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## FROM ISIS TO ACTIVISTS New Security Trials in Saudi Arabia

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RIYADH GENERAL COURT. IMG03522 © AGA KHAN TRUST FOR CULTURE-AGA KHAN AWARD FOR ARCHITECTURE / COURTESY OF ARCHITECT AND SAUDCONSULT (PHOTOGRAPHER)

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Established quietly in 2008 without formal announcement, Saudi Arabia's Specialized Criminal Court was set up at the General Court in Riyadh to try hundreds of detainees linked to the al-Qaeda attacks in the kingdom during the mid-2000s. Scant information is known about the first several hundred cases tried there.

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Since then, information about the trials held in this national security court continues to be scarce. According to the Saudi embassy in Washington, by January 2016 the court had tried 2,225 cases, involving 6,122 defendants, since its inception.<sup>1</sup> These figures track with previous numbers released by the kingdom. However, details about the defendants, charges, and trials for most of this reported caseload remain cloaked in secrecy.

Nonetheless, information on specific cases has been easier to come by in recent years. This is partly a result of Riyadh's greater interest in publicizing measures against activity it defines as a state security crime. It is also due to the growing success of independent organizations and citizens in collecting and disseminating information about the trials and security court system.

Today, the kingdom often provides information about trials and convictions in the court through

official or semiofficial channels like media outlets close to the government. Rights organizations track cases of activists and address issues of due process.<sup>2</sup> The U.S. government, for its part, documents important cases in its annual *Country Reports on Terrorism* and *Country Reports on Human Rights Practices*.<sup>3</sup>

This brief highlights recent trends in Specialized Criminal Court convictions based on analysis of hundreds of cases reported on by Saudi, U.S., and non-governmental sources since 2008. The trials provide an important window into what Riyadh views as its most pressing security concerns.<sup>4</sup> The nature, timing, and processes surrounding these cases cut to the core of issues being debated about Saudi Arabia today, including Riyadh's positions on Sunni extremist groups like the Islamic State (IS) and Jabhat al-Nusra, Shiite groups, and political and social changes at home.

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It is important to emphasize that while the types of cases tried in the court are reflective of Riyadh's security priorities, the validity of individual charges, pleas, and convictions should be assessed rigorously by independent observers. The court suffers from a serious lack of due process and ambiguous implementation of the law. Ill treatment of defendants, including torture to coerce signed confessions, is not uncommon. Defendants can be denied legal advocates at critical times, and the trials are generally closed.

## ESTABLISHMENT OF THE COURT

After 9/11, Osama bin Laden turned his sights on his homeland, Saudi Arabia. A series of dramatic al-Qaeda attacks rocked the kingdom over a period of several years beginning in 2003. Targets included Western compounds, Saudi government installations, and diplomatic missions. By 2008, thirty attacks had taken place, and Riyadh had foiled another 160 plots during this period, according to Saudi officials.<sup>5</sup> More than 150 civilians and security officers had been killed and more than 1,000 injured.<sup>6</sup>

Despite the kingdom's mixed counterterrorism record after 9/11, these new developments drove Riyadh to work vigorously to prevent other attacks inside the country. Saudi police rounded up thousands of individuals suspected of al-Qaeda ties. By July 2007, 9,000 suspects had been detained, according to Saudi figures.<sup>7</sup> Many of these detainees had participated in new deradicalization programs and had been released, while more than 3,000 remained incarcerated at that time.<sup>8</sup> By November 2007, another 1,500 had been released after completing the rehabilitation programs and 1,700 remained in prison.<sup>9</sup>

How to address the hundreds of detainees deemed unfit for release? Many had been living in domestic intelligence jails for years without charge or trial.<sup>10</sup> Also, Saudi police were continuing to arrest hundreds more for al-Qaeda ties, including those returning from foreign battlefields. For some time, Riyadh had been considering a process for trying terrorist suspects in a special court, and by the end of 2008, the

Specialized Criminal Court had been established for this purpose.

