

SAUDI ARABIA

TIER 1 | USCIRF-RECOMMENDED COUNTRIES OF PARTICULAR CONCERN (CPC)

KEY FINDINGS

In 2017, the Saudi government continued implementing economic and social reforms from the Vision 2030 plan, including many that may improve human rights and religious freedom conditions. Despite the easing of some social restrictions, religious freedom conditions did not improve in 2017. The government maintained its ban on non-Muslim public religious observance and continued to prosecute individuals for dissent, blasphemy, and apostasy. Saudi Arabia's new counterterrorism law did not address its vague definition of terrorism, and nonviolent offenders convicted on charges of "advocating atheism" continued to serve lengthy prison terms. While the government responded strongly to past attacks on Shi'a sites, the Shi'a community experienced ongoing discrimination and was especially targeted by a May 2017 security operation in Awamiya. After over 15 years of slow progress, the Saudi government has not completed reforms

to textbooks that propagate intolerance and violence; in fact, some of the most egregious content remained in textbooks in use during the current school year. Despite some promising steps to restrict it, the guardianship system remained in force, adversely affecting the religious freedom of women. On a positive note, Crown Prince Mohammed bin Salman and other senior officials made strong statements against violent extremism. Based on particularly severe violations of religious freedom, USCIRF again finds in 2018 that Saudi Arabia merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA). Although the U.S. State Department has designated Saudi Arabia as a CPC since 2004, most recently in December 2017, an indefinite waiver has been in place since 2006. The waiver releases the administration from taking an otherwise legislatively mandated action as a result of the designation.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Redesignate Saudi Arabia as a CPC under IRFA and lift the waiver;
- Fully engage the Saudi government to take concrete action toward completing reforms confirmed in July 2006 in U.S.-Saudi bilateral discussions, including removing inflammatory and intolerant content in government-issued textbooks;
- Consider inaugurating a new U.S.-Saudi bilateral strategic dialogue, which would include human rights and religious freedom among the areas of discussion;
- Encourage the Saudi government to take further action toward ending the guardianship system, make public the steps taken since a royal decree on women's access to services, and penalize actors that continue to require a guardian's permission for services covered under the decree;
- At the highest levels, press for the release of Raif Badawi, his counsel Waleed Abu al-Khair, and other prisoners of conscience, and press the Saudi government to end prosecution of individuals charged with apostasy, blasphemy, and sorcery;
- Press the Saudi government to denounce publicly the continued use around the world of older versions of Saudi textbooks and other materials that promote hatred and intolerance, and to make every attempt to retrieve previously distributed materials that contain intolerance;
- Press the Saudi government to pursue integration of Shi'a Muslim citizens into government, the judiciary, public service, and the security sector, and prioritize inclusive governance in ongoing initiatives supported by the State Department's Bureau of Democracy, Human Rights, and Labor in Saudi Arabia;
- Press the Saudi government to pass and fully implement an antidiscrimination law protecting the equal rights of all Saudi citizens and expatriate residents;
- Press the Saudi government to exclude advocating atheism and blasphemy from the new counterterrorism law, and to end the detention under this law of nonviolent actors exercising their human rights and religious freedom;
- Work with the Saudi government to codify the right of non-Muslims to private religious practice and to permit foreign clergy to enter the country openly with religious materials to carry out worship services; and
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the "specially designated nationals" list maintained by the U.S. Department of the Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act.

The U.S. Congress should:

- Pass H.R.4549, the Saudi Educational Transparency and Reform Act, which would require the secretary of state to submit annual reports on religious intolerance in Saudi educational materials.

COUNTRY FACTS

FULL NAME

Kingdom of Saudi Arabia

GOVERNMENT

Absolute Monarchy

POPULATION

28,571,770

GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Islam

RELIGIOUS DEMOGRAPHY*

Muslim (official; citizens are 85–90% Sunni and 10–15% Shi'a)
Other (more than eight million expatriate workers include at least two million non-Muslims, including Eastern Orthodox, Protestant, Roman Catholic, Jewish, Hindu, Buddhist, Sikh, folk religions, and religiously unaffiliated)

*CIA World Factbook and U.S. Department of State

BACKGROUND

Saudi Arabia is officially an Islamic state governed by a Basic Law of Governance issued by royal decree in 1992. According to this law, the constitution is the Qur'an and the *sunna* (traditions of the Prophet). The judicial system is largely governed by Shari'ah as interpreted by judges trained as religious scholars in the Hanbali Sunni school of jurisprudence. The king appoints the members of the Shura Council, a legislative advisory body, and may dissolve and reconstitute the council at will. The current monarch, King Salman bin Abdulaziz Al-Saud, took the throne in 2015, and in 2017 appointed his son Mohammed bin Salman Al-Saud as crown prince.

