. A legal reform in 2019 granted Saudi mothers who had won custody of their children in Saudi courts the right to travel outside of Saudi Arabia with the kids. This reform applies only to mothers holding Saudi citizenship and does not apply to foreign women. Even with full custody over children granted in a Saudi Arabian court, foreign mothers remain barred from exiting Saudi Arabia with their children, and continue to require the father's permission to exit. This has entrapped several women and children against their will in the country. Additionally, in cases where fathers kidnapped children and fled to Saudi Arabia, male guardianship preferences for the fathers in Saudi Arabia left mothers outside of Saudi Arabia with no legal recourse.

The Saudi government's harassment and intimidation efforts extend to non-Saudi citizens worldwide and include defaming, bullying, and threatening individuals and organizations involved in human rights or policy work. This included Kawaakibi's Iyad el-Baghdadi, U.N. Special Rapporteur Agnes Callamard; DAWN's Sarah Leah Whitson, Sari Bashi, and Dr. Abdullah al-Aoudh; Human Rights Watch's Rothna Begum, Saudi scholar Dr. Hala al-Dosari, Codepink's Madea Benjamin, the Quincy Institute's Trita Parsi, Friends Committee on National Legislations Hassan El-Tayyeb, and the Freedom Initiative's Mohamed Soltan and Bethany al-Haidari.²¹ Though these individuals worked with independent US and European organizations and are based in states which are allies of Saudi Arabia and self-identify as individuals working to promote human rights in Saudi Arabia for all, they were accused of being spies and terrorists and working for "hostile governments" or "hating Saudi Arabia."

IMPACT OF REPRESSION

In both survey responses and interviews, respondents who held Saudi citizenship but were residing outside of Saudi Arabia described a variety of ways in which Saudi Arabia's repression and detention practices impacted their lives, including their security, social ties, finances, and mental health. Trends varied slightly depending on the country in which they had settled or sought refuge, though results indicated repression against those based in the US was experienced more aggressively than amongst members of the Saudi diaspora in Canada, Europe, and the UK.

Most respondents experienced threats and intimidation, though targeted harassment was felt more by individuals living in the US than those living in Europe, Canada, or the United Kingdom. Those living in the US also more frequently reported experiencing death threats from pro-Saudi government accounts, and in at least one case in person.

For two years I have experienced harassment and attacks by Arab and Middle Eastern expats tasked by the Saudi State to collect information about myself and others.

- Saudi in exile

100%

of respondents reported experiencing stress, fearing for their safety, financial losses, and serious tolls on their mental health. All respondents described symptoms of mental health crisis or trauma. Some of these symptoms included a preponderance of nightmares, suspicious thoughts, stress-related illness, depression, anxiety, or other; these symptoms were also extended to other members of the family, including children.

95%

of respondents felt they had been subject to coordinated intimidation and harassments campaigns from the Saudi government. One respondent stated: "for two years I have experienced harassment and attacks by Arab and Middle Eastern expats tasked by the Saudi State to collect information about myself and others."

90%

of respondents felt they needed to self-censor while outside of Saudi Arabia in order to protect their family members and loved ones from harm. Respondents described how threats to their safety and security prevented them from fully enjoying their rights in the US, Europe, and Canada. Respondents described adjusting behavior or censoring speech in the US for fear of repercussions from Saudi Arabian authorities.

85%

of respondents felt that Saudi Crown Prince Mohammed bin Salman personally remained a danger to them in 2021. Only half of respondents felt that Saudi Arabia would change enough for them to be safe to return to within their lifetime.

The impact of detention caused substantial damages to families. **Some family members in Saudi Arabia refused to take calls from or engage on social media with their family members in the US for fear of arrest or harassment, and many struggled with being separated from members of their family.** In one US family, the husband and daughter were in America, while the wife and two sons who were former detainees remained under travel ban in Saudi Arabia.

One US citizen family member whose **elderly US citizen parent was detained in al-Ha'ir prison feared that the parent would pass away in prison**, as they had severe medical issues and were deteriorating quickly.

In at least one case, a US citizen was wrongfully detained and tortured in Saudi for assisting Saudi women fleeing persecution in Saudi Arabia and seeking asylum in America.

On several occasions, families of detainees in the US reported severe distress over the circumstances of their loved ones in wrongful detention or under travel ban. **In at least four instances, family members had been wrongfully informed that their loved ones had died while in detention, causing anguish and psychological trauma.**

Some respondents reported that they could no longer participate in professional life or schooling due to their detention or the detention of their loved ones; other respondents reported that the experience influenced their decision to take up activism or careers in human rights; still others struggled to find work despite being highly qualified professionals.

Some respondents in the US were so weighed down by the stress that they “no longer felt they were themselves” and described being crippled in their marital relationships and parenting due to the overwhelming nature of the injustice and fear.

Several respondents reported supporting others in the diaspora who were dealing with suicidal ideation, and frequently checking on them to ensure they were safe.

Non-Saudi nationals who worked on issues related to Saudi Arabia or associated with Saudi dissidents were also targeted and facing death threats at the hands of the Saudi government and media. This was especially true for individuals working with US government officials advocating for human rights in Saudi Arabia.

AVAILABLE SERVICES AND ACCOUNTABILITY

Several government bodies and civil society networks provided support to individuals dealing with detention in 2020 and 2021.

State Department

- The US State Department provided consular services to American citizens in detention in Saudi Arabia through the US embassies and consulates. Interviewees reported that these were infrequent, generally in the presence of Saudi Arabian authorities, and did not always extend to family members or other US persons. Some US citizens were brought books and medication while in detention.
- US embassy staff in Saudi Arabia attended the hearings of US citizen detainees Salah al-Haidar, Dr. Bader al-Ibrahim, and Dr. Walid Fitaihi as well as at least one other US citizen as neutral observers in 2020 and 2021. US Embassy staff attempted to attend the hearing of former California resident Abdulrahman al-Sadhan on at least two occasions most recently on September 13th of 2021, but they were refused entry into the hearing by Saudi officials.
- US embassy staff also visited police stations where US citizens were being held and investigated in Saudi police custody, including the Freedom Initiative's Saudi desk officer Bethany al-Haidari who was detained and interrogated in Riyadh in 2019 and two other American woman in the Eastern Province in 2020.
- All respondents expressed feeling that the presence of US Embassy staff at their hearings or during their detention and investigations had an incredibly positive impact on their case in Saudi Arabia, but they felt it was very difficult and complicated to secure the US embassy's help.
- Most respondents reported feeling that going to the media with their problem would help their situation, but nearly all stated that they were advised by US State Department not to speak to the media about their situation in Saudi. This led to feelings of confusion and betrayal amongst respondents. Those who did go to the media reported that while it led to some confusion and chaos, it resulted in a "major" positive outcome in their case or at least offered a degree of protection.
- The State Department's Bureaus of Near East Affairs (NEA) and Democracy, Human Rights, and Labor (DRL) engaged in public and private diplomatic efforts to secure fair treatment or prisoner releases, with varied success. DRL also produced country human rights and trafficking in persons reports which documented several cases of travel bans and detention as well as a lack of independence in the Saudi judiciary. Private and public advocacy efforts did not necessarily extend to all cases of US persons or family members detained, though were reported for known cases of US citizens or legal permanent residents or family members of US citizens such as Abdulrahman al-Sadhan.
- The Special Presidential Envoy for Hostage Affairs (SPEHA)'s mandate to provide services to "wrongful detainees" meant that some of the cases mentioned did have access to SPEHA, such as Salah al-Haidar, Dr. Bader al-Ibrahim, and Dr. Walid Fitaihi. A lack of clarity on the definition of wrongful detention, particularly given no legal definition existed prior to the enactment of the Levinson Act in late 2020, and the fact that these detentions did not represent any violation of US law, meant that families were not always availed the same resources as those whose family members were held in detention by non-state actors.

- The United States Commission on International Religious Freedom (USCIRF) is an independent, bipartisan US federal government commission created by the 1998 International Religious Freedom Act (IRFA) that monitors the universal right to freedom of religion or belief abroad. They issue an annual report on religious freedom and make recommendations to the President, Secretary of State and congress. USCIRF has consistently recommended Saudi Arabia be designated by the State department as a country of particular concern (CPC) pursuant to the International Religious Freedom Act (IRFA).²² Including in the most recent report of 2021. Saudi Arabia is currently designated as a CPC.²³ They additionally recommended sanctioning individuals responsible for religious freedom violations and to lift the national security waiver shielding Saudi Arabia from accountability for religious freedom violations.
- In December of 2020, Ambassador Roger Carstens travelled to Saudi Arabia and was able to speak with at least two US citizens while they were being held in Al-Ha'ir prison. Ambassador Carstens frequently engaged with American and Saudi Arabian families whose loved ones were wrongfully detained and communicated with high-ranking Saudi officials on cases under SPEHA's mandate.

Elected Officials and Legislators

- Congressional offices provided support on a case-by-case basis where constituents or civil society organizations on their behalf approached them with concerns. These varied widely by office, depending on the prominence of the case, the politics of the office, or the office's structure and assignment of the case (whether to case workers or foreign relations staff). Fi is aware of only one member of congress, Senator Debbie Stabenow, that specifically refused to advocate on behalf of constituents whose non-citizen family member was wrongfully detained in Saudi Arabia. The office cited the immediate family member detainee not being a US citizen as reason for refusing to engage on the case. Fi is aware of other offices with constituents impacted in Saudi Arabia took action to advocate publicly and/or privately, including for non-citizens, such as Representatives Pelosi, Schrier, Omar, Schakowsky, and Connolly and Senators Kaine, Warren, Warner, Feinstein, Murray, Padilla, Rubio, Hickenlooper, Bennet, Gillibrand, Romney, and Lee.
- Congressional committees with foreign affairs or appropriations mandates also showed an interest in cases of US persons wrongfully detained in Saudi Arabia. The Tom Lantos Human Rights Commission held a briefing on human rights in Saudi Arabia in November 2020²⁴ and the House Foreign Affairs Committee held a hearing in March 2021²⁵ following the Office of the Director of National Intelligence report release that determined that Mohammed bin Salman likely ordered the murder of Khashoggi.
- Several public letters were issued by Members of Congress advocating for the release of prisoners, the end of travel bans as a punitive practice for dissidents, and the abolition of male guardianship and kafala laws in Saudi Arabia for their role in entrapping women and children in Saudi Arabia.²⁶
- Saudi Arabian state-aligned media and social media accounts slandered or threatened congressional members who spoke out against human rights violations against their constituents, raising further concerns about threat of reprisals and Saudi Arabia's attempts to curtail rights work in the US.
- Legislation related to human rights issues in Saudi Arabia gained traction at the state and federal level in 2021. This included legislation on conditioning arms sales on prisoner releases, ending travel bans, harassment, detention, and torture of dissidents at the federal level, and accountability for the murder of Jamal Khashoggi. Washington became the first state in the US to pass legislation amending child custody law to protect family members or children of dissidents from being returned to Saudi Arabia or other authoritarian nations which punished religious or political dissent with the death penalty.

Civil Society Representation and Legal Mechanisms

- Members of civil society provided services such as advocacy and support in engaging with US government bodies on individuals' cases, public campaigns, communications (e.g., placement of news articles and op-eds in media outlets), orientation to mental health care, filing of cases to international legal bodies, and connecting victims to local lawyers in Saudi Arabia and in European, Canadian, and US jurisdictions.
- Civil society organizations, including the Freedom Initiative, prepared Global Magnitsky Sanctions filings, Levinson Act requests to State Department, Khashoggi Ban sanctions recommendations, and filed formal complaints to relevant UN human rights bodies against perpetrators engaged in several human rights violations related to aforementioned cases.²⁷
- At least eight lawsuits involving Saudi Arabia commenced or continued in 2020 and 2021. Several cases were brought against Saudi defendants in US courts. These included cases pursuing Mohammed bin Salman for personal liability in torture or harassment of US persons, several cases related to Saudi intelligence operatives who had infiltrated Twitter to target critics, and in one case for relief from a Saudi court order mandating the return of a US citizen woman and her daughter to Saudi Arabia.

Findings and Conclusions

- There was no single profile of a detained US person or single cause for detention or travel bans, but a diversity of experiences and backgrounds. This research documented cases of women, men, Islamists, Liberals, Shia, Sunni, political dissidents, advocates, lawyers, artists, students, minors, economists, professors, apolitical and elderly among the cases of wrongful detention.
- Individuals whose family members were detained due to association with the Shia protests following the Arab Spring, or from the Shia Muslim minority described additional obstacles in garnering public support and were more likely to remain silent regarding their family members' detention. The same was the case for women who had escaped abuse or migrant workers entrapped by sponsors or detained.
- Individuals who did not adhere to the mainstream Islamic interpretation propagated by the Saudi state reported being harassed more in prison. At least one US citizen reported being isolated from other prisoners in al-Ha'ir because prison officials told his peers he was a "kafir" or non-Muslim.
- Patterns of detention or threat of detention were reported for decades, but over 90% of survey respondents reported a worsening situation since 2017; in addition, several respondents felt there was an additional peak in repression following the release of the ODNI report in 2021 and what they viewed as a failure to include MBS in the sanctions for the murder of Jamal Khashoggi.
- The Saudi Arabian Embassy to the United States and consulate as well as top officials have been involved in facilitating surveillance, harassment, intimidation, and kidnapping of dissidents in the US, Canada, and Europe.²⁸
- Cases of reprisals represent very clear efforts by the Saudi Arabian government to directly curtail protected rights and freedoms within US borders and transnationally, and nearly all respondents described feeling unsafe even outside of Saudi Arabia.
- Targeted harassment campaigns were not limited to targeting Saudi nationals, but included individuals working with Western politicians or supporting the Saudi diaspora in addressing human rights issues in Saudi Arabia. In at least one case in 2021, a US citizen visitor to Saudi Arabia was detained for allegedly assisting Saudi citizens in the diaspora while living in the United States.

- Saudis living in the diaspora in the United States reported being significantly more likely to receive death threats, targeted harassment and to self-censor in order to protect loved ones at risk than their counterparts living in Canada, the UK, and Europe. Several US respondents felt that US government support of Saudi Arabia made them less safe than their colleagues living in Canada or Europe, and more frequently and aggressively targeted.
- There was no single profile of a detained US person or single cause for detention or travel bans, but a Court documents from Saudi Arabia's Specialized Criminal Court (SCC) charged at least one US citizen, Dr. Walid Fitaihi, with terrorism for obtaining US citizenship in 2020. Saudi Arabian officials at times treated those with US affiliation as though they were agents of a political adversary or hostile spies.
- While the majority of respondents initially expressed fears about speaking to policymakers or in public venues, and initially tried to use quiet diplomacy to seek justice, the majority eventually resorted to speaking out publicly and felt it was the only path to obtaining results and the only way the Saudi authorities would respond.
- Several respondents felt that more needed to be done to hold Mohammed bin Salman accountable and to protect from repression, and that the US was "not using its leverage" over Saudi Arabia to prioritize human rights.
- Several respondents felt that it was not until they started speaking out that they got results for their family members but felt crippled by fear of speaking out. Several respondents living in the United States said they started speaking out in order to better protect themselves, feeling that having their name in the public sphere would make it less likely to be kidnapped or "disappear" without a trace. Those on the ground in Saudi Arabia continued to suffer in silence.

Recommendations

- In line with one of State Department's main foreign policy goals of advancing democracy,²⁹ FI identifies a need for the establishment of reporting on democracy and human rights that creates accountability measures to tackle authoritarian regimes, such as Saudi Arabia. Similar to the State Department's annual trafficking in persons (TIP) report, measures of state authoritarianism should be tier ranked for countries on the basis of promoting democracy around the world. Like the TIP report, countries found to be in the lowest tiers – namely dictatorships and authoritarian regimes – would face accountability measures.
- Unlawful travel bans against US LPRs and US citizens released from wrongful detention should be considered as an extension of wrongful detention or deprivation of liberty meriting assistance from SPEHA. US policymakers should further pursue legislation to bring the many US persons wrongfully entrapped in Saudi Arabia home.
- Individuals who have been documented in State Department's annual human rights reports or by reputable independent human rights organizations to have been victim of wrongful detention or travel bans while holding US LPR status should not be subject to automatic loss of LPR status while in wrongful detention or under travel ban, nor required to submit evidence when applying for SB-1 returning resident status indicating "that their stay outside of the United States was truly beyond their control."³⁰ These requirements subject human rights activists, who are often subject to torture while under detention to re-traumatization and unnecessary added stress in trying to reunite with families and loved ones in the US.
- More legislation needs to be put in place for accountability of governments found to be violently authoritarian and to ensure that technology and security systems sold to Saudi Arabia are not being used to track, suppress, and surveil human rights activists, including US persons.
- There should be no differentiation between human rights violations in legal considerations of immunity of foreign government officials of nations that are allies of the United States and nations that are not allies.
- As "laissez-passer" temporary travel documents issued by the Saudi Arabian embassy and consulates in the United States have been used to kidnap and entrap several generations of American children, an administrative order should be put in place which temporarily prohibits the recognition of laissez-passer documents issued by the government of Saudi Arabia as a valid travel documents to exit the United States borders for minors. This order should be effective until Saudi Arabian law has reformed to reflect exit procedures which end the entrapment and kidnapping of American mothers and children in Saudi Arabia under the kafala and male guardianship systems.