Some questioned why the government had waited five years after the first major attacks in 2003 to set up the court. The rehabilitation programs, for their part, had begun in 2004.<sup>11</sup> One view was that Riyadh had perceived support for al-Qaeda in the kingdom as a grave security threat and that prosecuting al-Qaeda defendants in the early years would have been politically dangerous.<sup>12</sup> According to this line of thought, the court's establishment signaled that the government believed it had largely defeated al-Qaeda inside the country and that the threat had been reduced.<sup>13</sup>

The Specialized Criminal Court falls under the jurisdiction of Saudi Arabia's Supreme Judicial Council, which received royal approval for setting up the court.<sup>14</sup> The Saudi minister of interior personally appoints the judges. The court was originally housed in the General Court in Riyadh and also travels sometimes to other destinations like Jeddah for hearings.<sup>15</sup> An appellate division of the court hears appeals, after which a case can be brought before the Supreme Court. The Specialized Criminal Court was provided with its own codified jurisdiction in February 2014 with the promulgation of the Penal Law for Crimes of Terrorism and Its Financing.<sup>16</sup>

## EVOLUTION OF THE COURT'S CASELOAD

The Specialized Criminal Court's caseload has evolved from exclusively al-Qaeda detainees during its first years, to also political activists beginning in 2010–2011, to other political and social norm challengers in 2011–2012, to new kinds of jihadists linked to the Syrian, Iraqi, and other battlefields especially since 2014.

**The early years.** Public information about cases tried in the court especially during its first two years remains thin. Saudi statements indicate that the court carried a heavy caseload during this period. Around the time of the court's establishment, the Saudi Interior Ministry declared that charges already had been leveled against 991 suspected al-Qaeda militants.<sup>17</sup> By July 2009,

the kingdom announced that the Specialized Criminal Court had tried 330 of the defendants, and found all but a few guilty of supporting and financing terrorism, fighting in foreign conflicts, conspiracy to disrupt the kingdom's security, and other similar charges.<sup>18</sup> Most were sentenced to prison terms, several others to travel restrictions, and one to death.

Only a little more than two years after the court's inception, by December 2010, a total of 765 defendants in 442 separate cases had been issued verdicts on their ties to al-Qaeda, according to the Saudi Ministry of Justice.<sup>19</sup> By April 2011, 1,612 people had been convicted of terrorism offenses, according to the Interior Ministry.<sup>20</sup>

**Inclusion of activists and others.** As far as can be ascertained by this author, all cases tried in the Specialized Criminal Court during its first two years or so related to defendants suspected of al-Qaeda ties. In 2010, according to analysis of information in the public domain, the court began legal proceedings for a new kind of security detainee not linked to al-Qaeda: political activists.

One of the first known cases of this nature involved nine men whose appearance in the court occurred sometime late that year.<sup>21</sup> The group included prominent reform advocates who had been detained since February 2007. The defendants' efforts to establish a civil rights organization is understood to be the driving force behind their detention and eventual trial. The men were convicted in November 2011 on terrorism and other charges, and sentenced to prison terms of five to thirty years.<sup>22</sup>

During the course of the trial, another such case had begun and ended—this time involving an Islamist who had attempted, along with a number of professor, lawyer, and activist colleagues, to establish the ultra-conservative Umma Islamic Party.<sup>23</sup> Political parties are illegal in Saudi Arabia. The defendant was arrested in February 2011, remained the only one of his group who refused to renounce his activities, and was convicted in September 2011.<sup>24</sup>

A number of similar cases followed in quick

succession.<sup>25</sup> Saudi concerns about the Arab uprisings in 2011, along with some public protests at home and political appeals to the royal leadership for reforms, accelerated this trend. The number of non-terrorist-related cases tried in the court expanded. Furthermore, the scope of cases widened to include not only political but also social activity deemed to undermine the Saudi government.