The government restricts most forms of public religious expression inconsistent with its interpretation of Sunni Islam. Saudi officials base these restrictions on their interpretation of *hadith* (sayings of the Prophet), stating that such a stance is what is expected of them as the country that hosts the two holiest mosques in Islam, in Mecca and Medina. However, the United Nations (UN) estimates that expatriate residents make up as much as 37 percent of the Saudi population; although exact numbers are not available, at least two million of these expatriates are non-Muslim, including Christians, Hindus, Buddhists, practitioners of folk religions, and the religiously unaffiliated. In addition, an unknown but growing number of Saudi citizens

identify as atheists or Christians but avoid public recognition given harsh social and legal consequences for leaving Islam. Therefore, policies restricting public religious expression violate the rights of not only the sizable Shi'a Muslim population but also adherents of unrecognized religious communities.

Since April 2016, the Saudi government has been implementing Vision 2030 and the National Transformation Program 2020, ambitious economic reform plans that seek to reduce the country's dependence on oil revenues. The Ministry of Islamic Affairs is responsible to ensure that Vision 2030 is compliant with Shari'ah law. In line with these broader plans, the government has announced specific reform measures related to taxation, women's rights, public entertainment, and social norms. Most notably, King Salman announced in September that the government would begin issuing driver's licenses to Saudi women in June 2018, while the government announced in December that it would begin licensing movie theaters within 90 days. If fully implemented, these plans, though primarily social and economic, could lead to greater civic space and respect for human rights and religious freedom in the Kingdom. As of the end of the reporting period, however, many human rights activists who previously advocated for similar reforms remained imprisoned for their activities.

RELIGIOUS FREEDOM CONDITIONS 2017

Restrictions and Attacks on Shi'a Muslims

For many years, Shi'a Muslims have experienced discrimination in education, employment, the judiciary, and access to positions in government and the military. Outside of majority-Shi'a areas in the Eastern Province, the Saudi government restricts the building of Shi'a mosques, broadcasts of Shi'a-specific calls to prayer, and establishment of Shi'a cemeteries. Shi'a

Muslims have been detained and imprisoned for holding religious gatherings in private homes without permits, celebrating religious holidays in non-Shi'a-majority areas, and reading religious materials in *housseiniyas* (prayer halls). The Saudi government maintains that all such restrictions are related to national security and alleged community ties to and support of Iran. However, representatives of the Shi'a community assert that very few members of their community are sympathetic to Iran.

Protests in the Eastern Province have been ongoing since their peak in 2011 and often feature demands for release of political prisoners, greater economic and political opportunity, and reforms related to education and religious freedom. While most of these protests began nonviolently, some later featured acts of violence against property and security forces. The town of Awamiya in the Qatif governorate has been the epicenter of local demonstrations, resulting in sporadic attacks targeting police and government officials.

In 2016, the Saudi government announced plans to redevelop much of Awamiya into a commercial zone, which many residents viewed as an attempt to displace the largely Shi'a community. In April 2017, three UN experts released a statement calling on the Saudi government to halt the planned demolition of Awamiya's old town district, noting the cultural importance of its historic mosques and *housseiniyas*. The following month, Saudi security forces began demolishing the area, displacing thousands of residents to whom the government provided financial compensation. Saudi forces reported that armed local Shi'a men moved into vacated properties and opened fire on demolition forces. The security

response spread throughout Awamiya in the following months, reportedly including the use of heavy artillery, displacing as many as 20,000 residents, and resulting in dozens of deaths, both police and civilians. Human

rights organizations reported that security forces sealed the town in July, preventing residents from leaving or accessing humanitarian aid, and engaged in excessive and indiscriminate use of force against civilians, including children. By

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August, the Ministry of Interior stated that 95 percent of the old town was under state control. By the end of the reporting period, most residents who desired to return had done so, but much of the city reportedly remained under a heavy military presence.