FRIEND OR FOE:

INTRODUCTION

In February 2021, the office of the Director of National Intelligence of the United States (ODNI) declassified a report assessing the Saudi government's role in the murder of Virginia resident and Washington Post Journalist Jamal Khashoggi.³¹ The intelligence report named 18 Saudi nationals who it stated “with high confidence” were

“responsible for the death of Jamal Khashoggi on behalf of Mohammed bin Salman.”³² The report laid bare the frightening extent of Saudi government efforts to violently silence dissidents, even outside of their borders or jurisdiction. Within Saudi Arabian borders, where freedom of the press is virtually nonexistent, the repression may be less apparent to the outside world, but it is equally violent, shocking, and widespread.

That the Saudi government has, for decades, enjoyed support from the US despite this despotic behavior undoubtedly contributed to a sense of impunity and the brazenness of abusive acts outside its borders. Yet the United States continues to reiterate that Saudi Arabia is a close strategic ally of the United States. **This paradox and our ongoing work with victims of Saudi repression has led us to pose the question: is the government of Saudi Arabia truly a friend or foe?**



68,056

Recent estimates place the number of detainees held in Saudi Arabian prisons and detention centers at over 68,056;³³ of these, many have been placed in detention despite systematic violations of their rights to have fair representation in court, to have a fair trial, or to be held in humane conditions. Further, Saudi Arabia's practices of arbitrary detention and enforced disappearance—depriving individuals of their liberty even though they have committed no crime—are notorious. Prisoners face physical and psychological torture, medical neglect, and arduous probationary measures. The targeting of dissidents through detention and other forms of repression also negatively impacts family members around the world.

Each one of these victims represents not only a number, but a unique, personal, and often deeply traumatic experience. Each one of them comes from a family and a community whose lives are changed when their loved one is put behind bars or entrapped in a country where they remain at constant risk. As Saudi's efforts to silence criticism becomes more unpredictable and abusive, the number and profile of detainees grows and the consequences of these repressive practices not only impact Saudi Arabian domestic policies, but foreign policies as well.

This is particularly true of the United States, Saudi Arabia's closest Western ally. Saudi Arabia is seen as an important trading partner, an ally against Iranian expansion, a strategic partner in the so-called “war on terror,” a lucrative customer for massive arms sales, and a stabilizing influence on the oil market. Despite the allegiance, the United States, its citizens, and residents are not spared from Saudi repression and its consequences. Particularly after Khashoggi's murder, Saudi Arabia's detention and repression practices have become increasingly apparent in the public eye and in policy discourse.

Joe Biden referred to Saudi Arabia as a “pariah” state, assuring a commitment to human rights in the relationship between the US and Saudi Arabia on the campaign trail. Yet, following a failure to sanction Mohammed bin Salman for the murder of Jamal Khashoggi, dissidents reported an increase in harassment, cases of US persons in Saudi courts seemed to be halted on a stand-still, and family members in the US reported greater worries about their loved ones in Saudi Arabia. Today, as this research shows, US-based persons reported more targeted harassment and felt they were living under greater threat on US soil than their counterparts living in Canada or Europe.

This report provides a critical and rare opportunity to hear from these individual victims directly, despite the Saudi government’s best efforts to silence them. Our hope is that this report will establish the experience with Saudi Arabian detention, entrapment, and global repression and to solidify this as a transnational experience. We also identify areas where governments, international human rights mechanisms, and civil society organizations can better serve impacted individuals dealing with detention, repression, and reintegration. The findings beg the question: what kind of “friend” or ally harasses, detains, entraps, and turns a blind eye to the abuse and rape and murders of peaceful US persons on both its soil, and worldwide. A balanced strategic partnership would ultimately lead to safer and more just outcome for the many victims of Saudi’s transnational repression.

FRIEND OR FOE:

RESEARCH METHODOLOGY

DEFINITIONS

To capture the impact of Saudi Arabian detention policies in the United States and worldwide, this research engages with cases of individuals connected to Saudi Arabia through citizenship from around the world, with a particular focus on US persons who have had firsthand experiences with wrongful detention in Saudi Arabia in 2021. The research adopted the terms “US persons,” “family members,” and “wrongful detention” as starting points to reflect the terminology that is used in US government policies and per international legal standards.

The term “US person” has different meanings in different contexts in US law and policy, which generally refer to an American citizen or legal permanent resident, but which at times may also include corporate entities. More recently, the term has been used informally within various US government agencies with foreign relations mandates (including in the department of state and some Congressional committees) to refer to US citizens, legal permanent residents, and resident visa holders. The inclusion of lawful permanent residents in US persons was adopted in H.R. 1392, the Protection of Saudi Dissidents Act which passed the House on April 21, 2021. This amendment explicitly referenced the Arms Export Control Act (22 U.S.C. 2756), which forbids any export licenses to any country engaged in “a consistent pattern of acts of intimidation or harassment directed against individuals in the United States [emphasis added].” H.R. 1392 required certification from the president that to Congress that Saudi Arabia had not conducted: “(1) Forced repatriation, intimidation or killing of dissidents in other countries; (2) unjust imprisonment in Saudi Arabia of of US citizens or lawful residents or the prohibition on these individuals and their family members from exiting Saudi Arabia; or (3) torture of detainees in custody of the government of Saudi Arabia.”³⁴

This report thus adopted a broad definition of US persons that would allow for capture of cases that adhered to the various definitions in US law and international legal standards: any US citizen, legal permanent resident, or resident visa holder. In assessing impact of wrongful detention on families around the world, rather than adopt a strict definition of immediate family members, this report also references families that extend beyond the nuclear family, but may include aunts, uncles, cousins, or others. We chose this definition to better reflect the cultural specificity of family dynamics and kinship relations in the Saudi Arabian context. Put simply, when in doubt, we adopted the language of our respondents to better reflect their personal experiences. This allows for a more victim-centered approach to the research, as well as provides a more holistic understanding of the broad range of impact within the United States.

The report has also adopted the term “wrongful detention” to mirror language used in the US Department of State through its Special Presidential Envoy for Hostage Affairs (SPEHA), the office tasked with working on cases of Americans detained by a foreign government in violation of their rights. The SPEHA’s conditions for determination of wrongful detention are not publicly available, causing confusion among families of detainees and suspicion that strong diplomatic ties may influence determination.³⁵ Thus, this report uses “wrongful detention” to indicate a case where deprivation of liberty occurs in violation of an individual’s protected rights and freedoms under international law, whether as the cause of their initial detention or their continued detention, and which includes the imposition of restrictions like travel bans.

The United Nations define a detained person as any individual deprived of personal liberty, except as a result of a conviction for an offense. While peaceful dissent may result in a conviction under certain authoritarian jurisdictions, this is not an acknowledged conviction under international legal standards. Article 4 (2) of the Optional Protocol to the Convention Against Torture (OPCAT) defines “deprivation of liberty” as: “any form of detention or imprisonment or the placement of a person in a public or private custodial setting which that person is not permitted to leave at will by order of any judicial, administrative or other authority.” This report therefore includes travel bans within the definition of wrongful detention, and as a violation of an individual’s fundamental human rights per Article 13 of the Universal Declaration of Human Rights (UDHR) which holds that “everyone has the right to leave any country, including their own, and return to their country.”³⁶

This adapts from the definition of “arbitrary detention” from the United Nations Office of the High Commissioner on Human Rights (OHCHR) in that it considers “elements of inappropriateness, injustice, lack of predictability and due process of law.” We note here the many credible reports that such violations are endemic throughout the Saudi judicial system that makes the exact number of such cases difficult to pinpoint. In 2011, some rights groups estimated there were some 30,000 individuals wrongfully detained in Saudi Arabia, with the noted increased repression since the Arab Spring uprisings and again with the rise of MBS, it is estimated that this number a decade later is substantially higher.³⁷ The UN working group on arbitrary detention stated in 2020 that such detentions in Saudi Arabia were “widespread and systemic problems.”³⁸

The word “dissident” is used throughout this report to describe respondents and participants; however, it should be understood in a much broader respect when referencing the Saudi Arabian context. A dissident is generally understood as an individual who opposes official policy, however, in Saudi Arabia an individual who challenges any aspect of state narrative, or even fails to endorse it – may be declared a dissident. Any individual who participated in this report has done so at great risk to themselves. Several participants have requested anonymity to protect themselves or loved ones and may even be ‘apolitical’ – however they are defined as dissidents in this report due to participation in speaking out on what happens in Saudi Arabia in the context of an authoritarian religio-political state.

CASE IDENTIFICATION AND ANALYSIS

The report is based on twenty surveys and ten semi-structured interviews with former detainees, individuals entrapped or their family members (referred to as “respondents” in the report), as well as review of legal documentation for 10 additional cases of US citizens, legal permanent residents, resident visa holders, or family members. Case documentation most often refers to official court documents made available by individuals, their lawyers, or their family members, as well as secondary reports and sources or analysis of filings to the UN for human rights violations or US government for sanctions considerations. The report also uses discourse analysis, drawing from official statements and media, including “new” media (like social media outlets), as well as ethnographic observations made directly through the Freedom Initiatives casework on Saudi cases it manages.

The cases reviewed for the report represent an available sample of known cases of persons impacted by Saudi Arabian detention practices worldwide throughout in 2021 but is not by any means comprehensive. With a focus on cases of US persons, determining the number of American citizens deprived of liberty was relatively straightforward.



We identified at least seven cases of US citizens wrongfully detained in Saudi Arabia (of which three remain in detention, two were conditionally released pending trial but remain entrapped under travel ban, one was released and charged and spent six months trapped under travel ban before being able to exit the country, and one other was released and not charged but remains entrapped in the country under travel ban). Cases of legal permanent residents or other visa holders were not as evident; at least nine lawful US permanent residents were detained and released or remained under travel ban in Saudi Arabia in 2021. At least four remain in detention, one is disappeared, three were conditionally released from detention in 2021, and one remains conditionally released under travel ban. Six remain separated from substantial investments, including homes or other property they own in the United States that they cannot access. Similarly, many of the individuals whose cases were examined had extensive family ties in the US, and several American citizens had multiple family members detained in Saudi Arabia. At least one US citizen held in detention in 2021 also had family members detained. In total, we identified at least 16 families that had at least one American citizen as a member, and at least one family member detained in Saudi Arabia.

- At least **89 US persons** detained or on travel ban in Saudi Arabia.
- At least **165 individuals** in Saudi Arabia detained as reprisals for Saudi citizens in the diaspora in the West speaking out against the government.
- At least **1,242 foreign nationals** including children, entrapped or wrongfully detained in Saudi Arabia under discriminatory kafala and male guardianship policies.
- At least **11 non-Saudi citizens** in the US and Europe threatened for performing their work related to promoting human rights in Saudi Arabia or supporting Saudi citizens in the diaspora.

1,508 Impacted

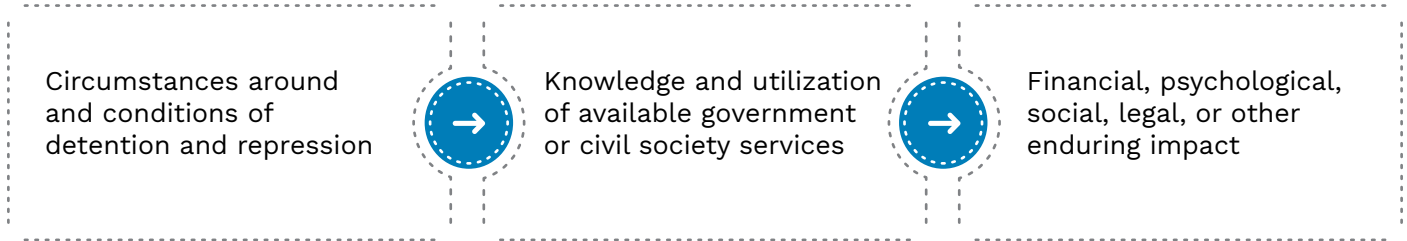
In total, we recognize that this number is much larger on the ground and was only what we were able to confirm. However, the results clearly indicate that Saudi government repression is a global issue.

Finally, we identified several cases of travel bans against US persons, including six American citizens, eight LPRs, at least 26 family members of US citizens and LPRs, and 47 cases of entrapment of American women and children under kafala and male guardianship laws. In evaluating repression, we have referenced other forms of entrapment in Saudi Arabia, due to the systemic limitations placed upon individuals living under repressive male guardianship and kafala laws in Saudi Arabia, whereby their sponsor or male guardian has the right to prohibit them from exiting the country. In November of 2020, at least one entrapped mother and her child were able to return to the US.

In identifying cases to include for interviews, we faced several challenges. We encountered several cases where individuals were concerned that any participation or attention to their case or that of their loved one may result in further reprisal or targeting from the Saudi government. We also encountered at least two cases in which the individual experienced symptoms related to the trauma of detention that were so acute that they were not able to discuss their experiences without serious risk of consequence to their mental health (re-traumatization).

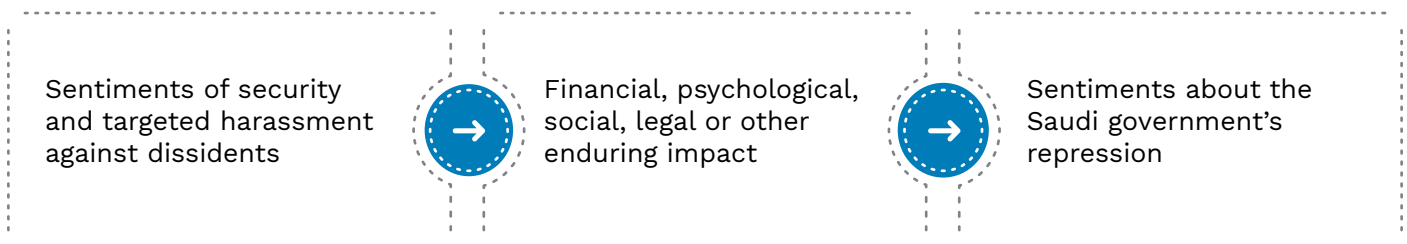
INTERVIEW AND SURVEY PRACTICES

All interviews were conducted remotely, using end-to-end encrypted platforms. Interviews were conducted in English or Arabic, depending on the comfort of the respondent. All interviews were held between May 2021 and September 2021. Interviews were semi-structured, with sets of questions probing:



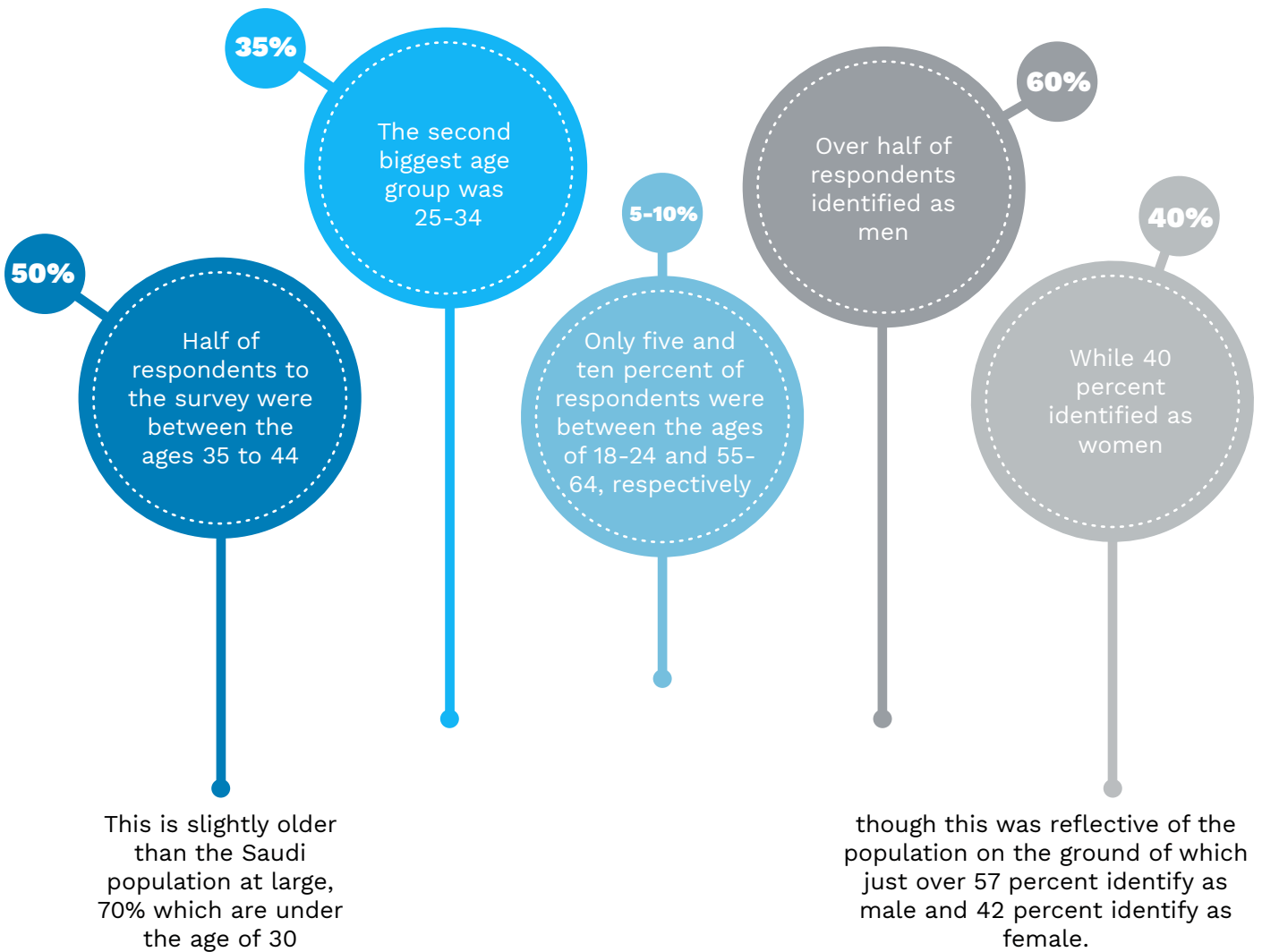
The research conducted for the report adopted a victim-centered approach to ethical interview practices. This included an emphasis on trauma sensitivity in conducting interviews, which was developed in consultation with experts in the field of global mental health. Researchers working on the project attended trauma sensitivity training prior to conducting interviews.

All surveys were written in both English and Arabic, using online distribution of surveys for Saudi citizens in the diaspora. The surveys were distributed online to Saudi citizens and probed:



In both the interviews and surveys, respondents were given the option to consent to identification in the report, in which case we have used full names, or to remain anonymous, in which case for some we have assigned distinguishing letters or simply identified them by other identifying factors. In some instances, particular aspects of an interview remain anonymous and other information was disclosed under an individual's name.

LIMITATIONS AND FINDINGS



Individuals surveyed cited a wide range of occupations, including students, physicians, researchers, journalists, and lawyers. Half of those surveyed were married, while the other half were either divorced (25 percent) or single and never married (25 percent). Over half of the respondents considered Riyadh to be their hometown, while six respondents identified cities/areas in the country's Eastern Province (Qatif, Dhahran, al-Ahsa, and Hofuf). Almost half of the individuals surveyed reside currently in the United States. Followed by Europe (representing Germany, Ireland, Sweden, and the UK), Canada, and one respondent in the UAE. The majority of respondents (32 percent) did not identify as Muslim, followed by Sunni Muslims (21 percent) and Shia Muslims (21 percent). Others identified as Muslim but preferred not to use the label of Shia or Sunni. The vast majority of those surveyed had earned at least a bachelor's degree. 50 percent had earned a master's degree, while 15 percent had earned PhDs. Fifteen percent had just completed high school diplomas.

While survey and interview results provide an insight into repression and detention practices, the respondents represent a small group of individuals who may not be reflective of Saudi society at large – though diverse in age, gender, and profession, they are generally well-educated professionals who had the opportunity and means to travel outside of Saudi Arabia, which is not necessarily the case for the Saudi population at large. That being the case, it is also understood that individuals who are on the ground and do not have access to such resources are likely at much greater risk, so this sample should not be considered as a comparison against sentiments within Saudi Arabia.

Potential bias may also be evident against the general population of Saudis in diaspora or of the Saudi citizenry, as every one of these respondents has been forced into either formal or informal exile due to circumstances on the ground in Saudi Arabia. Thus, while these results may not offer a representation of Saudi sentiment writ large, and should not be considered as public opinion, they do offer an invaluable insight into the realities of transnational detention and repression of the Saudi state against citizens and non-citizens alike. Given that individuals must risk their lives and the lives of their loved ones to speak about their experiences, these responses represent a small window into the realities on the ground in Saudi Arabia – which are much more than could be covered in one report.

Due to the security risks of independent surveying in Saudi Arabia, on the ground data regarding the topics covered is not possible to collect without potentially causing harm to participants, therefore, we did not include interviews or surveys of individuals who remain on the ground in Saudi Arabia, unless they were in a diplomatically protected zone on their way out, or specifically requested to be included anonymously.

FRIEND OR FOE:

ANALYZING CASES

ANALYZING CASES OF SAUDI REPRESSION WORLDWIDE

This research identified four categories of US or other foreign persons impacted by detention and entrapment due to Saudi government tactics throughout the years 2020 and 2021. These categories are not mutually exclusive:

1

Category 1: Wrongful Detention (including travel bans) and torture of US persons or their family members in Saudi Arabia. At least seven US citizens, three legal permanent residents, six resident visa holders were detained, and ten family members of US citizens and LPRs detained, and 38 banned from travel in violation of their freedom of movement and right to leave and return home to their country

Category 2: Saudi government reprisal against or harassment of Saudi dissidents worldwide: At least four US citizens, legal permanent residents, or resident visa holders whose Saudi Arabian family members and friends (totaling at least 64 individuals) were detained as a reprisal for their exercise of protected rights in the United States, and at least 101 detained as reprisal for speaking out against the Saudi government for Saudis in exile in Canada and Europe.

2

3

Category 3: Entrapment of non-Saudi citizens, including children, in Saudi Arabia foreign nationals entrapped by the kafala system including migrant workers being prohibited from leaving by sponsors or wrongfully detained due to racial profiling and other complications on immigration status, including at least 694 Ethiopians, 8 Kenyans, 41 Sri Lankans, 450 Indians, and at least 6 Yemenis in 2020 and 2021, and at least two US citizens detained in a unit for women who have been victim of abuse. Of 47 women and children entrapped in 2020 and 2021, 14 US citizen mothers and 19 US citizen children remained trapped in Saudi at the time of writing. Almost all cases have reported domestic violence, neglect and abuse.

Category 4: Non-Saudi citizens who targeted by Saudi-backed harassment and defamation campaigns worldwide: Several non-Saudi citizens who worked on human rights issues in Saudi Arabia or supporting dissidents were targeted by the Saudi government in 2020 and 2021.

4

Category 1: Detention and Torture of US Persons and their Family Members in Saudi Arabia

Throughout 2020 and 2021, the Freedom Initiative documented the cases of eighteen US persons and their family members wrongfully detained or enforcedly disappeared in Saudi Arabia, and at least thirty-eight US persons and their family members held on travel bans, ranging in age from a toddler to a man over 70 years of age.

Of the detainees, the Freedom Initiative documented, reviewed, and received credible reports that US persons Aziza al-Yousef, Salah al-Haidar, Walid Fitaihi, Abdulrahman al-Sadhan, and family members of US persons Salman al-Odeh, Loujain al-Hathloul, Mohammed al-Rabiah, had been subject to torture and other inhumane and degrading treatment. Saudi Arabian attorney Taha Al-Hajji stated, “when a prisoner of conscience or an activist is arrested, they are placed in solitary confinement for a long period of three months which could even exceed a year. During this period, torture takes place, and they are prevented from communicating with the outside world, and the lawyer is prevented from meeting or attending the sessions, and this is the period of torture.”³⁹



When a prisoner of conscience or an activist is arrested, they are placed in solitary confinement for a long period of three months which could even exceed a year. During this period, torture takes place, and they are prevented from communicating with the outside world, and the lawyer is prevented from meeting or attending the sessions, and this is the period of torture.

- Taha Al-Hajji, Saudi Arabian Attorney

Text messages sent to the Freedom Initiative in January of 2021 and which were additionally reported on by Human Rights Watch in July of 2021 came from prison employees working in Saudi prisons. They described the inhumane treatment of US persons and their family members in Saudi Arabia. This included documenting the role of the head of the Saudi State Security Presidency (SSP), Abdulaziz al-Huwairini, in the torture of US persons in Saudi Arabia. These were consistent with multiple reports received from US person witnesses who met with him while they were being subject to detention and torture in Saudi. When they reported torture to Al-Huwairini, he not only failed to investigate, they reported that he made threats. In 2019, high ranking US officials visited in Riyadh and met with Al-Huwairini at the same time that at least two US citizens were in detention and others had reported his role in their torture.

The text messages documented the treatment of US persons and their family members in jail were as follows (translated from Arabic):

When they -the human rights activists- were moved from the secret prison to Thahban prison -in Jeddah- they were met by [head of Saudi State security forces] Al-Huwairini who told them if they ever spoke of what they experienced in the secret prison they wouldn't see the light of day.

When we were working at the secret jail we saw older men being forced into closets for days, the closets where one meter high and half a meter wide, they couldn't move at all in them.

One of the hardest things I had to witness was when the interrogator forcibly removed the niqab – face covering – off the face of one of the female human rights activists and forced another prisoner to kiss her, the prisoner was so distraught he couldn't stop crying.

I remember a specific night when Loujain [Alhathloul] almost lost her life. She hadn't eaten in three days, she was throwing up her own bile for days because she couldn't get over the sexual abuse she had to endure and how she was forcefully kissed repeatedly by the interrogator and how he would blow his cigarette smoke in her face.

One of the most disturbing things I had to witness while working in the secret prison is when [name omitted], the detained female human rights activist, tried to take her own life as a result of the inhumane treatment she had to endure, combined with the fact that she wasn't allowed to see her children for such a prolonged period of time. Her baby girls name was the only thing she would utter.

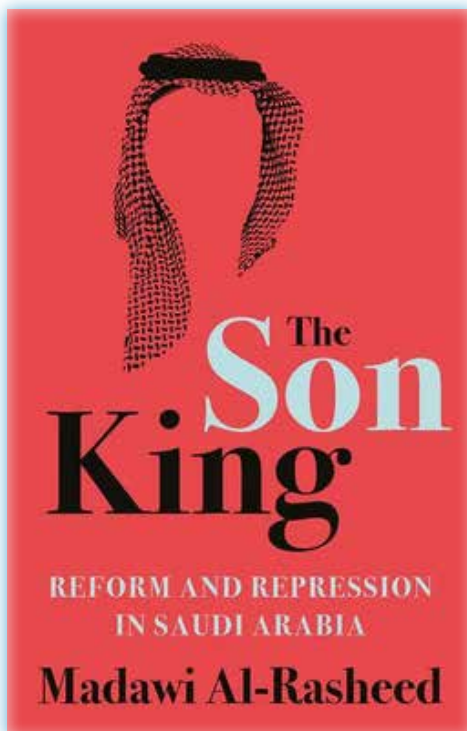
Mohammad Al-Rabiah is one of the most tortured detainees. Especially when the interrogator found out that he had back pain issues, he took sick pleasure in inflicting more pain onto his back to the point that Al-Rabiah couldn't use the bathroom without being assisted.

It used to terrify me when I was working at the secret prison and I would walk into Aziza Al-Yousef's cell and find her hunched over praying on her prayer mat, it didn't matter what time of day or night I walked in, she was always praying and I knew for a fact I was one of the people she was praying to God for retribution against. I used to try to avoid her torture sessions as much as I could.

“
In one specific torture session Aziza Al-Yousef passed out, we were all terrified she had died because we were given specific instructions to torture but not kill any of the human rights activists.

“
[Name of women’s rights activist removed] never asked for mercy but she begged them to not remove her hijab, they didn’t care. Nothing mattered to them.

These texts aligned with reports of torture from family members. One former US person detainee reported chronic debilitating headaches which required regular medication. The prison intentionally refused to administer the medication and placed the detainee in an empty cell alone with a newborn baby. The baby had been born and separated from the mother in detention and was crying hysterically. The detainee struggled with both the pain of the headache, the bright lights, and the noise of the cries – but more the psychological pain of inability to console an innocent infant crying for its mother’s comfort and milk. Other detainees reported being penetrated by objects, hung upside down, waterboarded, and being kept near starvation. One US citizen family reported that during the weekly visitation sessions the detainee would come to the session starving and seemed ravenous in eating the cookies in the visitation room.



In *The Son King*, Dr. Abdullah al-Aoudh, a US resident and the son of detainee Salman al-Odeh, describes the conditions his father is enduring in prison: “he has been held in solitary confinement... He has been mistreated, handcuffed, blindfolded and chained inside his cell and deprived of sleep and medication – so much so that after five months he had to be taken from the hospital.”⁴⁰ Salman al-Odeh was detained just four months after a tragic car accident which resulted in the death of his wife. Al-Odeh’s two young children, 8 and 9-year-old Abdulrahman and Ladan, were left without parents or primary caretakers due to the detention. In an interview with the Freedom Initiative, Dr. Abdullah described the difficulty of his half-brother, a young man in his early twenties stepping in to care of his siblings, and the family having to share the responsibility of raising children who had recently lost their mother and their father. Al-Odeh’s children were in the automobile at the time of the accident when their mother died, and his son sustained life-threatening head injuries. Dr. Abdullah described the difficulties his father faced in not knowing if his young child would live or die, and that he was detained before the second operation, and was likely struggling while in detention without knowing the fate of his son.⁴¹

A former detainee who was granted asylum in the United States described his experience to the Freedom Initiative in a juvenile detention facility in Saudi Arabia where he was detained as a child. His 14-year-old cellmate was tortured and raped to death by Saudi officials while in detention just outside their cell room. He described pulling a nail out from the bedframe in his cell and using it to attempt suicide after the incident.⁴² The Freedom Initiative was able to confirm that in 2021 a US citizen tourist was detained at the airport in Saudi Arabia. The American tourist was reportedly beaten, humiliated and subject to torture, as well as drugged by Saudi officials to the point of requiring hospitalization. The incident in 2021 was the first known report of an American tourist to Saudi Arabia being detained and tortured for “so-called” human rights crimes committed while the individual was in the jurisdiction of the United States of America.

However, this could also be since tourism visas to Saudi Arabia have only been available since the fall of 2019, and for most of 2020 travel to Saudi Arabia was not possible due to the global Coronavirus pandemic.

In addition to torture, enforced disappearance remains a serious concern. This is the case with Abdulrahman al-Sadhan, who was held secret detention for two years before his family heard his voice in a one minute phone call in March of 2020. When he was finally permitted to call his family for the second time in early 2021, he was told that he would be released within a few days. However, rather than being released, he was sent for a sham trial and sentenced to an additional 20 years in prison and a 20-year travel ban to follow.⁴³ He then entered into another period of disappearance, with no further communication or information as to his whereabouts until August of 2021 when he was suddenly summoned for an appeal hearing.