By February 2014, a new counterterrorism law originally drafted in the context of the 2011 Arab uprisings was formalized, and essentially equated dissent with terrorism. The law includes in its definition of terrorism acts "directly or indirectly intended to disturb the public order of the state, or to shake the security of society, or the stability of the state, or to expose its national unity to danger, or to insult the reputation of the state or its position."<sup>26</sup>

#### **Prosecuting remaining al-Qaeda detainees.**

Meanwhile, local pressure to try or release detainees rounded up during the previous decade but still languishing in jail fueled a new push to hold legal proceedings for many of them. This included key figures in the mid-2000s al-Qaeda attacks. Major trials began in 2011 and 2012, and by 2013 and 2014, convictions of these individuals were announced at an increasingly rapid rate by the kingdom.

The rising threat of a new wave of domestic extremism tied to the Syrian conflict and beyond made it even more important for Saudi Arabia to finally convict the previous decade's perpetrators of violence. In this way, the ramped-up effort to prosecute individuals involved in the old al-Qaeda attacks came to represent a tactic in the kingdom's new counterterrorism war. Announcements of al-Qaeda convictions, along with the eventual carrying out of forty-three al-Qaeda death sentences in January 2016, communicated to Saudis and others that terrorist activity would not be tolerated at home. As the Saudi Interior Ministry warned when it first announced the executions, "Anyone [who] tries...these criminal terrorist crimes will have the same legal punishment."<sup>27</sup>

**The new jihadists.** In recent years, Saudi officials have been deeply concerned about locals with ties to extremists abroad supporting terrorist plots inside the kingdom. Several major developments have heightened anxieties in this regard. One was citizen travel to Syria in larger numbers in 2012–2013, especially in light of the kingdom’s experience of jihadists returning home from foreign lands and perpetrating domestic attacks. Another was the discovery by early 2014 of plots against the kingdom involving Saudis inside the country collaborating with Saudi members of IS and Jabhat al-Nusra in Syria and al-Qaeda in the Arabian Peninsula (AQAP) in Yemen. And a third was the onset of the Islamic State’s deadly terrorist campaign in the kingdom in late 2014, which has included Saudis with connections to the terrorist group abroad.

Saudi religious authorities employed by the state have proclaimed that citizens should not travel to Syria and elsewhere to wage jihad, and a royal decree in February 2014 outlawed various forms of support to groups like IS, Jabhat al-Nusra, AQAP, and others, including fighting with them in foreign countries.<sup>28</sup> The caseload of the Specialized Criminal Court has evolved to reflect this new concern. Al-Qaeda detainees from the previous decade who had dominated the security court system for years are being replaced by local supporters of new extremist groups in Syria and Iraq.

## ISLAMIC STATE, JABHAT AL-NUSRA, AND OTHER SUNNI JIHADISTS

A majority of the defendants tried in the Specialized Criminal Court from its inception to this writing have been convicted for links to al-Qaeda, according to this author’s assessment of public Saudi, American, and other reports over the years. Today, most convictions in the court continue to relate to support for Sunni extremist groups or ideologies, again according to this author’s analysis of cases in the public domain. However, the terrorist groups with which the defendants are being convicted for association are shifting.

Among convictions linked to support for Sunni extremist groups or ideologies between April 2015 and March 2016, most cases relate to support for IS