Restrictions on Non-Muslims

Although the Saudi government bans the public practice of non-Muslim faiths, the government repeatedly has stated that non-Muslims who are not converts from Islam may practice their religion privately without harassment. However, the policy allowing private worship has not been codified, and government officials have shown little interest in pursuing codification.

In recent years, members of the Committee for the Promotion of Virtue and Prevention of Vice (CPVPV), which enforces government rules on public morality, have raided private non-Muslim religious gatherings organized by expatriate workers and arrested or deported participants, especially when the gatherings were loud or involved large numbers of people or symbols visible from outside the building. However, in 2016 the powers of the CPVPV were sharply curtailed by royal decree, and both Muslims and non-Muslims have reported decreased harassment and raids. In a positive development, Lebanese Maronite Patriarch Beshara al-Rai conducted an official visit to Saudi Arabia in November 2017, reportedly the first such visit since 1975.

Nevertheless, non-Muslims seeking to practice their religion privately operate in a climate of fear, especially outside of compounds populated largely by

foreign workers. Expatriate non-Muslim religious communities restrict the number and size of their services and other activities in order to avoid undue notice by their neighbors or authorities. Saudi converts from Islam also keep their religious observations private out of fear of the consequences of discovery, and communicate with each other solely by private electronic channels. Saudi Christian converts, in particular, report questioning and detention if neighbors or family members suspect their religion.

Apostasy, Blasphemy, and Sorcery Charges

The Saudi government continues to use criminal charges of apostasy and blasphemy to suppress debate and silence dissidents. In December 2017, officials at the Ideological Warfare Center, a Ministry of Defense-affiliated initiative launched by Crown Prince Mohammed bin Salman to combat extremist ideology, asserted that there were varying religious interpretations regarding the punishment for apostasy.

However, the Saudi government responded by affirming that the Kingdom would continue to criminalize apostasy, stating that removing the punishment would run contrary to the country's Basic Law.

Saudi blogger Raif Badawi, one of the individuals highlighted in USCIRF's Religious Prisoners of Conscience project, is among Saudi Arabia's most high-profile prisoners of conscience following his 2014 sentencing on charges of insulting Islam and the 2015 court ruling that upheld his sentence of 10 years in prison, 1,000 lashes, and a fine of one million Saudi riyals (\$266,000). The sentence called for Badawi—the founder and editor of a website that served as an online forum for the free expression of diverse views—to be lashed 50 times a week for 20 consecutive weeks. Many human rights groups and government entities, including USCIRF, condemned the January 2015 imposition of Badawi's first 50 lashes. Badawi has not received additional lashings due to the level of international outcry and a medical doctor's finding that he could not physically endure

more. In March 2017, Badawi's family announced that the Saudi court confirmed his sentence and reiterated the demand that he pay his fine.

Palestinian poet and artist Ashraf Fayadh also remains in prison under a November 2015 death sentence for apostasy, due to his allegedly questioning religion and spreading atheist thought in his poetry. In February 2016, an appeals court quashed the death sentence and issued a new verdict of eight years in prison and 800 lashes to be administered on 16 occasions. According to his lawyer, Fayadh also must renounce his poetry in Saudi state media.

In April 2017, a Saudi court sentenced Ahmad al-Shamri to death for apostasy following his arrest

in 2014 on charges of atheism and blasphemy for posting social media content that allegedly insulted Islam and the Prophet Muhammad. Al-Shamri has had two appeals rejected and remained in prison at the end of the reporting period.

Raids and arrests for witchcraft and sorcery—both crimes punishable by death—continued during the reporting period. Most of those arrested in these cases were expatriate workers from Africa or Southeast Asia accused of using witchcraft against their employers or, more broadly, disrupting Saudi society by dividing families or distorting religious texts. The CPVPV has special units throughout the country to combat sorcery and witchcraft. In December 2017 it also publicized a special training event, in conjunction with the General Presidency for the Affairs of the Grand Mosque, to instruct CPVPV members in Mecca how to identify sorcerous materials.