All but one US persons who were released from prison in 2020 and 2021 currently remain under travel ban and trapped in the country, unable to freely express themselves or get the quality mental health care that they need in Saudi Arabia. Several reports from family members indicated that they lived in constant fear of being detained again and were threatened and forced to sign agreements of silence that would subject them and their loved ones to detention if they did not comply. Some family members of former detainees who lived in the US remained afraid to advocate publicly for their family members who were released but remained trapped in Saudi Arabia for fear of them being detained again. It was reported in July of 2021 that one US person was believed to be the victim of an assassination attempt in Saudi Arabia, which nearly cost her life. The individual, a prominent women's rights activist, was being followed for a long period of time by an unmarked car, which crashed into the individual and totaled their car in a way that appeared to require skill and training as the aggressing vehicle left the scene unscathed. When the incident was reported to Saudi authorities, they explicitly refused to launch an investigation. At time of writing the report, the individual is currently still in recovery and requires additional medical attention. Around this same time, several other reports were made of former detainees being followed for prolonged periods of time while in their cars, and others mysteriously dying or disappearing.

While most of those detained were targeted due to their peaceful activism or defending human rights, at least one US citizen mother and her child were detained in make-shift detention facilities for women and children who have been subject to domestic violence or abuse. Women in Saudi Arabia who report abuse to the police are sometimes detained and not permitted to exit detention centers without permission of their male guardian or sponsor.⁴⁴ The American individual in detention described being detained with several other children – mostly from Africa or Asia or other developing Arab countries. She struggled with seeing the mistreatment of the children in the make-shift detention facilities, including failure to give them proper medical care or respond to children who were alone and crying for their parents for prolonged periods of time or asking for food and not being given any.

Category 2: Saudi Government Reprisals, Surveillance, Harassment against Saudi Dissidents in the US & Worldwide

Throughout 2020 and 2021, Fi documented or monitored several incidents of Saudi government reprisal, surveillance, and targeted harassment of dissidents. These efforts indicate a longstanding practice of surveilling the activities of Saudi citizens abroad, as was made evident by Khashoggi's murder and the release of the ODN report.



As reported in an interview with the Freedom Initiative and confirmed by official court documents from Saudi Arabia, Dr. Abdullah al-Odeh, a Saudi citizen living in exile in Virginia, has been the victim of a decade-long Saudi government surveillance campaign on US soil. Al-Odeh learned that Saudi officials had monitored his activities after he discovered that his state-sponsored scholarship and monthly stipend for studies in the United States was suddenly suspended in 2014. When he filed a case in Saudi Arabia objecting the suspension of his scholarship, the court documents revealed that the Saudi Arabian government suspended the scholarship due to reports from the Saudi Arabian Embassy in Washington D.C. regarding his “anti-government activities.” These included “objection expressed regarding the deployment of Saudi troops to Bahrain,” referencing Saudi deployment of troops to quell 2011 uprisings in Bahrain; his “negative comments on Facebook regarding the Kingdom”(an account which was private at the time); and “disruptive tweets against the ruler.”⁴⁵ Dr. Abdullah even recounted an incident when he attended a book club in Chicago in 2016, and Saudi Arabian Embassy employee Faisal Al-Shammari personally called the Saudi students in the Saudi book club chapter to report on what he was saying about Saudi Arabia in the meetings.⁴⁶

According to the court documents viewed by Fi, the Saudi Embassy in the United States used heads of student clubs around the United States to monitor and surveil dissident activities in the United States. This court case and in particular the response of the Saudi government in the lawsuit led to Dr. Abdullah being forced to file for asylum with his wife in the United States, which he was granted. In addition to his father, Salman al-Odeh's imprisonment in Saudi Arabia, at least 19 of Dr. Abdullah's family members are under travel ban in Saudi Arabia, including his immediate family members. His uncle on his father's side, Khalid, was detained for announcing the arrest of Salman al-Odeh and for tweeting in support of his release. He was sentenced to five years in jail on charges of "sympathizing with a conspirator against the State."⁴⁷ His cousin was also detained in 2019; Dr. Abdullah believes that his cousin was targeted due to their close relationship and his cousin's close relationship with his father, as well as the fact that he was very influential on Twitter. Indeed, Saudi authorities have increased or sought harsher sentences against activists who have larger followings on social media, even citing this in court documents for recommended sentencings.⁴⁸

In an interview with Areej al-Sadhan, a US citizen who resides in California, she recounted that she faced repercussions from the Saudi government when trying to exercise her right to representation from her family's elected members of Congress. Areej additionally reported that she received death threats online.

Families also expressed that the Saudi government shared deliberate disinformation in order to undermine efforts to advocate for family members held in detention and believed that these were designed to silence and stifle these efforts. Areej al-Sadhan's brother Abdulrahman al-Sadhan is currently detained in Saudi Arabia, and on March 4, 2021, prior to any formal charges being filed against him, the Freedom Initiative and Areej al-Sadhan were contacted by US Congresswoman Nancy Pelosi's office, of whom the Al-Sadhan family are constituents. The communication stated:



We received a call from the Saudi Embassy in DC today. The Saudi embassy says that Abdul is in good health, and that his arrest and trial relate to a national security matter of transferring funds to problematic individuals designated as terrorists. They say Abdul has been appointed a lawyer and will receive due process under Saudi law. They say his legal rights and health will always be guaranteed, and if there was a conviction there is a right to appeal.⁴⁹

These allegations were made by the Saudi embassy prior to the court cases in Abdulrahman al-Sadhan's hearing being concluded in Saudi Arabia, and the family reported that the Saudi lawyers who were appointed to Abdulrahman al-Sadhan's case by the Saudi government were unable to communicate with him for several months during the appeal hearings. Because Saudi lawyers are often punished for reporting torture or criticisms of the government, Al-Sadhan has been forced in his case to try to represent and account for his torture and forced confessions pro se in Saudi courts. This is indicative of serious violations of due process rights, as well as Al-Sadhan's legal rights and health, in great contrast to what was reported by the Saudi Arabian embassy to members of Congress. When Representative Pelosi issued statements and particularly - tweets calling for Abdulrahman al-Sadhan's release, online accounts appearing to be associated with the Saudi government responded by making a hashtag trend claiming Rep. Pelosi supported the Islamic State (ISIS)."

Threats were not only virtual - one individual currently residing in the United States who wished to remain anonymous, who will be referenced as “A” reported to Fi an incident where A was threatened in person while at a mosque in Texas in 2019. A Saudi national who recognized A approached him after prayer time and started pressing A on their criticisms of the Saudi government and calling A someone who betrayed their country. When A began to defend himself, recounting the horrors that the government had committed, including the murder of Jamal Khashoggi, the Saudi national responded that he sympathized with those who murdered Khashoggi – stating to A: “Yes, I myself would kill people who betray the country.”⁵⁰ A stated that at that point bystanders who overheard the conversation and its escalation, perceived it as a threat. They pulled A away from the individual and requested that A report it to the police, however, A was frightened about what may happen to that individual, and more particularly his wife and child if he reported them to the police. Nearly all respondents reported feeling that they felt that local authorities where they were not prepared to deal with the “brutality” and corruption of the Saudi government, and what it was capable of on US soil. One respondent cited the hypocrisy of the Saudi government going after peaceful dissidents in America, while the Saudi government also provided a \$100,000 check to provide bail to a Saudi student who killed an American child, Fallon Smart, in Oregon, before assisting him in returning to Saudi Arabia before facing trial in US courts.⁵¹

These attacks and campaigns fit into a pattern of worldwide repression that seeks to dismantle dissidents’ solidarity networks, using illegal surveillance to identify these individuals and then targeting them with threats or other methods of coercion. At the age of eighteen, Omar Abdulaziz al-Zahrani received a scholarship to study in Montreal, Canada, from where he developed a strong network of human rights activists in 2011 and cultivated millions of followers to his social media accounts, which were highly critical of the Kingdom’s rights abuses. He recalled in *The Son King*:



I returned to Saudi Arabia abruptly as my father had a car crash and almost died. I stayed until my father received a call commonly known as an istid’a to appear at the intelligence services headquarters. They told him I would end up in prison if I continued to be so vocal against the regime...I decided to return to Canada.⁵²

In an interview with Fi’s Saudi desk officer in early 2021, al-Zahrani reported that “around 100” of his friends from the past decade were in detention. In court documents reviewed by the Freedom Initiative, including one of the cases of terrorism charges against a US citizen in Saudi Arabia, communicating with al-Zahrani was listed as a criminal and terrorist charge. While al-Zahrani was able to seek relative safety in Canada, some are not able to do so. In January of 2021, Canadian dissident Ahmed al-Harbi disappeared after visiting the Kingdom’s Embassy in Ottawa, later reappearing in Saudi Arabia with pro-government propaganda on his public social media accounts, re-igniting fears into Saudi dissidents around the world.⁵³

In an interview with the Freedom Initiative, Areej al-Sadhan recounted a harrowing experience of being stalked by a Saudi Arabian man in the early hours of the morning while attending a conference to speak on human rights issues in Saudi Arabia in Geneva.⁵⁴ Al-Sadhan came out of her hotel early in the morning for a flight, and there was a black car parked and running outside of her hotel. A man in a suit began following her on foot, speaking into an earpiece as he did. When al-Sadhan became suspicious, she intentionally switched directions, and he did as well. When she started to run in another direction, the man first yelled in English “where are you going?” When Al-Sadhan ignored him, he then yelled at her asking her where she was going in Saudi dialect Arabic.⁵⁵ This for al-Sadhan, was when the panic set in, she said behind tears.



Al-Sadhan was not the only activist to report such harassment, and one investigator informed al-Sadhan that they had linked officials of the Saudi government to stalking of the activists in Europe at the time of her incident. In recalling the event, she stated: “we don’t feel safe, not only Saudis, but also Americans, in Europe or America or anywhere in the world. As long as there are no consequences to events such as the murder of Khashoggi, with no real consequences - there will be another Khashoggi out there...it could be any one of us.”⁵⁷

Due to these heightened fears and a sense of insecurity anywhere in the world, many cases remain unknown, and respondents reported that they knew of additional unnamed family members or others impacted around the world. Areej al-Sadhan stated: “Sometimes I receive indirect threats, that if I keep speaking, they threaten to target friends or relatives in Riyadh, or whoever is connected to me...the threat is not just for us as people who are speaking, but also to our relatives be they in the kingdom or in detention or ones who could be detained. Everyone is in danger, not just the person who is speaking out. That’s why a lot of people and friends and relatives stopped speaking to us. We lost our communication and community because of that. It really affected our social life, instead of a normal happy family life, everyone is living on the edge of worry and scared of what might happen.”

Sometimes I receive indirect threats, that if I keep speaking, they threaten to target friends or relatives in Riyadh, or whoever is connected to me...the threat is not just for us as people who are speaking, but also to our relatives be they in the kingdom or in detention or ones who could be detained. Everyone is in danger, not just the person who is speaking out. That’s why a lot of people and friends and relatives stopped speaking to us. We lost our communication and community because of that. It really affected our social life, instead of a normal happy family life, everyone is living on the edge of worry and scared of what might happen.

Category 3: Entrapment of Foreign Nationals, Including Children, in Saudi Arabia



Under the kafala (sponsorship) system and the male guardianship systems, entrapment is rampant in Saudi Arabia and leaves several vulnerable to human trafficking, forced labor, forced married, and, according to the 2019 State department annual report on human rights in Saudi Arabia: “unable to exercise their right to remove themselves from dangerous situations.”⁵⁸ This was consistent with reports documented by the Freedom Initiative. The population most impacted by discriminatory policies under the kafala system are foreign women, particularly domestic workers from developing nations that are outside the realm of the limited protection that exists under labor law. Similarly, foreign men who work as drivers, security guards, cleaners and farmers are also outside the realm of limited protection within the labor law. In March of 2021, despite announcements that the kafala system would be reformed, these changes, which permitted foreign employees to exit the country without the permission of their employer (kafeel) did not extend to domestic workers, who make up 30% of the country’s 10 million foreign workers.⁵⁹ In June of 2021, thousands of Ethiopians were wrongfully detained by Saudi security forces, including at least 694 lawful permanent residents in two cities alone who Ethiopian Embassy officials in Saudi Arabia were forced to intervene to release.⁶⁰ The Philippines suspended sending workers to Saudi Arabia in July of 2021 following the rape of two Filipina domestic workers in Saudi Arabia, one of whom was pregnant from her rapist.⁶¹ One Filipina worker contacted the Freedom Initiative while entrapped in her embassy in Riyadh. She had run away from her employer who she reported had beaten and sexually assaulted her; she was entrapped in the Philippine embassy for several months, and at threat of arrest if she were to venture outside. She explained that one of her parents had died while she was stuck in Saudi Arabia, this parent was the primary caretaker of her children while she was working in Riyadh. Due to her stalled status by her sponsors, she was unable to send funds, support her family or get support for herself over the pain of losing her parent and the guilt of not being there to support her children and family through their loss.⁶² She reported being in crowded quarters with several others from the Philippines in similar conditions.

At least 8 Kenyans reported being detained or trapped by their employers, 41 Sri Lankans were reported by Human Rights Watch as being wrongfully detained, 450 Indians were detained. While several more migrant workers were reportedly disappeared or not in contact with their loved ones, the numbers were impossible to report. In September of 2021, Kenya's foreign ministry reported the death of 89 Kenyans, the majority domestic workers, who never made it back home to loved ones. In June of 2020, the corpses of 353 Filipino workers who had died, 107 of which were confirmed COVID deaths were sent back to their country. One healthcare worker in Saudi said that foreign nationals were not being given the same treatment as Saudis during the response to COVID-19, and several foreign workers were recklessly exposed to the virus or healthcare workers from foreign countries were being forced to work in unsafe conditions which led to the increase in deaths amongst foreign nationals in Saudi Arabia during the pandemic.

Less understood within this category are foreign wives of either Saudi citizens or family members who enter as dependents of a foreign resident worker, as well as Saudi mothers who married non-Saudis and had children, as women are unable to pass Saudi citizenship on to their children. It is prohibited for Saudi nationals to marry non-Saudi citizens; they must seek a permission for an exception to the law from the Saudi government to be approved by the government for marriage to a Saudi national. With the prohibition of marriage of Saudi citizens to non-Saudi citizens, when an exception is granted – the non-Saudi spouses' legal status in the country is that of an employee/employer, giving the Saudi spouse immense power over the non-Saudi spouse. In cases where both are not Saudi, the head of household serves as the sponsor of the family in the country. The Freedom Initiative was aware of at least 14 American mothers and 22 of their American children who remained entrapped in Saudi Arabia in 2021 by fathers of the children. These women and children were unable to leave due to the restrictions of the male guardianship and kafala system. This included children who did not hold Saudi Arabian citizenship at the time that they were issued temporary "laissez passer" travel documents to Saudi Arabia by the Saudi Arabian consulates or Embassies in the United States, including children who were taken outside of the United States in violation of US court orders by their fathers.⁶³

In the majority of the aforementioned cases, domestic violence was an issue that several women reported not being able to get proper protection from, including violence against their children when it was reported. At least six mothers showed the Freedom Initiative evidence of their spouse abusing them and in some cases their children or using drugs in front of the children. Such evidence that they had gathered in hopes of protecting themselves and seeking justice in courts did not seem to result in any repercussions for the abusers. At least two American mothers reported that a Saudi government organization that facilitated court ordered visitations, called Mawwaddah, did not protect children from abuse from their fathers.