### SPECIALIZED CRIMINAL COURT FOR SUPPORT OF SUNNI EXTREMISM: SELECT CASES APRIL 2015–MARCH 2016

- One Saudi sentenced to 9 years in prison for tweeting support for IS (March 2016)<sup>29</sup>
- One Sudanese sentenced to 9 years in prison for pledging allegiance to IS, among other charges (March 2016)<sup>30</sup>
- One Saudi sentenced to 5.5 years in prison for fighting in Syria and financing terrorism (February 2016)<sup>31</sup>
- One Saudi sentenced to 3.5 years in prison for fighting in Syria with Ahrar al-Sham (February 2016)<sup>32</sup>
- One “immigrant” sentenced to 6 years in prison for supporting al-Qaeda in her tweets, among other charges (January 2016)<sup>33</sup>
- One Saudi sentenced to 7 years’ imprisonment in absentia for fighting with Jabhat al-Nusra (January 2016)<sup>34</sup>
- Three Saudis sentenced to prison for several years each for seeking to travel to conflict areas for fighting, including Yemen and Syria (January 2016)<sup>35</sup>
- One Saudi sentenced to 19 years in prison for pledging allegiance to IS (December 2015)<sup>36</sup>
- One Saudi sentenced to 7 years in prison for joining IS and fighting in Syria (December 2015)<sup>37</sup>
- One Saudi sentenced to 8 years in prison for traveling to Syria to fight with Jabhat al-Nusra (November 2015)<sup>38</sup>
- One Saudi sentenced to 10 years in prison for fighting with IS and funding terrorism (November 2015)<sup>39</sup>
- One Saudi sentenced to 6 years in prison for fighting with IS in Syria (November 2015)<sup>40</sup>
- One Saudi sentenced to 9 years in prison for exploiting the Dawa Office to fund terrorism (October 2015)<sup>41</sup>
- One Saudi sentenced to 9 years in prison for promoting terrorist ideology on Twitter (August 2015)<sup>42</sup>
- One Saudi sentenced to 11 years in prison for facilitating terrorists’ passage through border checkpoint in exchange for money (August 2015)<sup>43</sup>
- One Saudi sentenced to 20 years in prison for helping found the Abdullah Azzam Brigades (August 2015)<sup>44</sup>
- Two Saudis sentenced respectively to 7 and 8 years in prison for planning to join al-Qaeda in Yemen (August 2015)<sup>45</sup>
- One Saudi sentenced to 15 years in prison for supporting al-Qaeda, among other charges (April 2015)<sup>46</sup>
- One Saudi and one Somali sentenced to prison for attempting to travel to Syria to fight (April 2015)<sup>47</sup>

or Jabhat al-Nusra, according to an analysis of cases in the public domain in which a specific militant group has been named. (It is important to add the caveat here that many announcements about convictions over support for extremism do not identify a specific group that the defendant was charged with supporting.) During this period, cases involving supporters of the core al-Qaeda organization are generally fewer and farther between than during previous years among all cases tried in the court. The court also has explicitly convicted supporters of the Syrian group Ahrar al-Sham and the Lebanon-based Abdullah Azzam Brigades, an al-Qaeda affiliate (see sidebar, p. 4).

Charges generally include assisting extremist groups in one or more of four ways: traveling abroad (usually to Syria, Iraq, or Yemen) to fight with a group, supporting a group via social media, financing a group, or recruiting or providing other logistical support to a group. Sometimes, convictions for extremist support in general are reported. Prison sentences range from several months to decades. A vast majority of the convicts are Saudi nationals, but some foreign nationals also have been sentenced.

## UPCOMING VERDICTS OF IS PLOTTERS

The Islamic State has been plotting terrorist attacks inside the kingdom since at least 2014, and the Saudi police have arrested hundreds suspected of ties to such plots. As of January 2016, the Interior Ministry was conducting pretrial investigations for 532 of them.<sup>48</sup> It would not be surprising if Riyadh were to announce a significant number of convictions of IS plotters in the Specialized Criminal Court over the course of 2016.

During the initial period of the roundups, the Interior Ministry regularly reported how many of the arrestees had been previously detained or convicted in connection with earlier al-Qaeda activity. The announcements revealed that such individuals represented a significant proportion of those being detained for new terrorist activity (see sidebar, this page). While all the recent arrestees with previous records may not be tried or convicted in court, the Interior Ministry information suggests that future convictions of IS operatives will include a large number of former offenders.

