

July 17, 2019

Mr. Nayvadius Wilburn
Via Email

Dear Mr. Wilburn,

According to reliable information obtained by the [Human Rights Foundation](#) (HRF), you will be performing at [Jeddah World Fest](#) tomorrow.

Crown Prince Mohammed bin Salman (MBS) is the individual who authorized and is financing your seven-figure performance at the event. I am writing to urgently inform you of the human rights crisis in Saudi Arabia; to explain the role that the regime of MBS has played in violating the rights of tens of millions of Saudis; and to request that, in light of your status as a global personality, you use your considerable platform to send a message of support to the women and sexual minorities who are currently in jail in Saudi Arabia.

As you know, last week Nicki Minaj announced her decision to withdraw from tomorrow's concert after learning about the dismal state of human rights and especially the rights of women and members of the LGBTQ+ community in Saudi Arabia. Last week, HRF sent a letter to Liam Payne's representatives at the Coda Music Agency, a management company that you both share, urging him to follow the lead of Minaj and encouraging him to position himself as an ally for oppressed people and sexual minorities. Payne has remained silent despite the public outcry and remains scheduled to perform alongside you in Saudi Arabia.

Saudi Arabia is ruled by an absolute monarchy, in which there is no independent judiciary, no independent media, no plural regime of political parties, and where citizens have no freedom of thought, expression, religion or association. The Kingdom is ruled by a fully authoritarian regime — a dictatorship. Under this regime, there is no guarantee of independence in the administration of justice or respect for the fundamental rights of citizens, especially for those who openly express their disagreement with the government.

Not a single public position you have taken on social and political matters during your career would be permitted in Saudi Arabia. In fact, if you were Saudi, you would be imprisoned, tortured, or even executed for expressing yourself as you have in the past.

Your management's decision to book you for this event is one that leaves many of your fans and especially those of us in the human rights community utterly baffled. This isn't a concert in Cuba or even China — repressive dictatorships where women and sexual minorities are, at least formally, accorded equal rights. In contrast, every aspect of Saudi life is controlled by the government and the recent murder of a *Washington Post* journalist on orders from MBS have led to a high-dollar public relations push whereby the Saudi dictatorship is trying to distract from the murderous nature of the regime. This is where you come in....

You are scheduled to perform at a state-sponsored event in one of the most repressive regimes on earth. Since coming to power in 2017, MBS has spearheaded a crackdown on human rights, especially those of the women who live in his Kingdom. Many of the women who have advocated to lift the driving ban in Saudi Arabia are currently in jail and being subjected to

torture that includes electric shocks, flogging, and rape. It appears MBS didn't like to be upstaged by strong women speaking out for their rights — so he had them silenced and locked up. One of those women is Loujain al-Hathloul. Loujain was [wrongfully accused of “treason”](#) and “undermining national security,” along with Eman al-Nafjan, Aziza al-Yousef, Aisha al-Manea, Nouf Abdulaziz, Mayya al-Zahrani, Hessah al-Sheikh, Ibrahim al-Mudaimigh, and Mohammad al-Rabea.

Loujain's siblings have spent the past year advocating for the release of their sister, and bringing light to the suffering that Loujain has endured at the hands of the Saudi regime. Her brother, [Walid](#), spoke at the [2019 Oslo Freedom Forum](#) in a talk called “[Jailed for Driving](#)” to raise awareness about his sister's case. As of March of this year, Loujain's trial began, but was [postponed](#).

Beyond the widespread crackdown on women's rights activists consider recent cases demonstrate the political manipulation of key judiciary institutions by the monarchy. In 2014, the government-controlled Specialized Criminal Court sentenced two peaceful dissidents to death and five others to long prison terms, for attending demonstrations organized by members of the Shia religious minority, for taking and sharing photos of the protests, and assisting journalists to cover the protests. The overly broad and politically motivated charges included “breaking allegiance to the ruler,” and “harming the government of the kingdom.”

Due to the overt control of the Crown Prince over prosecutors and judges, it is evident that the judiciary is not independent in Saudi Arabia. Furthermore, the wide authority given to Saudi judges in interpreting and applying Islamic laws contribute to creating a judicial system characterized by pervasive arbitrariness and abuse of power.

Saudi Arabia is among the worst violators of basic individual rights, and in particular the right to freedom of opinion and expression. The Kingdom scored the worst possible grade in Freedom House's 2019 Freedom in the World index, which focuses on civil liberties and political rights in a particular country. Although the Kingdom has signed several United Nations human rights treaties, it has firmly opposed the United Nations's Universal Declaration of Human Rights for allegedly being in contradiction with the principles of the Shari'a Law.