Category 4: State-backed Harassment of Non-Saudi Citizens Worldwide

Despite ample evidence on the Saudi government's nefarious use of dual-use surveillance technology, surveillance campaigns persist. In July 2021, a global investigation reported that private Israeli spyware was used to hack cellphones of "journalists and activists worldwide," including the successful hacking of 37 smartphones of journalists, human rights activists, business executives and the fiancée of murdered Saudi journalist Jamal Khashoggi.⁶⁴ In May and June of 2020, former FBI agent Ali Soufan was targeted by a social media campaign linked to Hussain al-Ghawi, a journalist and media figure in Saudi Arabia. Al-Ghawi is notorious for launching defamation campaigns that are later amplified in coordinated social media bot campaigns, often with death threats. One Tweet about Ali Soufan stated that "his end will be in a garbage dumpster in Qatar."⁶⁵ Journalist Geoff Goldberg, also a target of Al-Ghawi's YouTube show "Jamra," documented connections between Al-Ghawi's account and social media networks to top aides of Mohammed bin Salman.⁶⁶

In March 2021, al-Ghawi also attacked the organization Democracy for the Arab World Now, founded by Khashoggi, as well as DAWN's executive director Sarah Leah Whitson, Research Director Dr. Abdullah al-Odeh, technical officer Marc Owen Jones, and then-advocacy director Sari Bashi. The episode made claims that DAWN was not affiliated with Jamal Khashoggi, that Whitson was indirectly responsible for the US invasion of Iraq and a supporter of Ghaddafi,⁶⁷ and claimed that Marc Owen Jones sympathized with Qatar and Hezbollah.⁶⁸ In another episode, Jamra attacked the Quincy Institute, alleging that they sought to "remove Trump from the presidency"⁶⁹ and to push Tehran's agenda in the United States. Jamra similarly defamed two team members at the Freedom Initiative, Mohamed Soltan and Bethany Al-Haidari, as well as the Freedom Initiative's campaigns and the organization itself. This episode of Jamra claimed that Soltan and Al-Haidari were running "more than five organizations in America, whose missions are to demonize and smear Saudi Arabia and Egypt."⁷⁰ The episode falsely claimed that Al-Haidari, who lived in Saudi Arabia for more than eight years, was working as a spy while living there, and "moved freely," despite court documentation as to her nearly two-year entrapment in the country.⁷¹ These videos were viewed millions of times and uplifted by Saudi-State affiliated media outlets and pro-Saudi government troll accounts.⁷²

The Freedom Initiative's Al-Haidari also had to report threatening comments to the police made to her on Twitter and through direct message threatening that she and her child would be "taken by force" back to Saudi Arabia. In April of 2020, Twitter again published that it had to take down 20,000 fake accounts associated with the Saudi Arabian government which were "a targeted attempt to undermine public policy."⁷³ Other US citizens who lobbied for the end of the Saudi-led war on Yemen and other accountability measures, including Hassan El-Tayyeb of the Friends Committee on National Legislation, reported harassment from Saudi associated accounts online.

Iyad el-Baghdadi, an activist and co-founder of Kawaakibi Foundation, was reportedly warned by US and Norwegian officials of threats to his life for his work with Jamal Khashoggi from the Saudi government. In January of 2020, former U.N. Special rapporteur for extrajudicial killings, Agnes Callamard, who launched the investigation into the murder of Jamal Khashoggi was issued what was perceived by the UN as a death threat from senior Saudi official - the head of the Saudi Human Rights Commission, Dr. Awwad al-Awwad.

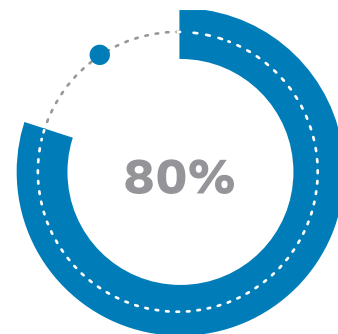
FRIEND OR FOE:

EVALUATING THE IMPACT OF SAUDI ARABIA'S GLOBAL PRACTICES OF REPRESSION

ANALYSIS OF SURVEY AND INTERVIEW RESPONSES

SECURITY CONCERNS

Security and safety remained a primary concern for respondents. Of survey respondents living outside of Saudi Arabia, 80 percent indicated that they, a family member, or a close friend or colleague had been detained in Saudi Arabia. Five respondents had personally been detained and added that they were detained alongside family members. Ten respondents wrote that members of their family or friends had been detained, and one respondent did not feel safe to answer who they knew who had been detained. One respondent stated that they were arrested in 2012 for being involved in politics and this prevented them from going to school.



Most respondents who had personally experienced repression or detention of a family member reported continued threats to their own security and safety or to that of their loved ones. These took several forms, but caused significant financial obstacles, legal hurdles, damages to their career, stress and mental health consequences, deterioration of community and family ties, and often fear for their safety and safety of loved ones. As one respondent stated, “being a Saudi means to be punished, even if you are far away.”⁷⁴



Ali Al-Ahmad, a US based dissident, journalist and founder of the Institute for Gulf Affairs expressed living in fear daily despite being based in America: “Absolutely, I fear, every day I go...I look under my car, look around the house...I do everything I can to protect myself and my family.”⁷⁵ Saudi scholar and researcher Dr. Abdullah al-Aoudh recalls having to report death threats to US authorities, particularly when the Capitol Building in Washington D.C. was infiltrated in January of 2021. He received a threat stating: “you think that you are safe, but we will take advantage of the protesting and chaos in the US and we will take care of you.”⁷⁶

Absolutely, I fear, every day I go...I look under my car, look around the house...I do everything I can to protect myself and my family

Of the respondents, 60% indicated that they were living separate from all members of their immediate family and did not know when they would be reunited again.⁷⁷ Dr. Abdullah al-Odeh’s family members, as well as the family members of Loujain al-Hathloul and several others have been subject to extrajudicial travel bans, with no formal way to contest them or seek legal recourse.⁷⁸ In the worst case scenario, these individuals have no idea if they will be reunited with their family in person again without policy changes and pressure on the Saudi government.



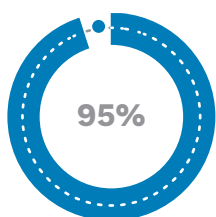
Respondents described how these threats impeded their ability to fully enjoy their rights and freedoms in the US. One respondent, a professional in the United States, explained that she had changed her behavior due to harassment online and the impact it was having on her family in Saudi, she started resorting to private advocacy and activism rather than doing it in the public sphere.⁷⁹ Nearly all expressed difficulties with trusting people, and one respondent stated how often this would even hinder activists from getting the support they needed due to an inability to trust those offering help.⁸⁰ Other respondents reported self-censorship, carefully selecting words and sentiments when posting to social media or speaking to individuals they did not know well.

MENTAL HEALTH

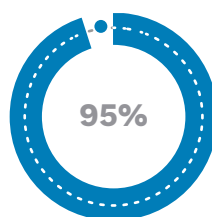
Every respondent reported some signs of mental health crisis or symptoms consistent with trauma experience. Some respondents became visibly emotional during the interview process, and needed time to process through difficult emotions, sometimes crying when discussing the ongoing pain and struggles of having a loved one in detention.

Several reported extra stress in worrying about or trying to maintain the health of their parents who were separated from their children or spouses. Some explained the pain and anguish this caused them, being far from their parents especially as they aged and got sick. One woman in the US who was previously entrapped in Saudi Arabia against her will by her male guardian reports mental anguish and anger over being separated from her mother who remains in Saudi Arabia. She reported that her mother “loved her granddaughter very much” but that visiting her in Saudi Arabia would endanger both herself and her daughter.⁸¹

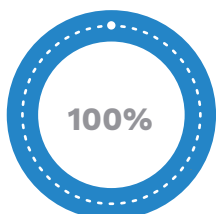
Another woman in the US reported the constant struggle of being begged by her loved ones who are terrified of repercussions to stop her human rights work; “they break down and beg us not to do these things for their safety, so I live with constant guilt and self-censorship, but the impossible question of how I support human rights works and protect those who are at risk?”⁸² Others struggled with being shunned and rejected by their family and loved ones for their activism; one said their family treated him very poorly, causing him to see his own family members as a threat or a danger to his security and safety while abroad.⁸³



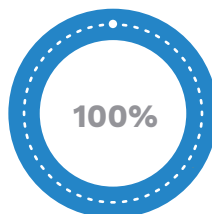
of respondents agreed that they and/or their families had suffered financial/career consequences due to the situation in Saudi Arabia.



of respondents agreed that the situation in Saudi has negatively impacted their and or their family members' mental health.



of respondents agreed that the situation in Saudi has caused them and/or their family stress.



of respondents agreed that they feared for their safety and/or the safety of their families despite living outside of Saudi Arabia

Since leaving Saudi Arabia, 70 percent of respondents have experienced painful memories related to their time in the country. 50 percent of respondents indicated that they avoid thinking about their time in Saudi, while 60 percent said they also avoid situations that remind them of their time in the country.

Other signs of psychological distress included, but were not limited to:

- Sleeplessness, nightmares, or stress response to certain sounds. Over half of respondents have experienced nightmares and/or feeling isolated from others. One respondent said they have difficulty trusting others around them.
- Physical manifestations/stress-related symptoms (unexplained fainting, digestive issues, chronic respiratory issues). 30 percent of respondents experienced physical symptoms associated with stress such as dizziness, nausea, tremors, and sweating.
- The psychological burden was rarely limited to an individual but shared by a family or community. One respondent in the US explained their six-year-old child repeats the memory of witnessing the parent being detained in Saudi Arabia two years prior. When Saudi Arabia is mentioned in conversation in front of the child, she often grows distressed and tells people she does not want to return to Saudi Arabia because “the Saudi government will arrest” her parent again.⁸⁴

- Another respondent explained the anguish of guilt and feeling they had not done enough to find their loved ones who disappeared in Saudi Arabia: “I always fear that I have not done enough. That I have not explored all possible options to find him, help him. That is a tremendous amount of guilt. I find myself stuck between anger and depression...can’t really grieve properly...can a man of his age really survive...years of detention? Then I circle back to guilt towards my family here. I’m not myself anymore. I’m not present...Can I bounce back? So much guilt. So much anger.”⁸⁵
- One respondent mentioned several within the community who are suicidal, and frequently being sure to call to check in on friends and colleagues who are suicidal or struggling with other issues related to repression weekly. Another respondent described the near non-existence of psychological support services for these particular issues.

FINANCIAL MATTERS

Some respondents reported a financial burden often underreported elsewhere, though the impact was experienced differently. Several respondents expressed difficulties with explaining the lack of independence in the Saudi judiciary and dealing with misinformation from the Saudi government agencies or officials as they sought to prove wrongful detention in order to resolve outstanding financial matters.

- Several American women in Saudi Arabia reported being unable to afford legal fees, but also feeling that they had no protection under the law even with a good lawyer on the ground.
- Several Saudi women escaping abuse or discrimination in Saudi Arabia were cut off from family members and struggled to make ends meet once they arrived in the new country of origin, especially as they didn't qualify for certain programs for assistance due to their immigration status.
- One US citizen told the Freedom Initiative that legal fees related to a case in Saudi Arabia and the United States cost over \$71,000.
- One US citizen detained in Saudi Arabia said they had been quoted the equivalent of \$500,000 by Saudi lawyers to take on their case, as lawyers were hesitant to take on political issues in Saudi Arabia. They ended up paying around \$250,000.
- Domestic and other skilled foreign workers who were prevented from leaving Saudi Arabia reported being paid very little and being unable to afford to pay legal fees in Saudi Arabia. Additionally, when they sought to take legal action against employers or left abusive household circumstances, they would have bank accounts frozen and when taking legal action often were cut off by employers from their salaries or forcibly deported.
- The family of Basel al-Imam was unable to access bank accounts or assets as they were frozen by Saudi authorities when he was disappeared in 2018. This caused a financial strain on family members, especially as he had been financially supporting his wife and family.
- Dr. Walid Fitaihi's assets in Saudi Arabia were frozen, making it impossible for him to pay his taxes in the United States despite multiple efforts to do so.
- Several individuals who legally acted against the Saudi government reported being targeted with counter suits and claims of corruption, as well as attempts to freeze their assets.
- At least four US citizens who owned companies in Saudi Arabia (even inactive companies) reported in 2021 being charged excessive amounts of "sales taxes" on business even after they had closed in Saudi Arabia, sometimes in amounts surpassing half a million and backdating the charges several years. Respondents feared these were repercussions for their activism, others felt it was a scramble for the Saudi government to get money as the economy was suffering during the COVID-19.

LEGAL OBSTACLES

Several of the detainees reported struggling with various legal obstacles even after escaping repression in Saudi Arabia. Several had immigration struggles, financial burdens that made getting legal assistance difficult, inability to seek justice in US courts, struggles with the custody of children they immigrated or escaped with, and difficulty finding lawyers and often even judges who understood what one respondent described as the “unbelievable level the Saudi government is willing to go to make their judiciary appear functional and independent.” Another respondent stated, “here in the US the law is codified and straight forward, in Saudi, they can and will make up whatever they want to, and I think it’s difficult for American lawyers and judges to even imagine this level of high-profile unchecked corruption and utter nonsense could exist in a so-called legal system.” Many were able to receive pro-bono services from law firms; these firms provided help with immigration issues and seeking asylum on at least two cases, others helped with civil lawsuits against Mohammed bin Salman. Respondents expressed wishing that they worked closer with human rights organizations and advocates who understood the nuance of Saudi in their cases. Those requiring local state counsel had a more difficult time securing pro-bono services, particularly when they had already engaged with another lawyer on their case. One woman reported paying \$3000 to a law firm in New York for a complex immigration issue for her dependent who was stateless due to Saudi Arabia’s prohibition on allowing women to pass Saudi citizenship to their children, with no result. She mentioned feeling robbed and taken advantage of by the firm amid a difficult time while entrapped in Saudi Arabia.⁸⁶

Several individuals expressed frustration with the Saudi Arabian judiciary and how misinformation from the Saudi government caused difficulty in achieving justice or even response in US or foreign courts. One individual who is now living in the US after seeking asylum reported to the Freedom Initiative that his relative was denied asylum in Germany. The respondent mentioned the judge cited “reforms” in Saudi Arabia under the Crown Prince Mohammed bin Salman when considering the case. When the individual was returned to Saudi Arabia they were detained and are now facing the death penalty, this prompted the relative to flee to the US.⁸⁷

FRIEND OR FOE:

ASSESSING JUSTICE AND ACCOUNTABILITY FOR US PERSONS DEALING WITH SAUDI ARABIAN REPRESSION

Role of the US Government and Elected Officials

The Department of State was the primary body within the US government that engaged on cases of wrongful detention and repression of US persons or family members. This happened through several channels. The most immediate was direct engagement at the consular level, where US embassy officials in Riyadh and consular officials in Jeddah and Dhahran monitored, conducted visits, or engaged with counterparts on individuals detained or whose movement was otherwise restricted in Saudi Arabia. Because cases of wrongful detention also necessarily involve rights violations of relevance to bilateral US-Saudi relations, the bureaus of Near East Affairs and Democracy, Rights, and Labor also tended to engage on cases as well, liaising with victims, families, or their representatives, with local embassy staff, and with their Saudi counterparts. Finally, in some cases, the SPEHA's office classified a case as wrongful detention and acted as a party in negotiating release. Families of US persons detained or entrapped in Saudi Arabia often expressed a range of gratitude and frustrations with US government engagement on their cases.

State Department: Consular Engagement



Article 36 of the Vienna Convention on Consular Relations requires that embassies of any state be informed “without delay” of the detention of their citizens, that consular officers may visit and facilitate legal representation, that these citizens have the rights to communication with consular officials, and citizens of a foreign state in detention are informed of their rights “without delay.” Furthermore, the US Department of State has outlined specific protocols around assistance to detained individuals, regardless of whether the detention is deemed wrongful, arbitrary, or otherwise. The Foreign Affairs Manual (FAM) sections on assistance to detained US citizens recommends that consular officers provide detailed lists of attorneys, affidavit forms to allow an individual to report mistreatment, and, circumstances permitting, personal items. While the embassy is not required to provide such support to legal permanent residents or others with “strong US ties,” it may do so “as a courtesy.” The FAM also outlines best practices for engaging other State Department offices and for informing them of critical issues, including mistreatment of detainees or violations of their rights. Individuals impacted in Saudi Arabia did not feel that the list of lawyers the US embassy recommended in Saudi Arabia were quality lawyers. At least two US citizens reported being “robbed” by one of the lawyers on the US embassy list, and others performing poorly in court. Some believed that lawyers who had good relationships with the US embassy were not the character type needed to perform well in Saudi courts, where only male clerics trained in the local interpretation of Islamic law are permitted to preside as judges.