## NEW ARRESTS OF FORMER TERRORIST CONVICTS AND OTHER DETAINEES

- 35 of the 62 individuals (56%) whose arrest was announced in May 2014 in conjunction with the discovery of an IS-linked terrorist network inside the kingdom had been previously convicted on terrorism-related charges, and some were graduates of the kingdom's militant-rehabilitation programs.<sup>49</sup> The roundup included a suspected IS cell leader who had been convicted on al-Qaeda charges presumably in the Specialized Criminal Court.
- 4 of the 6 AQAP members who attacked a southern border checkpoint in July 2014 had been jailed previously.<sup>50</sup> They killed several Saudi security officers and a Yemeni officer.
- 59 of 88 individuals (67%) arrested in September 2014 for terrorist recruiting and plotting had previously served prison sentences for terrorist-related activity.<sup>51</sup>
- 47 of 77 individuals (61%) arrested for suspected links to the November 2014 attack on Saudi Shiite worshippers in the al-Ahsa region had been previously jailed on terrorism charges or were awaiting trial for such charges.<sup>52</sup> The attack killed eight civilians.
- One of the 4 militants who attacked the kingdom's northern border with Iraq in January 2015 had been arrested previously for al-Qaeda ties but was released on bail.<sup>53</sup>

The kingdom has not provided detailed information about rearrests in more recent announcements of major roundups. This is likely due to concerns about criticism of Saudi Arabia's deradicalization programs. Even members of the kingdom's Shura Council have recommended a review of the militant-rehabilitation system.<sup>54</sup> For their part, official recidivism rates have stood at 10 to 20 percent in recent years, and the system has been hailed by Saudi officials as well as foreign governments as an unusual success story.

Interestingly, an exception to the lack of recent reporting was an article in a local paper on the Saudi suicide bomber who detonated explosives at an Asir mosque in August 2015, killing fifteen worshippers.

According to the report, the bomber had been detained two years earlier for suspected IS support,

receiving rehabilitation treatment at Riyadh's al-Hair prison during his forty-five-day detention, and then was released due to lack of evidence of criminal activity.<sup>55</sup>

## NATIONAL ACTIVISTS, LOCAL DEMONSTRATORS, CRITICS, AND OTHERS

The Specialized Criminal Court is also continuing to convict individuals who appeal in writing, speech, or other activity for political or social reform, or otherwise challenge government and societal norms. In recent years, court judges have received implicit instructions to issue harsh sentences against such individuals.<sup>56</sup> A 2016 Freedom House study ranked Saudi Arabia the world's thirteenth least free country in terms of political rights and civil liberties.<sup>57</sup> A vast majority of these defendants are Saudi citizens as opposed to foreign nationals, who represent about one-third of the kingdom's population.

Prominent national rights activists continue to make up a significant proportion of nonterrorist defendants convicted in the court. Over the years, members of the Saudi Civil and Political Rights Association (ACPRA) have been repeatedly targeted for trial. ACPRA, established in 2009 and disbanded by court order in 2013, has called for an end to violations of due process. As recently as October 2015, two cofounders of the organization, Dr. Abdulkarim al-Khodr and Dr. Abdurahman al-Hamid, were convicted in the court, and joined colleagues in prison who are serving sentences and others who are awaiting trial. Charges included spreading chaos by calling for demonstrations. In January 2015, the court's appellate division ordered the internationally renowned human rights lawyer Waleed Abu al-Khair—the first rights activist convicted under the new 2014 counterterrorism law—to serve a fifteen-year sentence for his activities.

Local demonstrators represent a second major group of activist-defendants tried in the court. This group includes both Saudi Shiites and Sunnis who have participated in street protests against the prolonged detention of security detainees (see sidebar).

Some also have called for political reforms and an end to discriminatory practices.

During 2014–2015, the court sentenced more than a half-dozen Saudi Shiite protestors to death. Some were charged with violence against the state in questionable circumstances that involved personal confessions under torture. Four of the death sentences were carried out in January 2016, including that against the firebrand Shiite cleric Nimr al-Nimr. Three remain on death row, including Sheikh Nimr's nephew Ali al-Nimr, who was seventeen when he was arrested, and Dawood Marhoon and Abdullah al-Zaher, who were seventeen and fifteen, respectively, when detained. The three young men's executions are feared to be imminent.<sup>58</sup> Charges include participation in protests, chanting slogans against the state, helping organize the protests, erecting barriers to ward off security officials, and vandalism including graffiti.

