

Congress of the United States

Washington, DC 20515

May 15, 2021

The Honorable Joseph R. Biden Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Biden,

On this date three years ago, authorities in the Kingdom of Saudi Arabia began arbitrarily arresting women's rights activists for demanding equality and defending human rights. Many of these activists were held incommunicado for months without being formally charged of any crimes, enduring abuse and torture while being kept in solitary confinement without access to legal representation or interaction with their families.

The United States can and should exercise global leadership to protect human rights around the world and to defend the right of international advocates to speak out without fear of violence or political reprisal. In February of this year, Saudi authorities announced their intention to codify Personal Status Laws and the Law of Evidence, potentially formalizing legal rights and procedures that currently are not equally applied to women. This presents an opportunity to hold the Saudi government accountable for its claimed commitment to true reform. Accordingly, we call on you to urge Saudi authorities to end all forms of discrimination against women, to fully dismantle the male guardianship and kafala sponsorship systems, to immediately and unconditionally release all women human rights defenders (WHRDs) detained for their peaceful human rights advocacy, to drop the charges against them, and to end the practice of politically-motivated travel bans and restrictions on freedom of expression.

The male guardianship system – a legal framework that treats women as minors – continues to negatively affect all aspects of women's lives and severely restrict their fundamental liberties. Women cannot freely make decisions about their education, employment, health, or whom they want to marry; and they cannot pass their nationality on to their children. Male guardianship laws also provide impunity for Saudi fathers who kidnap Saudi-American children and take them to Saudi Arabia. Moreover, gender-based violence against women and children is neither adequately defined in law nor criminalized. New reforms to protect women from abuse lack adequate means of enforcement, leaving many trapped in violent relationships. Saudi law does not consider women's testimony to be equal to that of men, making it difficult and dangerous for women to prove abuse in court and subjecting them to severe repercussions for coming forward. A U.S. court found in February of 2021 that “one of the most important rights of any individual within the court system is the right to due process, in particular, the right to be heard. Women do not automatically have this right in Saudi Arabia. A woman's testimony is equal to half a man's in Saudi courts.”¹

¹ <https://www.ncwlife.com/wp-content/uploads/2021/03/Alhaidari-decision-2-8-2021A.pdf>

“Disobedience” by a woman towards her male guardian (a father, husband, brother or even a son) remains a crime, effectively rendering any new freedoms null and void. Although a woman may now legally be entitled to apply for her own travel document and study abroad, her male guardian can still stop her from leaving the country by filing a case against her for disobedience or absconding.

Additionally, women are still not able to leave detention centers or state-run shelters without seeking and receiving the consent of their male guardian or sponsor in the country, even though they may be individuals who have previously abused them. This can lead to situations of prolonged administrative detention if a male guardian or sponsor refuses to sign a release form or “collect” a woman under his control. It also forces women to “reconcile” with their abusers and return to violent situations, another example of the failure of Saudi state institutions to adequately protect women and children facing abuse or to treat women as equal under the law. Foreign women married to Saudi men are still required to seek the permission of their husbands to exit the country under the kafala system, whereby foreign work visa holders are reliant on their employment sponsors for travel authorization. This has entrapped dozens of American women in Saudi Arabia against their will.

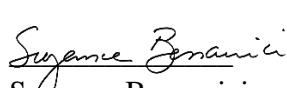
The Saudi authorities claim to be undertaking reforms in support of women’s rights, but that claim is negated by their treatment of the very women who have led the fight for women’s rights, and the ongoing suppression of the right of those women to speak freely without fear of repercussions. In 2018, a number of these women were rounded up, arrested, tortured, and portrayed in the state-controlled media as traitors and spies. Some have been temporarily released while still on trial or conditionally released after serving prison terms, but others, including Nassima al-Sadah and Samar Badawi, remain in detention.

Loujain al-Hathloul spent 1,001 nights in prison solely for her peaceful activism. For the first few months of her detention, Ms. al-Hathloul had no access to her family and was held without charges. During her imprisonment, Loujain was repeatedly tortured by Saudi officials who kept her whereabouts unknown for more than a month while they whipped, beat, electrocuted, and sexually assaulted her and threatened rape and murder. Though Ms. al-Hathloul was conditionally released on February 10, 2021, her sentence imposed heavy conditions on her release, including three years of probation and a five-year travel ban. Similarly, Aziza al-Yousef was placed on travel ban by a Saudi court earlier this year and remains unable to reunite with her American husband and family members in Virginia.

Considering these stark examples of repression and human rights violations, we again implore you and your administration to apply pressure on Saudi authorities to immediately and unconditionally release from prison all women detained for their human rights activism. This includes dropping all charges against WHRDs, compensating them fairly, and allowing them to travel freely. We further ask that the U.S. government make sure the released WHRDs can freely engage in human rights advocacy, including speaking and writing, without fear of reprisal. As Saudi Arabia moves to codify its Personal Status Laws and the Law of Evidence, the U.S. must also strongly urge the Saudi government to abolish all that remains of the male guardianship and kafala systems.

We look forward to working with you and your administration to advance the recognition of women as equal to men under Saudi law such that the Saudi government holds perpetrators of violence against women accountable, protects every woman's right to free expression, and abolishes all practices that discriminate against women. Thank you for your attention to these important human rights issues.

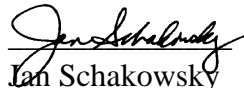
Sincerely,



Suzanne Bonamici
Member of Congress



Ilhan Omar
Member of Congress



Jan Schakowsky
Member of Congress



Jackie Speier
Member of Congress

/s/ Gregory W. Meeks
Chairman
House Committee on Foreign Affairs

/s/ Ted Deutch
Chairman
House Subcommittee on Middle East,
North Africa, and Global Counterterrorism

/s/ Raúl M. Grijalva
Member of Congress

/s/ James P. McGovern
Member of Congress

/s/ Marcy Kaptur
Member of Congress

/s/ Lois Frankel
Member of Congress

/s/ David N. Cicilline
Member of Congress

/s/ Julia Brownley
Member of Congress

/s/ Earl Blumenauer
Member of Congress

/s/ Maxine Waters
Member of Congress

/s/ Mike Levin
Member of Congress

/s/ Ann McLane Kuster
Member of Congress

/s/ Alan Lowenthal
Member of Congress

/s/ Karen Bass
Member of Congress

/s/ Ro Khanna
Member of Congress

/s/ Steve Cohen
Member of Congress

/s/ Juan Vargas
Member of Congress

/s/ Mark Pocan
Member of Congress

/s/ Jake Auchincloss
Member of Congress

/s/ David E. Price
Member of Congress

/s/ Sara Jacobs
Member of Congress

/s/ Gerald E. Connolly
Member of Congress

/s/ Chrissy Houlahan
Member of Congress

/s/ Susan Wild
Member of Congress

/s/ Peter DeFazio
Member of Congress

/s/ Pramila Jayapal
Member of Congress

/s/ Brenda Lawrence
Member of Congress

/s/ Jim Cooper
Member of Congress

/s/ Donald S. Beyer Jr.
Member of Congress

/s/ Ayanna Pressley
Member of Congress

/s/ David Trone
Member of Congress

/s/ Eleanor Holmes Norton
Member of Congress