Despite the robust assistance outlined in the FAM, and Saudi Arabia’s requirements per the Vienna Convention to allow this assistance,⁸⁸ American citizens reported minimal assistance from the US embassy and consulates in Saudi Arabia, or difficulty in getting embassy attention to detained family members, particularly without pressure from members of congress. One American spouse of a US citizen who was detained during the Ritz Carlton crackdown in Riyadh stated, “the US Embassy was useless, they asked if we wanted them to bring him medicine or books, referenced their website with recommendations for lawyers in Saudi Arabia, and told us they were unable to help in any other way.”⁸⁹

Dr. Basel al-Imam is an American doctor and the son of Mohammed al-Imam who has been disappeared in Saudi Arabia for more than three years. His father disappeared just days before he missed his scheduled flight to the United States where he would retire to join his American family in Illinois. Dr. al-Imam expressed discontent in government responses:

I feel like we are not important, if we don't make a fuss about it – if it's not somebody who was taken for publicly speaking out against an enemy of the united states or a women's rights activist – it's just not sexy enough, it's not enough to make headlines. I don't want to make headlines – I just want to get people moving to help my father...for a blue-collar family who just lost their father – it doesn't really matter – it is just one other person – and that's the feeling I get from the US officials and the way they handle it and I'm sure there are lots of other families that feel the same way.⁹⁰

- Dr. Basel al-Imam

US citizen Areej al-Sadhan, expressed gratitude for the help of State department, but similarly felt that not enough was being done for her brother Abdulrahman:

"The US government has been helpful in terms of making statements and following up on the case privately, however, I don't think it's enough. I am so grateful and thankful, especially to the Speaker of the House [Pelosi], she has been so caring about the case and always showed support and compassion and kept following up with us...the state department as well, especially this year after Biden took office, we have gotten a lot more care and attention from state department, however, it's not enough. I think there should be more from the White House itself, because what happened with the previous human rights abuses, and now how the Saudi government is perceiving President Biden as being generous with MBS and taking him off the hook, MBS has taken that as a signal to continue and increase human rights abuses."⁹¹

- Areej al-Sadhan

Despite her family's multiple requests to speak with White House staff about their situation, they had never gotten a response. The same was the case for the other American family members with loved ones entrapped in Saudi Arabia.

US citizens and children entrapped in Saudi Arabia by spouses were also denied adequate protection, in a longstanding pattern dating back to 1990. A house hearing in 2002 documented several dozens of cases of US citizens entrapped in Saudi Arabia, and in particular State departments failure to protect American women and children from abuse in Saudi Arabia. The congressional hearing nearly 20 years ago described the entrapment in Saudi Arabia of around 94 US citizens, including children, they stated:

Today we're going to hear the stories of three mothers who had their children snatched away from them. Three things stand out in each of these stories: One, the brutal treatment of women in Saudi Arabia; two, the incredible courage of these women who did everything they could to rescue their children; and three, the total lack of effort by our State Department to challenge the Saudi Government.

The hearing documented several stories, including one of a mother who went to the US embassy in Riyadh with her two children in attempt to escape abuse, who was kicked out of the US embassy and arrested after.⁹² The entrapment of women and children in Saudi Arabia is an ongoing issue up until 2021. In May of 2019, Bethany Al-Haidari and her then 4-year-old US citizen daughter were denied help to return home or be granted refuge at the US Embassy in Riyadh; when a young Marine who was called to escort Al-Haidari and her child out of the embassy pleaded with her not to let the marines take them out, and warned her that she would be detained by Saudi security forces on the outside and again lose her child.⁹³ She complied and left but was subsequently stripped of custody of the child and forced to resort to degrading extrajudicial measures to return with the child to the US. Such issues appeared to continue. In a Congressional briefing on Saudi Arabia in 2020, the case of two US citizens were brought before congress:

Today, a constituent of Representative Bishop and Senator Romney, Kaytlin and her baby girl Aria, both US citizens, were trafficked and held in Saudi Arabia by their father. Instead of being offered protection from this man who gave her stitches, subject her to marital rape which is not a crime in Saudi Arabia, and threatened her life on several occasions – they detained her and are refusing to let her leave a police unit, until her abuser, her husband, gives her permission to leave.⁹⁴

The mother and child remain in Saudi Arabia. They reported similarly feeling that the US Embassy was not helpful even when they were being subject to abuse and violent entrapment. Several other women and children who were entrapped or held in Saudi Arabia by spouses or employers felt frustrated at not being included as cases of trafficking in annual TIP reports and being excluded from recent Saudi labor law reforms which permitted employees to control their exit and reentry status in Saudi Arabia. These reforms did not extend to spouses of Saudi citizens or residents in Saudi Arabia. Many women felt deceived into being taken to Saudi Arabia and treated as unpaid “house workers;” several foreign wives reported being required to work at home, cook, clean and raise children, and engage in sexual intercourse with their husband against their will due to laws in Saudi Arabia that did not prohibit marital rape. These women were often prohibited from working outside of the home by their spouses. They also reported being too frightened to try to get divorces in Saudi Arabian courts for fear of losing their children or being charged with disobedience to their husbands, of which several legal consequences can follow.

Part of the difficulty of foreign citizens getting assistance in Saudi Arabia is the alleged prohibition of Saudi authorities to recognize dual citizenship of citizens holding Saudi Arabian nationality. This was applied inconsistently by Saudi authorities, who in several court documents reviewed by Fi, applied the law in courts as though an individual with a Saudi father being born a US citizen was not a crime but acquiring US citizenship via naturalization.

A US based family member of a detainee reported that his US citizen family member who was detained in Saudi Arabia in 2019 was initially afraid to request help from the US government for fear of having their citizenship used against them, and he refused to let his family seek help with the US embassy assistance early on in his detention. The family members expressed being under the impression that he was being threatened not to reach out to seek help from the American government by Saudi authorities.⁹⁵

Where detainees were legal permanent residents or visa holders, their ability to seek support from the embassy was curtailed. One US citizen contact the embassy about the disappearance of his father, a legal permanent resident in the United States: “The US embassy told me that they cannot do anything about my father’s detention as he is not a citizen, though I am.”⁹⁶ Others faced a limitation on their rights as they automatically lost their LPR status while being wrongfully detained in Saudi Arabia. Many reported feeling frustrated as they had been detained on charges related to promoting human rights and democracy, items listed within State Departments foreign policy goals.

State Department: Secretary of State, Bureau of Near East Affairs, and Bureau of Democracy, Rights, and Labor

Because cases of wrongful detention necessarily had rights or other political implications to bear on US-Saudi bilateral relations, they were generally of interest to the bodies that managed diplomatic relations in Washington, DC, namely the Bureaus of Near East Affairs (NEA) and Democracy, Human Rights, and Labor (DRL). Throughout 2020, these offices worked under congressional mandate to contribute to reports on Saudi Arabia's human rights situation. They also engaged in direct diplomacy efforts with the Saudi government to advocate for better treatment of prisoners or for their releases. The United States Commission on International Religious Freedom (USCIRF) is a federal commission that was established with the International Religious Freedom Act of 1998.⁹⁷ They play an important role on reporting on violations of religious freedom, and in particular in making recommendations for the Secretary of State to designate countries of particular concern. In 2020 USCIRF recommended Saudi Arabia be designated as a country of concern for religious freedom violations, and Secretary of State Mike Pompeo designated Saudi Arabia as such. In 2021, USCIRF additionally recommended Saudi Arabia remain a CPC.

On February 26, 2021 Secretary of State Antony J. Blinken announced a new visa restriction policy pursuant to section 212(a)(3)(C) of the Immigration and National Act (INA). The visa restriction was called the "Khashoggi Ban" and allowed the State Department to impose visa restrictions on individuals who "acting on behalf of a foreign government, are believed to have been directly engaged in serious, extraterritorial counter-dissident activities, including those that suppress, harass, surveil, threaten, or harm journalists, activists, or other persons perceived to be dissidents for their work, or who engage in such activities with respect to the families or other close associate of such persons."⁹⁸ Several US based respondents who were victims of human rights violations felt that these programs were helpful in creating accountability, but they were not aware of how to proceed forward in recommending Khashoggi Bans against perpetrators.

State Department: Special Presidential Envoy for Hostage Affairs

Executive Order 13698 of June 2015 established specialized US government bodies charged with "securing the safe recovery of US nationals held hostage abroad," including those held in cases of wrongful detention.⁹⁹ Specifically, this order created the role of the Special Presidential Envoy for Hostage Affairs (SPEHA), a senior diplomatic role, as well as the Hostage Fusion Recovery Cell (HFRC), a joint body designated to share intelligence in the interest of hostage recovery.¹⁰⁰ In 2020, Hugh Dugan served in an acting capacity until Roger Carstens assumed the position in March.

While the SPEHA and HFRC have a mandate to cover any case of wrongful detention of a US national, several impediments seemed to prevent effective service to families of detainees. A lack of clarity on the determination of wrongful detention (for which there is no legal definition); assumptions around detainees' access to legal counsel, fair trial guarantees, or due process; and a lack of awareness around the roles and responsibilities of the SPEHA and HFRC provided obstacles to engagement.

Because wrongful detainees may be held in accordance with local laws, even where their detention has been deemed arbitrary in nature by international bodies, rights groups, or wrongful in nature by the US government, their detention does not constitute a violation of US law and so former detainees and their families are not able to work with the HFRC to access funds through the Victims of Crime Act of 1984. This has devastating consequences on families, as financial repercussions are often extremely burdensome to families, as detailed in subsequent sections.

In Saudi Arabia, SPEHA led on the detention of Salah al-Haidar, Dr. Bader al-Ibrahim, Dr. Walid Fitaihi, and was considering intake for other US citizens that Fi was working on who remained in detention or under travel ban. In cases where SPEHA took on a case, families reported significant progress on cases, at a much faster rate than when cases were being handled by consular. SPEHA's cases in Saudi Arabia often ended up being released from detention pending trial, though they remained under travel ban unable to exit Saudi Arabia, despite being US citizens.

SPEHA has recently expanded to include a larger staff, more country specific officers and a formal case intake procedure which is promising to families and civil society organizations engaged with SPEHA. SPEHA also released a helpful manual listing resources for families of individuals who have been wrongfully detained.

Elected Officials and Members of Congress

In addition to the Department of State, US Congress played a significant role in dealing with cases of wrongful detention of US persons, particularly where individuals were constituents. In addition to acting in a representative role to Executive branch offices seeking additional information about cases, senators and representatives acted as advocates on behalf of their constituents in seeking release and justice both publicly and privately. At times, other offices, particularly those with key roles in relevant committees with foreign relations mandates also engaged on cases of wrongful detention or repression (or broader detention or rights related issues), including member offices and staff of the House Foreign Affairs Committee (HFAC), the Senate Foreign Relations Committee (SFRC), and the Appropriations committees in the House and Senate.

Constituent services are a representational requirement of any member of the US Senate or House of Representatives, but the nature of services provided, as well as the frequency and availability of communication varied widely from office to office. In some cases, family members, friends, or others were able to swiftly access office staff, even where these were not necessarily representatives; this was particularly the case for high-profile arrests that garnered public media attention. The responsibility for managing cases of constituents or their family members in detention fell to different staff members for different offices, which also led to varied support services. Both Senate and House offices have dedicated staff assigned to “casework,” but House and Senate rules do not strictly define what constitutes “casework,” nor do they strictly define what services must be provided. Because these detentions occurred outside the US, many offices viewed these not as case services concerns, but as foreign relations concerns, and so management of the issues was assigned to relevant foreign relations or national security staff.



Though each case engagement was unique, the Freedom initiative saw congressional inquiries to State Department on behalf of family members for their loved ones detained, public statements, public letters, or inquires to Saudi Arabian Embassy; of dozens of inquiries sent privately to Saudi officials on cases that Fi is aware of, none received response from the Saudi Arabian Embassy. Public facing letters and statements did, however, prompt at least one response from the Saudi Arabian Embassy in D.C. that the Freedom Initiative is aware of, where they tried to justify Abdulrahman al-Sadhan’s trial and disappearance. Letters to the Secretary of State and the president that were public facing gave family members a sense of comfort that something was being done on their case. Congressional members or committees who held hearings on issues in Saudi Arabia also gave an effective platform to individuals impacted which was watched and monitored by the Saudi Arabian authorities.

On individual cases, public action often produced results or some form of progress on cases:

- Senator Kaine and Rep. Connolly wrote a bicameral public letter on September 30, 2020, requesting the release of Salah al-Haidar and the attendance of US embassy staff in Saudi Arabia at his hearing to then President Donald Trump.¹⁰¹ While US embassy staff was not permitted to attend the first hearing, they did attend the second hearing on Salah al-Haidar and Bader al-Ibrahim and make a commitment to attend subsequent hearings (which are pending as of the date of writing).
- On February 16, 2021, Sens. Michael F. Bennett and John Hickenlooper sent a letter to Secretary Blinken calling for the release of Bader al-Ibrahim.¹⁰²
- On February 25, 2021, Senator Kaine and Connolly along with Senators Mark Werner, Michael F. Bennet, Dianne Feinstein, John Hickenlooper, Edward Markey, and Elizabeth Warren wrote on behalf of their constituents who were detained or under travel ban in Saudi Arabia, raising the cases of Aziza al-Yousef, Salah al-Haidar, Dr. Bader al-Ibrahim, Dr. Walid Fitaihi, Abdulrahman al-Sadhan, and Loujain al-Hathloul.
- On February 26, 2021, Senator Kaine issued a statement on the release of the ODNI report documenting the murder of Jamal Khashoggi, and mentioned his constituents remaining under travel ban in Saudi Arabia.
- On February 26, 2021, Rep. Pelosi issued a statement regarding the ODNI report release which also mentioned the wrongful detention of Abdulrahman al-Sadhan and the troubles his family in her constituency were facing.
- In October of 2020, Rep. Kim Schrier sent a letter to then Secretary of State Pompeo calling for the abolition of the male guardianship and Kafala system for their role in entrapment of women and children in Saudi Arabia.¹⁰³
- Reps Bonamici, Schakowsky, and Speier led 32 members of congress in demanding equality for Saudi women under the law, abolishing the male guardianship and kafala systems, and the release of women human rights defenders as well as the end of politically motivated travel bans issued against them.¹⁰⁴
- On April 26, 2021, Sens Durbin and Duckworth sent a letter to Saudi authorities inquiring about the whereabouts and wellbeing of disappeared Mohammed al-Imam on behalf of his family in Illinois. When no response was received from Saudi authorities, they gave permission to make the communication public.

Legislation at the State and Federal Level

Representative Connolly reintroduced the Protection of Saudi Dissidents Act in the 116th congress which passed the house in April of 2021. The most recent version of the bill added a requirement for presidential certification prior to arms sales to Saudi Arabia that there were not ‘unjust imprisonment in Saudi Arabia’ of US citizens or LPRs or travel bans against them or their family members. This was the first legislation to directly address the issue of travel bans against US persons in Saudi Arabia. A private letter was sent to the Senate signed by 11 US persons of Saudi origin who were either themselves living under travel bans stuck in Saudi Arabia or had a family member they were separated from due to unjustified travel bans wrote in support of Connolly’s bill stating:

“As you know, section (2)(c) of H.R. 1392 requires certification from the President prior to arms sales to Saudi Arabia that the Saudi government has not participated in ‘unjust imprisonment in Saudi Arabia of United States Citizens or aliens lawfully admitted for permanent residence or the prohibition on these individuals and their family members from exiting Saudi Arabia.’ This bill gives us hope that we may one day be able to reunite with our loved ones. We believe that the United States has a moral obligation to protect US citizens and lawful permanent residents in Saudi Arabia, particularly when it involves repressions of freedoms in violation of international law and legal norms. This bill is a long-overdue starting point that will impact thousands of lives in a positive way. We humbly urge you to bring the Protection of Saudi Dissidents Act to the floor and help end the suffering of our families.”¹⁰⁵

In addition to federal legislation, Washington became the first state in the country to amend the Uniform Child Custody and Jurisdiction Act in its international application.¹⁰⁶ The bill was drafted by US citizen Bethany Al-Haidari who was fighting being forcibly returned to Saudi Arabia per requirements of a Saudi Arabian court order that was filed to be enforced in Washington State. The bill, H.B. 1042 was introduced by Washington State's Rep. Thai and Rep. Walen, stating: "(4) A court of this state need not apply this chapter if the law of a foreign country holds that apostasy, or a sincerely held religious belief or practice, or homosexuality are punishable by death, and a parent or child may be at demonstrable risk of being subject to such laws. For the purposes of this subsection, 'apostasy' means the abandonment or renunciation of a religious or political belief."¹⁰⁷ The bill passed the Senate unanimously and was signed into law in Washington State in April of 2021.¹⁰⁸ At least two other US citizens moved from Saudi Arabia to Washington State in 2021 to be protected by this law, and mothers with children in Oregon, Illinois, Oklahoma and Virginia were similarly looking to have the legislation adopted to protect them and their children from abuse and forcible return to Saudi Arabia.¹⁰⁹

Role of Local and International Legal Mechanisms

Human rights organizations provided support through direct case management, acting as supports in meetings with policymakers, in advisory roles to detainees and family members as they navigated complex relationships with various government offices, or as advocates to influence policy agendas to be more rights centric. These included the sponsor of this research, the Freedom Initiative, as well as several other organizations based in the United States or internationally.