### SPECIALIZED CRIMINAL COURT CONVICTIONS OF LOCAL PROTESTORS: SELECT CASES APRIL 2015–MARCH 2016

- Saudi sentenced to 4 years in prison on charges of participating in five demonstrations in Qatif (February 2016)<sup>59</sup>
- 10 years' imprisonment for a Saudi for calling for protests and to release detainees on Twitter (February 2016)<sup>60</sup>
- 5 years' imprisonment for a Saudi who called for demonstrations on Twitter (December 2015)<sup>61</sup>
- 13–25 years for 4 Saudis on charges of starting riots in Qatif (December 2015)<sup>62</sup>
- 15 years for a Saudi on charges of igniting sectarianism and organizing riots in Qatif (August 2015)<sup>63</sup>
- 6-month prison sentence for a Saudi who participated in demonstrations (May 2015)<sup>64</sup>
- 16 months of prison for a Saudi who participated in demonstrations calling for the release of detainees (April 2015)<sup>65</sup>
- 1–3 years' imprisonment for three Saudis, including a woman, for their participation in a demonstration in Jeddah (April 2015)<sup>66</sup>

Journalists and other commentators who have criticized the government in writing or speech represent a third major category of nonterrorists tried in the court. In March 2016 alone, the court sentenced the Saudi writers Alaa Brinji and Mohanna Abdulaziz al-Hubail to five and six years' imprisonment, respectively, on charges that included "insulting the rulers." Brinji's conviction is understood to relate to tweets supporting women's driving rights and prisoners of conscience. Hubail's is attributed to tweets in support of imprisoned ACPRA members and calling for the impartiality of the Saudi judiciary in front of the U.S. consulate in Dhahran.<sup>67</sup> In December 2015, the Saudi commentator Dr. Zuhair Kutbi was sentenced to four years' imprisonment, widely understood to relate to his call on Arab satellite television six months earlier for transforming Saudi Arabia into a constitutional monarchy.<sup>68</sup>

Finally, the Specialized Criminal Court is convicting individuals whose activities challenge social-religious norms, and threaten to undermine the special relationship between the government and ultraconservative clerical establishment that undergirds the Saudi political system. In June 2015, the Supreme Court upheld a sentence against the Saudi blogger Raif Badawi of ten years in prison and a thousand lashes on charges of insulting Islam. Two women driving activists were put in process for trial in the Specialized Criminal Court, technically for their social media activities. They were subsequently released.

## SHIITE MILITANT GROUPS

The kingdom designated Saudi Hezbollah and the Yemeni Houthis as terrorist organizations in March 2014, and Lebanese Hezbollah in March 2016, outlawing local support to these groups. However, as of this writing, the court has handed down only a small number of sentences for explicit support to these entities. Moreover, defendants convicted in the court on this matter have been punished for limited verbal, written, or other expressions of support for the groups.

Prior to the Saudi break in diplomatic relations with Iran in January 2016, the court had tried several Houthi-related cases since Saudi Arabia initiated a war against the Houthis in support of Yemen's President Abdu Rabu Mansour Hadi in March 2015. In November 2015, the court sentenced two Yemenis to several years' imprisonment followed by deportation for sending pro-Houthi messages on WhatsApp.<sup>69</sup> Two months earlier, in September, a Yemeni resident was sentenced to five years' imprisonment and seventy lashes followed by deportation for supporting the Houthis at the Grand Mosque in Mecca, as well as for border-crossing irregularities.<sup>70</sup>

Souring relations between Saudi Arabia and Iran, and the kingdom's more aggressive posture toward Hezbollah, played out in the Specialized Criminal Court in February and March 2016. Days after the diplomatic break, Riyadh announced it would try thirty-two suspects in an Iranian espionage case in the court. Most of the defendants had been arrested more than two years prior, in 2013. Also, in February 2016, the court sentenced a Saudi to jail, fifty lashes, and a travel ban on charges that included showing support for Lebanese Hezbollah by holding the group's flag.<sup>71</sup>

The combative relationship with Iran, and concern about Iran-supported sabotage in the kingdom, is likely to contribute to a near-term increase in Specialized Criminal Court convictions against supporters of Iran-linked entities. However, this is unlikely to surpass the number of cases involving supporters of Sunni extremist groups.