Arbitrary Detention of Dissidents and Religious Leaders

In September, the Saudi government detained more than 20 prominent writers, journalists, academics, and religious leaders. The official Saudi Press Agency released a statement asserting that the detainees had been conducting intelligence activities on behalf of foreign parties in order

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to provoke sedition and disturb national unity. At the end of the reporting period, most—if not all—remained in detention without charge, and many reportedly were held incommunicado and without access to proper medical care. Among those detained without charge were influential clerics Salman al-Awda and Abdullah al-Maliki, who had in recent years advocated for human rights through religious reform and publicly criticized the Saudi government as theocratic and autocratic.

In January 2018, after the end of the reporting period, a group of UN experts, including the Special Rapporteur on freedom of religion or belief, issued a joint statement noting a pattern of arbitrary detention in Saudi Arabia beginning with the September 2017 detentions. The statement urged Saudi Arabia to release all those detained for “peacefully exercising their rights to freedom of expression, assembly, association and belief.”

2014 and 2017 Counterterrorism Laws

Saudi Arabia’s 2014 counterterrorism law, the Penal Law for Crimes of Terrorism and its Financing, and a series of subsequent royal decrees criminalized as terrorism virtually all forms of peaceful dissent. Under the law, a conviction could result in a prison term ranging from three to 20 years. According to a related legal document produced by the Ministry of Interior, terrorism included “[c]alling for atheist thought in any form, or calling into question the fundamentals of the Islamic religion on which this country is based.” Terrorism-related crimes are tried in the Specialized Criminal Court, a non-Shari’ah body created in 2008; some human rights groups assert that this court is often used as a political tool against dissidents.

In July 2014, Waleed Abu al-Khair, legal counsel to blogger Raif Badawi, became the first human rights defender to be sentenced under the counterterrorism law, receiving 15 years in jail on various spurious charges related to his advocacy. In March 2016, journalist Alaa Brinji was sentenced to five years in prison under the counterterrorism law for “insulting the rulers” and “ridiculing Islamic religious figures,” based in large part on his tweets in support of women’s rights and pris-

oners of conscience. Both remained in prison at the end of the reporting period.

In November 2017, the Saudi government implemented a new version of the Penal Law for Crimes of Terrorism and its Financing. This version addresses some of the human rights critiques of the original by ref-

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erencing use of violence as one possible aspect of terrorism, but retains an overly broad definition of terrorism that includes “obstructing the application of the Basic Law” (which names the Qur’an

and *Sunna* as the constitution), “disturbing public order,” and portraying the king and crown prince “in any way that brings religion and justice into disrepute.”

Shortly after the announcement of the new counterterrorism law, nurse and online activist Naimah al-Matrod became the first woman sentenced for participating in and documenting protests in the Eastern Province. She was tried by the Specialized Criminal Court and sentenced in November according to the newly released law to six years in prison and a six-year travel ban on charges including “inciting sectarian strife.”

Countering Violent Extremism

Saudi Arabia has taken aggressive steps to counter violent extremism in the Kingdom. After a surge of terrorist attacks in 2015, including against Shi’a Muslim places of worship, the number of attacks dropped significantly in recent years, reflecting a rigorous government campaign against domestic terrorism and the ideologies that support it. This campaign was bolstered in 2017 by the explicit support of Crown Prince Mohammed bin Salman, who stated in October that he and the young Saudi generation sought a return to “a moderate Islam open to the world and all religions.”

During the reporting period, the government challenged religious and ideological messages of extremist groups through initiatives including the Ideological Warfare Center, the Digital Extremism Observatory, the King Abdulaziz Center for National Dialogue, and the newly launched Global Center for Combatting Extremist Ideology. These centers focus on confronting extremist ideology and sectarian divisions through promotion

of a national culture of dialogue and a moderate, welcoming interpretation of Islam. In particular, the Digital Extremism Observatory focuses on countering extremist messaging and recruitment in new media, while other centers similarly engage with social media as a venue for messages of moderation and tolerance. The Saudi government also continued to retrain clerics through the Center for National Dialogue, and in October 2017 Foreign Minister Adel al-Jubeir stated that the government had fired several thousand clerics for spreading extremism. Despite these efforts, some clerics continued to use intolerant rhetoric about non-Sunni Muslims during Friday sermons.