Several lawsuits were filed in US jurisdictions in 2020 and 2021 which involved cases of repression in Saudi Arabia. Dr. Saad al-Jabri filed a lawsuit against Mohammed bin Salman and his accomplices requesting legal relief under the Torture Victim Protection Act and turned to US-based litigation after they reported exhausting all other options to try to secure the release and safety of children Sarah and Omar al-Jabri who remained in Saudi Arabia.¹¹⁰ Jenner & Block, on behalf of clients Democracy for the Arab World Now and Khashoggi's widow Hatiz Cengiz, filed a lawsuit seeking damages against Mohammed bin Salman and co-conspirators for the murder of Jamal Khashoggi in Washington D.C. courts.¹¹¹ Ghada Oueiss filed a case against Mohammed bin Salman and several others including US citizens alleged to be co-conspirators with the Saudi government Sharon Collins, Cristianne Schey, and Annette Smith¹¹² for the harassment and the hacking of her phone. The lawsuit of the United States of America versus Ahmed Abouammo, Ahmed Almutairi, and Ali AlZabarah for illegally acting as foreign agents of the Kingdom of Saudi Arabia while working at Twitter in the United States continued.¹¹³ US citizen Bethany Al-Haidari was granted temporary relief in a lawsuit filed in Washington State from enforcing a Saudi Arabian court order which required her and her child's return to Saudi Arabia.¹¹⁴ Gertzman Schwartz on behalf of client Ali Al-Ahmad sued Twitter for "conspiring with the Government of Saudi Arabia in Shutting Down Accounts critical of Saudi Arabia" in the Southern District court of New York,¹¹⁵ and Nasser Turki al-Dosari filed a lawsuit against Mohammed Bin Naif, Joseph C. Ripp and Saudi Aramco on behalf of his son in Pennsylvania for breach of contract and fraud.¹¹⁶

In some cases, these lawsuits procured positive results for the plaintiffs, especially the opportunity to share the truth of events surrounding their cases. However, in all cases involving Mohammed bin Salman, the motion to dismiss or requests for immunity were still pending at the time of writing.

The United Nations Special rapporteurs and working groups regularly engaged in communications with the Saudi Arabian government over reported human rights violations, though responses from the Saudi government often appeared staged and often directly contradicted Saudi court reports submitted to the United Nations documenting the relevant complaint. The Freedom Initiative recognized the need for further UN mechanisms working around protecting the violations of the right to freedom of movement - or travel bans - which local jurisdictions often struggle to enforce and cite it as an "international legal issue" rather than a local one.

Civil Society and Human Rights Organizations

Throughout 2021, civil society organizations also worked with detainees and family members to help advocate on behalf of their rights, assist them in urgent situations, develop campaigns, and to offer support services on reintegration. While these groups did not necessarily focus exclusively on US persons, they were critical to the support network for these individuals.

No single local Saudi Arabian or international non-governmental organization is permitted access on the ground in Saudi Arabia, but international organizations such as Amnesty International, Human Rights Watch, The Freedom Initiative, Project on Middle East Democracy (POMED), Democracy for the Arab World Now (DAWN), MENA Rights Group, and ALQST for Human Rights report and advocate on cases of wrongful detention. Other groups, like the Committee to Protect Journalists or PEN America, worked on specific rights issues that may have intersected with cases of wrongful detention. Groups such as Freedom Forward, CODEPINK, and others worked on grassroots organization and campaigning on issues related to larger human rights violations, including detention in Saudi Arabia in their campaigns. Not only did they work on behalf of individuals facing wrongful detention, these organizations and their staff members were also the target of threats, harassment, or reprisals, as reported in the previous section.

Several respondents felt that without these independent civil society organizations, their concerns and voices fell on deaf ears or were even ignored. Dr. Basel al-Imam stated in an interview with the Freedom Initiative: “the US government has been very disappointing; their support was super underwhelming... It was one lie after the other about not being able to help me because my father was not a citizen. My father is a lawful resident with US born kids who contribute to society and pay taxes, I’m a physician I help this community... In the past few months, with your voice, they started helping. But it wasn’t until the Freedom Initiative got involved that I could get anyone on the phone to talk to me.”¹¹⁷ Others reported gratitude at having human rights organizations to support and guide them on how to navigate what they described as “complex congressional and state department culture” of getting them to take action. Several other organizations are available to provide support services to individuals upon return to the US. Hostage US, for instance, offers financial, logistical, or support orientation to local or private services (health, psychological, legal, etc.) For returning hostages. Heartland Alliance, based in Chicago, IL, offers nationwide services to survivors of torture, though it is unclear if any individual returning from wrongful detention in Saudi Arabia utilized this service in 2020.

Family members of detainees were faced with a serious gap in access to services, marginalized from many of the services available either through the US government or through civil society. One activist told the Freedom Initiative that some of the individuals who previously assisted dissidents who were relocating and facing financial difficulties used to be supported by a network of Saudi citizens who helped one another out financially with adjusting to new life in exile alone. These Saudi citizens had to eventually cut off their financial support of dissidents in exile when some were charged in courts with “supporting terrorism”, under Saudi Arabia’s laws which prohibit the “financing of terrorism”¹¹⁸

FRIEND OR FOE:

FINDINGS AND CONCLUSIONS

Like wrongful detention across Saudi Arabia, the detention of US or foreign persons in Saudi Arabia and their family members was not limited to a single category of individuals (dissidents, Islamists, etc.), but affected a very broad spectrum. This research documented cases of women, men, Atheists, Islamists, Shia, Sunni, political dissidents, advocates, students, minors, and elderly among the cases of wrongful detention. Among the categories above, the grounds for detention were varied, yet all arbitrary. Some appeared in clear relation to targeted criticism or dissent against the government or its bodies, the majority were in relation to supporting members of ACPRA, Arab uprisings, or dissidents in the diaspora, while others appear to be completely circumstantial.

In some cases, similar patterns were reported for decades, but almost all respondents reported feeling a worsening situation since 2017 with the rise of Mohammed bin Salman.

Counter-terrorism laws were used as the primary legal basis to justify wrongful detentions of US persons and their family members; detainees were from a wide variety of identity and background, but nearly all accusations were identical and related to Saudi Arabia's anti-terrorism laws.

Cases of reprisals represent very clear efforts by the Saudi government to directly curtail protected rights and freedoms within US borders; most respondents described feeling unsafe, especially respondents within the United States.

Despite US policymakers' insistence on strong US-Saudi ties, many authorities in the Saudi Arabian security services (police or prison officials) acted toward anyone with US affiliation as though they were citizens of or agents of a political adversary, and this has caused individuals to become wary of sharing their affiliation with the US. In the case of Dr. Walid Fitaihi, his obtaining US citizenship was even a terrorism charge against him in Saudi courts.

While experience of dealing with detention is not unique to Americans, there are unique experiences of dealing with Saudi Arabian detention issues while in the United States. This included:

Isolation from community who do not understand the political context of detention and repression in Saudi Arabia; and/or
Isolation from family, profession, or community while dealing with trauma of reintegration.

These detentions overall not only constitute cases of violations of individual rights and freedoms, but also have a deleterious effect on American society, particularly in certain communities or professional fields as respondents reported self-censorship or cessation or curtailment of economic and social activities.

Nearly all cases expressed a sense of apathy or frustration around US policymaker representation or engagement, where fears that Saudi Arabian government authorities would learn of advocacy efforts could lead to negative consequences for loved ones in Saudi Arabia, or where they believed that engagement with US government officials was futile.

Nearly all respondents felt that the US government had incredible leverage to sway and make positive changes in their cases in Saudi Arabia but did not use their leverage to do so.

Because individuals or loved ones were being held by a state entity, and particularly given Saudi Arabia's standing as declared US ally, individuals were not always able to access critical support. As civil society networks were often more oriented towards assisting those in need in the region, this left significant gaps in access to financial, logistical, psychosocial, or other services.

FRIEND OR FOE:

RECOMMENDATIONS

To the Department of State

In addition to ongoing efforts to engage in public and private diplomacy around the release of US persons wrongfully detained or entrapped in Saudi Arabia, we recommend the following:

- Define travel bans against US persons as a form of wrongful detention in line with international human rights standards.
- Call on Saudi authorities to end the practice of politicized travel bans against US citizens and LPR's.
- Investigate and determine whether cases of wrongful detention of US persons and their family members, as well as the continued threat that these widespread practices pose, constitutes “a consistent pattern of acts of intimidation or harassment directed against individuals in the United States,” and cease the granting of any export licenses per the Arms Export Control Act (22 USC. 2756).
- Continue to publicly and privately raise concerns about Saudi Arabia's abuse of detainees' rights, including abuse of remand detention, medical neglect, torture, or other violations of rights to due process, fair trial, or life.
- Continue to publicly and privately call for the abolition of the male guardianship system and the kafala system, particularly as it relates to freedom of movement.
- Consider cases of US citizens or LPRs who are entrapped in Saudi Arabia against their will by male guardians or sponsors as cases in the trafficking in persons report, per the UN definition of Trafficking which states, “the recruitment, transport, transfer, harbouring, or receipt of a person by such means as threat or use of force or other forms of coercion, abduction, fraud or deception for the purpose of exploitation.”¹¹⁹
- Similar to the Khashoggi ban, prohibit the issuance of US visas and/or entrance into the United States of America to any Saudi national involved in abusing male guardianship or sponsorship (kafeel) privileges to entrap US persons in Saudi Arabia, or any individual reported to the US Embassy to have abused a US citizen or their child.
- Facilitate methods of communication and feedback on filings for Magnitsky Considerations and Khashoggi Bans against perpetrators when they have been filed by civil society organizations.
- Call on the government of Saudi Arabia to facilitate visits for independent International human rights organizations and monitors to ensure independent monitoring of detention conditions and detainee health; and
- Monitor other cases of deprivation of liberty that are not strictly detention related, including onerous probationary restrictions, bans on travel, entrapment under the kafala or male guardianship systems, and where these are used inappropriately, continue to include them in relevant rights reports.
- In addition to continuing regular consultations with family members and civil society to better understand concerns and convey critical information, we recommend that SPEHA's office:
- Clarify criteria for cases of wrongful detention, to ensure that such cases receive equal and fair representation and access, regardless of the nature of relations with the country in which they are detained.

To US Congress & Elected Officials

In addition to maintaining engagement with US persons and their family members wrongfully detained in Saudi Arabia, we recommend that Congressional offices:

Case Work

- Where requested by family members, detainees, or their representatives, make private or public statements of concern or solidarity, including through social media posts or public letters.
- Evaluate processes for case intake and management and expand constituent services to address the needs of reintegrating detainees or constituents whose family members are wrongfully detained in Saudi Arabia where necessary.
- Ensure that knowledge of case developments and any concerns around fair treatment of US persons or their family members in detention are properly communicated to the Saudi Embassy and relevant contacts at the Department of State; and
- Engage with colleagues in relevant committees with bearing on US-Saudi relations to ensure that they are aware of details on any ongoing cases in your jurisdiction.

Facilitate communication between victims in reaching White House Staff and State department points of contacts where appropriate.

Legislation

- Introduce and sponsor legislation at the State and federal level which will prevent ongoing violations of US persons in Saudi Arabia and to protect US persons once on US soil from Saudi government repression.
- Organize congressional hearings with impacted family members to amplify their stories and bring awareness on Saudi human rights issues impacting US persons.
- Establish clear and explicit conditions on foreign military financing to Saudi Arabia that prohibit release of funds where US persons or their family members remain wrongfully detained or under travel ban.
- Establish clear and explicit conditions on foreign military financing to Saudi Arabia that prohibit release of funds where the government of Saudi Arabia continues to engage in behavior designed to intimidate or harass US persons, or where the government of Saudi Arabia seeks to curtail protected rights within the US.
- Require that the secretary of state report on the patterns and behaviors listed above.
- Clarify procedures around casework through consultation with former detainees, their family members, and civil society representatives.
- Consider legislation that would allow victims of wrongful detention and their family members to access critical funds through the Victims of Crime Act.
- Consider legislation which facilitates and prioritizes the asylum process for dissidents coming from Saudi Arabia who have been victims of targeted harassment and intimidation campaigns by the Saudi government.

- Consider legislation that would allow victims of wrongful detention, travel bans and entrapment under egregious systems of ownership such as the male guardianship and kafala systems to be compensated in US courts.
- Consider new Khashoggi Ban and Magnitsky type sanctions or restrictions which are against foreign individuals found to be serious human rights abusers who are not foreign officials
- State legislators should adopt laws to protect individuals at the State level from harassment, tracking, or intimidation from hostile governments as well as introducing recently passed legislation which protects families, especially children, from forcible return to Saudi Arabia when they may be facing penalties for dissent (such as Washington State's H.B. 1042).
- Consider legislation that offers immediate family members the right to seek relief under the Torture Victim Protection Act for their loved ones who have been arbitrarily detained and tortured by foreign government officials.
- The White House must reach out and engage with civil society organizations and American family members who have loved ones entrapped or in detention in Saudi Arabia.

To the Legal Community

In addition to global sanctions and filing international human rights complaints, we recommend to the international legal community:

- Law firms should prioritize engaging in pro-bono legal services for family members of detainees, former detainees and their family members and facilitate getting accountability for victims against powerful governments or immigration assistance for family members who will also be at risk of repercussions.
- Local law enforcement agencies in jurisdictions where Saudi dissidents reside should be especially aware of security and personal safety issues when dealing with governments with a history of kidnapping, threatening or surveilling dissidents on US soil.
- Collaborate with human rights organizations to assist in the filing of global Magnitsky Sanctions against serious human rights offenders in Saudi Arabia who have been involved in patterns of violations against family members in the US and worldwide.
- Consider engaging in strategic litigation on behalf of victims, with the consideration that these cases are often an important process of justice and accountability as well as agency over individuals own story for victims who have been subject to serious human rights violations.

To Civil Society and Rights Organizations

In addition to continuing to provide support services and advocacy on behalf of the wrongfully detained and repressed, we recommend that civil society and donor organizations:

- Conduct further studies on the impact of Saudi detention, repression and entrapment practices on a wider scope of US persons, including surveys of family members, civil society workers, media workers, academics and others.
- Assess gaps in resource or service provision for US persons or family members dealing with impact of Saudi Arabian detention and repression practices; and
- Provide funding and support for psychological services and mental health awareness programs for US persons and family members, as well as for programs for trauma sensitivity training and mental health awareness for those working in direct support roles (in the US government or civil society).
- Provide funding for relocation services, legal services, childcare, community building and housing for individuals forced into exile and separated from their home or general residence overseas due to their human rights activities or State repression.
- Provide trainings to individuals forced into exile to empower them to advocate, lobby and connect with elected officials and policy makers in the US.
- Collaborate on casework, campaigns and advocacy, the larger and more international the campaigns, the more effective the outcome for victims of violations.
- Support legislation which families impacted prioritize, and encourage and support movements pushing for democracy, representation, and human rights in Saudi Arabia.