## CONCLUSION

Saudi Arabia's Specialized Criminal Court cases provide a useful window into Riyadh's view of security challenges at home. Recent convictions make clear that citizens and others supporting extremist groups in Syria, Iraq, and Yemen, such as the Islamic State, Jabhat al-Nusra, and AQAP, represent one of the government's most significant domestic security concerns. This includes supporters inside the kingdom as

well as Saudis fighting with extremist groups on foreign battlefields.

The convictions help dispel notions about fundamental Saudi support for IS and al-Qaeda. They also put into context any decision by Riyadh to coordinate in the short term with extremist groups in neighboring wars against what the kingdom perceives as the larger threat of Iran and its regional allies. Widely publicizing convictions of supporters of these groups in court, along with visibly correcting the legal processes surrounding the trials, would help Saudi Arabia make its case that the kingdom views these groups as a threat, and show at least at the tactical level that the kingdom is a strong counterterrorism partner for the United States. Highlighting these initiatives would also help Washington contextualize for a skeptical American public an important element of the U.S. partnership with Saudi Arabia.

At the same time, the kingdom will continue to have trouble convincing many Americans that it is a full strategic partner in the counterterrorism fight absent decisive Saudi action not only against IS and al-Qaeda but also against intolerant religious ideology toward Shiites and non-Muslims featured in Saudi schools, media, and mosques. It is widely understood that groups like IS and al-Qaeda feed off this ideology.

While trials involving supporters of extremist groups or ideologies continue to represent a majority of the court's caseload, other trials demonstrate that Riyadh has serious security concerns about criticism of government policies and practices. Recent cases against nonviolent voices of reform help answer questions about the likelihood of real near-term movement toward political inclusiveness in the kingdom. Convictions for peaceful expression of political, social, and religious beliefs will continue to represent a black mark for the Specialized Criminal Court and the kingdom in the international community until different policies are pursued.

Moreover, imprisoning individuals like journalists and activists calling for the trial or release of people in indefinite detention feeds into a narrative that Saudi Arabia is trying hard to dispel—that the Saudi system is fragile. Finding a way to separate genuinely violent from nonviolent citizens, and incorporating the latter into the Saudi political system, would go a long way to temper discussion of Saudi stability—and, at least from an American perspective, to sustain that stability in the longer term. It is in Washington's strong interest, as well as its responsibility as a key security guarantor of the kingdom, to continue discussing these concerns with its important strategic partner in the Gulf.