In addition, the royal family exerts overt control over most newspapers and media broadcast. Self-censorship is widespread, and freedom of the press is practically non-existent. According to the Reporters Without Borders' 2019 World Press Freedom Index, Saudi Arabia ranks near the bottom, holding the 172nd position out of 180 countries. The Kingdom is particularly intolerant to criticism directed toward the government and its officials, to religion, and politics. Article 39 of the Basic Law of Governance states:

“Mass media and all other vehicles of expression shall employ civil and polite language, contribute towards the education of the nation, and strengthen unity. The media is prohibited from committing acts that lead to disorder and division, affecting the security of the state or its public relations, or undermining human dignity and rights.”

The 2011 Law on Electronic Publications and the 2007 Anti-Cyber Crime Law explicitly eliminated the online haven for cyber activists by extending these indefinite limits to the virtual world. In order for the government to tighten its grip on expression in the cyber-realm, the Law on Electronic Publications introduced a requirement on all news website and any sites offering audio and video content or advertising to obtain a license from the Ministry of Culture and

Information. Between 2011 and 2012, the Saudi authorities blocked around 400,000 websites and applied strict monitoring of online content.

On the basis of these laws, hundreds of online activists were arrested, detained, and had their social media accounts disabled in retaliation for expressing their opinion about the government, reporting on protests, or discussing religion through social media networks. In 2012, Saudi national Ra'if Badawi was arrested and charged with "insulting Islam" for creating a website where all he was doing was discussing religion. He was sentenced by the Criminal Court in Jeddah in May 2014 to 10 years in prison and 1,000 lashes, followed by a 10-year travel ban, a ban on using media outlets, and a fine of one million Saudi Arabian riyals (about US \$266,600). Ra'if is currently in prison.

For decades the Saudi government has harassed, arrested, and sentenced dissidents, violating their freedom of expression, opinion and assembly. Ironically, the Kingdom holds a seat at the United Nations Human Rights Council, and Saudi Arabia was recently appointed to lead an influential panel that "selects top officials who shape international human rights standards and report on violations worldwide." Still, the Kingdom regularly engages in the systematic repression of activists and human rights defenders, often leading to numerous years of imprisonment, without trial, and the use of repressive measures against them.

Advocacy organizations are not allowed to exist in Saudi Arabia. There is no association law except for a regulation governing civil society organizations that carry out "charitable or voluntary work." These organizations are required to obtain a license from the Ministry of Social Affairs. Except for organizations affiliated with the government, no human rights group has been granted a license so far. As a result, these groups operate without a license despite the high risks of persecution, and, despite the risks mentioned above, use social media to document and condemn violations by the Kingdom.

Public demonstrations and protests are illegal even though there are no express laws regulating or prohibiting assembly or demonstrations. The Ministry of Interior issued a communication on March 5, 2011 declaring that demonstrations were banned, and that the Ministry will take "all necessary measures" against those seeking to "disrupt order." A day later, the Council of Senior Religious Scholars declared, "demonstrations are prohibited in this country."

Participating in demonstrations and even writing about them is harshly punished. In 2013, the Kingdom sentenced seven government critics to prison terms ranging from five to ten years, for "inciting protests and harming public order" after they wrote about the protests on Facebook. Civil society is not allowed to operate freely in the Kingdom. Criminalizing the establishment of human rights organizations and prohibiting demonstrations leave Saudis with no means to express their opinion about the government or politics in general without facing arbitrary arrest, lengthy detention, and imprisonment.

Just imagine the set-up for your upcoming performance: Gender segregation between unmarried men and women is still strictly enforced. Saudi Arabia's male guardianship law requires women to obtain permission from a male for everything from registering for school to checking into a hospital. Any woman attending your performance will require permission from a man and will have to be accompanied by a male "guardian" in order to go there.

Yet, if you move forward with this performance, you will be condoning, and serving the public relations needs, of a government that executes homosexuals for the "crime" of being who

they are. Just three months ago five gay men were beheaded after they confessed to false crimes under torture. You will be in league with the people who respond to freedom of expression and thought with murder.

Considering the information above, HRF believes that your participation in a performance sponsored by a murderous, repressive regime involved in gross human rights violations — especially of women and sexual minorities — would be highly unfortunate. Furthermore, it would be disastrous for a public figure of your standing who has articulated a commitment to education, women's rights, and social justice.

HRF asks you to urgently consider canceling your performance, scheduled for July 18, in Jeddah, Saudi Arabia. If you have any questions, you can contact me at (212) 246-8486 or by email at info@hrf.org.

Sincerely,



Thor Halvorssen
President
Human Rights Foundation