Endnotes

1. Soltan, Mohammed. “What Saudi Arabia’s Sham Khashoggi Verdict means for Arab Dissidents”, The Washington Post, December 30, 2019. <https://www.washingtonpost.com/opinions/2019/12/30/what-saudi-arabias-sham-khashoggi-verdict-means-arab-dissidents/> (Last Accessed June 23, 2021)
2. Alhaidari, Bethany. “Remembering Abdullah al-Hamid”, Freedom Forward, April 27, 2020. <https://freedomforward.org/2020/04/27/remembering-dr-abdullah-al-hamid/> (Last Accessed June 24, 2021)
3. Alhaidari, Bethany. “Remembering Salah al-Shehi”, Freedom Forward, July 27, 2020 <https://freedomforward.org/2020/07/27/remembering-saleh-al-shehi/> (last Accessed July 23, 2021)
4. ALQST for Human Rights. “ACPRA Trials come to an End with Sentences Totaling 199 Years in Prison Terms and Travel Bans as well as Other Punishments”, August 14, 2017. <https://www.alqst.org/en/acpra> (Last Accessed June 24, 2021)
5. Alhaidari, Bethany. “Remembering Abdullah al-Hamid”, Freedom Forward, April 27, 2020. <https://freedomforward.org/2020/04/27/remembering-dr-abdullah-al-hamid/> (Last Accessed June 24, 2021)
6. https://1997-2001.state.gov/global/general_foreign_policy/00_perf_1.pdf
7. Qiblawi, Tamara, “Two US Citizens Arrested in first Saudi Arrest Sweep Since Kashoggi Killing Sources Say, CNN, April 5, 2019. <https://www.cnn.com/2019/04/05/middleeast/saudi-crackdown-us-citizens-intl/index.html> (Last Visited June 20, 2021)
8. Ibid.
9. Office of Senator Tim Kaine, “Kaine & Conolly Urge State Department to Press Saudi Arabia to Drop False Charges Against Virginians, End Persecution of Human Rights Defenders”, February 25, 2021. https://www.kaine.senate.gov/press-releases/ahead-of-march-8-trial-kaine-and-connolly-urge-state-department-to-press-saudi-arabia-to-drop-false-charges-against-virginians-end-persecution-of-human-rights-advocates_ (Last Visited June 22, 2021)
10. Ibid.
11. Al-Dakhil, Abdulhakim, “Son of a Political Prisoner in Saudi Arabia: Mohammed bin Salman is a Threat to Human Rights, March 15, 2021. <https://www.usatoday.com/story/opinion/voices/2021/03/15/saudi-arabia-political-prisoners-dissent-jail-freedom-bin-salman-column/4654387001/> (Last Visited June 10, 2021)
12. Office of Senator Tim Kaine, “Kaine & Conolly Urge State Department to Press Saudi Arabia to Drop False Charges Against Virginians, End Persecution of Human Rights Defenders”, February 25, 2021. https://www.kaine.senate.gov/press-releases/ahead-of-march-8-trial-kaine-and-connolly-urge-state-department-to-press-saudi-arabia-to-drop-false-charges-against-virginians-end-persecution-of-human-rights-advocates_ (Last Visited June 22, 2021)
13. Office of Senator Tim Kaine, “Kaine & Conolly Urge State Department to Press Saudi Arabia to Drop False Charges Against Virginians, End Persecution of Human Rights Defenders”, February 25, 2021. https://www.kaine.senate.gov/press-releases/ahead-of-march-8-trial-kaine-and-connolly-urge-state-department-to-press-saudi-arabia-to-drop-false-charges-against-virginians-end-persecution-of-human-rights-advocates_ (Last Visited June 22, 2021)
14. <https://www.prison-insider.com/en/articles/saudi-arabia-human-rights-activist-mohammed-al-rabiah-brutally-tortured-and-at-risk-of-lengthy-prison-sentence>
15. ALQST for Human Rights. “ACPRA Trials come to an End with Sentences Totaling 199 Years in Prison Terms and Travel Bans as well as Other Punishments”, August 14, 2017. <https://www.alqst.org/en/acpra> (Last Accessed June 24, 2021)
16. Press Release, “Congressman Tim Ryan Calls for Release of Ayman al-Drees in Saudi Arabia”, May 16, 2019. <https://timryan.house.gov/media/press-releases/congressman-tim-ryan-calls-immediate-release-ayman-al-drees-saudi-arabia> (last Accessed July 19, 2021)
17. MENA Rights Org. “University Graduate Abdullah Jelan Disappeared from Mothers Home in Medina”, May 28, 2021. <https://menarights.org/en/caseprofile/abdullah-jelan-saudi-university-graduate-disappeared-medina> (Last Accessed July 19, 2021)
18. Names have been withheld for security reasons.

19. AlAoudh, Abdullah. My Father called for reform in Saudi Arabia, now he faces death, Washington Post, August 13, 2019. <https://www.theguardian.com/commentisfree/2019/aug/13/saudi-arabia-salman-al-odah-arrest-death-sentence>
20. https://humanrightscommission.house.gov/sites/humanrightscommission.house.gov/files/documents/HumRtInSaudiArabia_BethanyAlHaidari.pdf
21. Jamra Episode 34, “The Terrorist and the Spy” <https://www.youtube.com/watch?v=bL-fLG8uXGg> (Last Accessed July 19, 2021)
22. United States Commission on International Religious Freedom. 2021 Annual Report, Saudi Arabia Chapter, <https://www.uscirf.gov/annual-reports?country=65>
23. Ibid.
24. Tom Lantos Human Rights Commission, United States Congress, Human Rights in Saudi Arabia; An Update, Virtual Briefing, November 20, 2020. <https://humanrightscommission.house.gov/events/hearings/human-rights-saudi-arabia-update>
25. US House of Representatives, Committee on Foreign Affairs, Assessing the Human Rights Situation in Saudi Arabia, March 18, 2021. <https://foreignaffairs.house.gov/2021/3/assessing-the-human-rights-situation-in-saudi-arabia>
26. For more see section:
27. For more see section:
28. See section on Category 1 & 3
29. <https://2009-2017.state.gov/r/pa/ei/rls/dos/107330.html>
30. <https://www.uscis.gov/policy-manual/volume-12-part-d-chapter-3#S-A>
31. Office of the Director of national Intelligence, Assessing the Saudi Governments Role in the Killing of Jamal Khashoggi, February 11, 2021. <https://www.dni.gov/files/ODNI/documents/assessments/Assessment-Saudi-Gov-Role-in-JK-Death-20210226v2.pdf>
32. Ibid, p. 3
33. https://www.unodc.org/documents/data-and-analysis/Crime-statistics/International_Statistics_on_Crime_and_Justice.pdf
34. <https://www.congress.gov/bill/117th-congress/house-bill/1392>
35. <https://www.newamerica.org/international-security/reports/bringing-americans-home-2020/3-key-concerns-amongst-hostage-and-detainee-families/>
36. [Article 13 of the Universal Declaration of Human Rights](#)
37. <http://news.bbc.co.uk/2/hi/programmes/newsnight/9422550.stm>
38. https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session89/A_HRC_WGAD_2020_86.pdf
39. Comment by Taha al-Hajji retrieved on July 7, 2021 https://twitter.com/hw_saudiwomen/status/1412718554605051904?s=21
40. Al-Rasheed, Madawi. *The song King: Reform and Repression in Saudi Arabia*. Oxford University Press, 2021, p. 291.
41. Personal Interview between Fi & Dr. Abdullah AlAoudh on July 13, 2021, United States.
42. Editorial Staff, “Saudi Activists Give Evidence of Human Rights Violations to British MPs”, Middle East Monitor, November 17, 2020. <https://www.middleeastmonitor.com/20201117-saudi-activists-give-evidence-of-human-rights-violations-to-british-mps/> (Accessed July 9, 2021)
43. MEE Staff, Detained Saudi Aid Workers Expected to Be Released Soon, Sister Says, Middle East Eye, February 22, 2021. <https://www.middleeasteye.net/news/detained-saudi-aid-worker-abdulrahman-sadhan-released-soon-sister-says>
44. <https://newlinesmag.com/reportage/saudi-arabias-houses-of-horror-for-disobedient-women/>
45. Court documents provided to Fi, Case number 10204.
46. Personal Communication with Dr. Abdullah on July 15, 2021.

47. Ibid.
48. Court Document from Specialized Criminal Court of Saudi Arabia reviewed by the Freedom Initiative in January of 2021
49. Email dated March 4, 2021.
50. Anonymous Interview with the Freedom Initiative Saudi Desk Officer, July 16, 2021, USA.
51. <https://www.oregonlive.com/news/g66l-2019/01/036c7bae154985/saudi-student-fallout-parents-of-slain-portland-teen-talk-about-loss-suspects-disappearance.html>
52. Al-Rasheed, Madawi. *The Son King: Reform and Repression in Saudi Arabia*, Oxford University Press, 2021, p. 303
53. Dadouch, Sarah. "After Dissident Vanishes in Canada, Saudi Exiles fear they are in Jeopardy", Washington Post, February 27, 2021. https://www.washingtonpost.com/world/middle_east/saudi-canada-dissidents-exiles-harbi/2021/02/26/464983b8-72cf-11eb-8651-6d3091eac63f_story.html (Last accessed July 19, 2021).
54. Interview between the Freedom Initiative and Areej al-Sadhan, July 22, 2021, United States.
55. Note for non-Arabic speakers: Arabic dialects between countries and even regions within countries are incredibly distinct, unlike different accents within English and certain words which differ slightly, foundational question words and verbs are entirely different from one Arabic speaking country to another. For this reason, it was very obvious to a native Arabic speaker, such as al-Sadhan, that the question was posed specifically by a Saudi man.
56. Interview between the Freedom Initiative and Areej Al-Sadhan, July 22, 2021, United States.
57. Ibid.
58. 2019 Country Reports on Human Rights Practices: Saudi Arabia, Bureau of Democracy, Human Rights and Labor
59. <https://www.amnesty.org/en/latest/news/2021/04/saudi-arabia-dozens-of-sri-lankan-women-wrongfully-detained-for-months-due-to-abusive-kafala-system/>
60. <https://www.middleeasteye.net/news/saudi-arabia-ethiopia-crackdown-migrants-thousands-despite-documentation>
61. <https://mb.com.ph/2021/07/12/rule-of-law-and-pitiful-plight-of-filipino-maids-overseas/>
62. Personal Communication with Freedom Initiatives Saudi Desk Officer on July 22, 2021, via encrypted media.
63. <https://www.fox2detroit.com/news/mother-works-with-international-connections-to-bring-kids-home-from-saudi-arabia>
64. Devan Cole, "Washington Post: Investigation Finds Israeli Spyware used to hack cellphones of journalists, activists worldwide". CNN, July 18, 2021. <https://www.cnn.com/2021/07/18/politics/israeli-spyware-phone-list-hack-investigation/index.html> (Last accessed July 18, 2021)
65. Filkins, Dexter. "Is the Saudi Government Plotting Against Another US-Based Critic?", The New Yorker, July 16, 2020. Accessed on July 7, 2021.
66. Goldber, Geoff, "When Nation States Attack", April 6, 2021. <https://geoffgolberg.medium.com/when-nation-states-attack-9db23239765a> (Last Accessed July 19, 2021)
67. Jamra Episode 32, "Jamal Khashoggi and Pseudo Pro-Democracy Activists", March 1, 2021. <https://www.youtube.com/watch?v=BaXfRtPeF-o> (Last accessed July 19, 2021).
68. Ibid, 2:32
69. Jamra Episode 37, "Iranians in the White House", July 1, 2021. <https://www.youtube.com/watch?v=bqueQrjl-aQ> (Last Accessed July 19, 2021).
70. Jamra Episode 34. "The Terrorist and the Spy", March 15, 2021. <https://www.youtube.com/watch?v=bL-fLG8uXGg> (Last accessed July 19, 2021)
71. Hubbard, Ben. "American Woman divorced from Saudi Husband Trapped in Saudi Arabia", March 5, 2019. <https://www.nytimes.com/2019/03/05/world/middleeast/saudi-arabia-american-guardianship.html> (Last accessed July 19, 2021)

72. https://twitter.com/TheSaudiPost_En
73. <https://www.theguardian.com/technology/2020/apr/02/twitter-accounts-deleted-linked-saudi-arabia-serbia-egypt-governments>
74. Survey Respondent
75. Northam, Jackie, "To protect Myself and My Family: Saudi Critics Abroad Fear Long Reach of the Crown", NPR, October 8, 2020. <https://www.npr.org/2020/10/08/920683405/to-protect-myself-and-my-family-saudi-critics-abroad-fear-long-reach-of-the-crow> (Accessed July 19, 2021).
76. Personal Interview between Freedom Initiative & Dr. Abdullah al-Odeh on July 13, 2021, United States.
77. Survey Respondent
78. Joseph Hinks, Saudi Activists Loujain al-Hathloul is out of Jail, but Justice Remains a Distant Hope, February 11, 2021. <https://time.com/5938331/loujain-hathloul-saudi-arabia/> (Last Accessed July 16, 2021)
79. Interview between Freedom Initiative & HA, July 15, 2021, United States of America.
80. Interview, between Freedom Initiative & HA July 15, 2021, United States of America.
81. Personal Communication with Fi, May 2021
82. Interview between Freedom Initiative & HA, July 15, 2021, United States of America.
83. Survey Respondent
84. <https://2009-2017.state.gov/r/pa/ei/rls/dos/107330.html>
85. <https://www.uscis.gov/policy-manual/volume-12-part-d-chapter-3#S-A>
86. Personal Communication with the Freedom Initiative, July 5, 2021.
87. Personal Communication between M.A. and FI Saudi Desk Officer, September 12, 2020, United States
88. https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=III-3&chapter=3&clang=_en
89. Personal Communication, October 2020, United States.
90. Interview between Fi and Basel Al-Imam, July 23, 2021.
91. Interview Between Fi and Areej al-Sadhan, July 21, 2021.
92. <https://www.govinfo.gov/content/pkg/CHRG-107hhr80882/html/CHRG-107hhr80882.html>
93. Personal Communication with Fi, July 21, 2021.
94. Tom Lantos Human Rights Commission, "Briefing on Human Rights in Saudi Arabia", November 20, 2020. https://humanrightscommission.house.gov/sites/humanrightscommission.house.gov/files/documents/HumRtInSaudiArabia_BethanyAlHaidari.pdf
95. Personal Communication with Fi, January 16, 2021, Washington D.C.
96. Interview between Fi and Basel Al-Imam, July 23, 2021.
97. <https://www.congress.gov/bill/105th-congress/house-bill/2431>
98. <https://www.state.gov/accountability-for-the-murder-of-jamal-khashoggi/>
99. <https://fas.org/irp/offdocs/eo/eo-13698.html>
100. The James W. Foley Legacy Foundation's comprehensive annual reports offer great insight and detail into SPEHA and HFRC's engagement on cases of wrongful detention. Their report released in April 2020 highlights these and other concerns, particularly pages 35-38: https://d1y8sb8igg2f8e.cloudfront.net/documents/Bringing_Americans_Home_2020_b5nkt97.pdf
101. <https://www.kaine.senate.gov/press-releases/kaine-connolly-urge-trump-to-seek-release-return-of-virginians-in-saudi-arabia>
102. <https://www.bennet.senate.gov/public/index.cfm/2021/2/bennet-hickenlooper-urge-state-department-to-press-saudi-arabia-to-drop-charges-against-coloradan-end-persecution-of-human-rights-advocates-ahead-of-march-8-trial>
103. <https://www.kaine.senate.gov/press-releases/kaine-statement-on-intel-report-confirming-saudi-sponsored-murder-of-jamal-khashoggi>

104. <https://bonamici.house.gov/media/press-releases/bonamici-omar-schakowsky-speier-lead-32-members-demanding-equality-saudi-women>
105. Private Letter Sent from families to Senate Members from FI in June of 2021
106. <https://www.insider.com/bethany-vierra-american-trapped-saudi-arabia-escape-2021-4>
107. <https://app.leg.wa.gov/billsummary?BillNumber=1042&Initiative=false&Year=2021>
108. <https://www.insider.com/bethany-vierra-american-trapped-saudi-arabia-escape-2021-4>
109. Personal Communication with the Freedom Initiative, Washington State, May 17, 2021.
110. <https://www.washingtonpost.com/opinions/2021/05/20/mbss-lawsuit-against-saudi-spy-threatens-spill-secrets-us-should-intervene/>
111. <https://dawnmena.org/khashoggis-widow-and-dawn-sue-mbs-and-co-conspirators-in-us-court-for-washpost-journalists-murder/>
112. <https://www.courthousenews.com/wp-content/uploads/2020/12/1-20cv25022-002.pdf>
113. <https://www.courthousenews.com/wp-content/uploads/2020/12/1-20cv25022-002.pdf>
114. <https://www.ncwlife.com/wp-content/uploads/2021/03/Alhaidari-decision-2-8-2021A.pdf>
115. <https://apnews.com/press-release/pr-newswire/8f03a478d39e637f94dad75498db2f29>
116. <https://www.scribd.com/document/511193118/Nader-Turki-Aldossari-lawsuit>
117. Interview with Fi and Basel al-Imam, July 23, 2021.
118. <https://www.hrw.org/news/2017/11/23/saudi-arabia-new-counterterrorism-law-enables-abuse>
119. United Nations Office on Drugs and Crime, Human Trafficking, <https://www.unodc.org/unodc/en/human-trafficking/human-trafficking.html> (Accessed July 15, 2021)