## NOTES

1. Royal Embassy of Saudi Arabia, "Fact Sheet: Executions and Nimr al-Nimr," January 2016. Also, al-Nafethah is a Saudi Ministry of Interior website that lists detainees by their initials who are being investigated, awaiting trial, or already convicted. Activists maintain that the website does not account for all detainees. See Yazan al-Saadi, "Saudi Arabia: Prisoners in Dark Cells," *al-Akhbar*, September 11, 2013, <http://english.al-akhbar.com/node/16994>.
2. For example, the Saudi Civil and Political Rights Association (ACPRA) publishes documents on its website, <http://acprahr.org/>, related to the detention and court trial of its members.
3. See U.S. Department of State: *Country Reports on Terrorism for 2014* (June 2015), <http://www.state.gov/j/ct/rls/crt/2014/239407.htm>; and *Country Reports on Human Rights Practices for 2015* (April 2016), <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
4. Specialized Criminal Court convictions represent one of a number of ways in which Saudi Arabia deters and punishes activity understood to undermine state security. Other tactics include short, long, and indefinite detention, harassment of the accused and his or her family, and foreign travel bans.
5. "Saudi Refers 991 Terrorist Suspects to Court," *Al-Arabiya*, October 21, 2008, <https://www.alarabiya.net/articles/2008/10/21/58619.html>. Accessed April 18, 2016.
6. *Ibid.*
7. U.S. Department of State, *Country Reports on Terrorism 2007* (April 2008), <http://www.state.gov/documents/organization/105904.pdf>.
8. Agence France-Presse, "Saudi Arabia Foils 180 'Terror' Attacks since 2003," July 2, 2007.
9. "Saudis Battle Bin Laden's Jihad with 150 Clerics, Art Classes," *Bloomberg*, December 12, 2007.
10. Terrorist suspects were held separately from criminal suspects to prevent the spread of extremist ideology. See U.S. Department of State, *2008 Country Reports on Human Rights Practices* (February 2009), <http://www.state.gov/j/drl/rls/hrrpt/2008/nea/119126.htm>.
11. See Christopher Boucek, "Extremist Reeducation and Rehabilitation in Saudi Arabia," *Terrorism Monitor* 5, no. 16 (Jamestown Foundation, August 16, 2007), [http://www.jamestown.org/single/?no\\_cache=1&tx\\_ttnews%5Btt\\_news%5D=4321#.VxTmtvkrLIU](http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=4321#.VxTmtvkrLIU); and Caryle Murphy, "Rights Group Criticizes Saudi Arabia's Al Qaeda Reeducation Program," *Christian Science Monitor*, August 10, 2009, <http://www.csmonitor.com/World/Middle-East/2009/0810/p06s05-wome.html>.
12. Christopher Boucek, "Saudi Courts Open New Chapter in Counter-Terrorism," *Carnegie Endowment for International Peace*, September 9, 2008, <http://carnegieendowment.org/2013/02/12/mythical-alliance-russia-s-syria-policy/ffue>.
13. *Ibid.*
14. Americans for Democracy & Human Rights in Bahrain, "Chapter 3: The Ministry of Interior (Part 2)" (June 2, 2015), in *Mapping the Saudi State*, [http://www.adhrb.org/wp-content/uploads/2015/06/2015.05.21\\_MSSCh.3\\_Final.pdf](http://www.adhrb.org/wp-content/uploads/2015/06/2015.05.21_MSSCh.3_Final.pdf).
15. Human Rights Watch, "Saudi Arabia: Abolish Terrorism Court," April 27, 2012, <https://www.hrw.org/news/2012/04/27/saudi-arabia-abolish-terrorism-court>.
16. Americans for Democracy & Human Rights in Bahrain, "Chapter 3: The Ministry of Interior (Part 2)" (June 2, 2015), in *Mapping the Saudi State*, [http://www.adhrb.org/wp-content/uploads/2015/06/2015.05.21\\_MSSCh.3\\_Final.pdf](http://www.adhrb.org/wp-content/uploads/2015/06/2015.05.21_MSSCh.3_Final.pdf).
17. U.S. Department of State, *2010 Human Rights Report: Saudi Arabia* (April 8, 2011), <http://www.state.gov/documents/organization/160475.pdf>.
18. "Saudi Terror Trials Reach Verdict," *BBC*, July 8, 2009, [http://news.bbc.co.uk/2/hi/middle\\_east/8141021.stm](http://news.bbc.co.uk/2/hi/middle_east/8141021.stm); U.S. Department of State, *2009 Human Rights Report: Saudi Arabia* (March 11, 2010), <http://www.state.gov/j/drl/rls/hrrpt/2009/nea/136079.htm>; U.S. Department of State, *2010 Human Rights Report: Saudi Arabia* (April 8, 2011), <http://www.state.gov/documents/organization/160475.pdf>.
19. P. K. Abdul Ghafour, "Suspected Terrorists Appeal 325 Verdicts," *Arab News*, January 8, 2011, <http://www.arabnews.com/node/364943>. Accessed March 31, 2016.
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