Progress and Ongoing Concerns with Saudi Textbooks

For more than 15 years, the Saudi government has been addressing intolerant content in official textbooks. The reform process became more systematic after the attacks of September 11, 2001, which raised international concerns about the propagation of intolerance and violence in Saudi curricula. While the Saudi government repeatedly has announced completion of milestones in reforming its textbooks, the process remains ongoing and incomplete. In October 2017, during a meeting with USCIRF, Saudi Minister of Education Ahmed Al-Eisa stated his intent to revise all textbooks by the 2018–2019 school year, adding that the ministry intends to use mainly electronic textbooks by 2020.

Through regular review of Saudi textbooks for more than a decade, USCIRF had found continued—though slow and incremental—progress toward removing or revising passages that included incitement to hatred and violence. However, a USCIRF analysis of 2017–2018 religion textbooks revealed the continued presence of some of the most egregious content promoting violence and intolerance, once thought to have been removed. This content included language permitting the execution of apostates and those who unrepentantly mock God or the Prophet; explaining jihad as a joined battle against disbelievers; characterizing Christians as liars and

Jews as desiring to destroy Islam; and calling for Muslim leaders to fight protestors until they cease. The textbooks also contained disparaging references to Zoroastrians, Sufis, Shi'a Muslims, polytheists, non-Muslim proselytizers, homosexuals, and women who do not wear the hijab.

During 2017, human rights groups also raised concerns about Saudi teacher training and delivery of lessons in the classroom. Given the rapid pace of government-led reform during the reporting period, Saudi officials have acknowledged that educators are key to implementation. The Saudi government reported that 200 Saudi teachers completed a government-sponsored professional development program in the United States during the 2016–2017 school year and 450 teachers and principals will do so in 2017–2018, while other participants trained in Europe. Domestically, the King Abdulaziz Center for National Dialogue continued to train Islamic studies teachers. Furthermore, according to Saudi officials, teachers in the highly centralized education system who do not follow the newly developed, more tolerant curricula are dismissed.

Concerns also remained about the propagation of intolerance abroad through the use of old Saudi educational materials, especially following reports that the Islamic State of Iraq and Syria (ISIS) used Saudi textbooks in 2015. Saudi officials have stated that they have requested the return of all old textbooks from their institutions abroad and sent out new, revised books to replace them, but an unknown number of materials reportedly remain in circulation. In recent years, a Saudi royal decree banned financing outside Saudi Arabia of religious schools, mosques, hate literature, and other activities

that support religious intolerance and violence. In January 2018, after the end of the reporting period, the Saudi government agreed to hand over control of the historic Grand Mosque in Brussels, Belgium, to local

Islamic authorities, following years of allegations that the Saudi-controlled mosque was preaching violent extremism. According to reports, the Saudi government is considering following a similar

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approach for mosques and religious schools in other countries around the world.

Women and Religious Freedom

Although the Saudi government announced promising reforms on women's rights and women's participation in society, the state's application of a largely uncodified legal system based on the Hanbali school of Islamic jurisprudence continued to adversely affect the human rights of women in Saudi Arabia, including their religious freedom. Women's rights are constrained in particular by the legal guardianship system enforced by Shari'ah courts regardless of women's religious affiliation and based on the government's interpretation of a Qur'anic verse describing men as "protectors and maintainers of women." Under the system, Saudi women do not have equal legal status and must have permission from a male guardian to obtain a passport, marry, or travel abroad, as well as sometimes to access healthcare or other services.

In April, King Salman signed a royal decree instructing ministries to allow women access to government services without requiring the permission of a male guardian unless required by government regulations in line with Shari'ah. The decree also called for ministries to provide within three months a list of procedures that would require a guardian's approval. The full extent of implementation remained unclear at the end of the reporting period. Saudi government officials have stated that women will have greater access to education, health, work, banking, and social services without guardian consent, but will still need the permission of a guardian to obtain a passport and travel abroad.

Personal status law is governed by courts implementing the Hanbali jurisprudence or, for Shi'a Muslims, Ja'fari jurisprudence. However, Shi'a courts are limited in number and located only in Qatif and Ahsa governorates in the Eastern Province. Saudi courts' interpretation of Shari'ah law results in rulings that women's testimony is worth half of men's, that men may divorce their wives without cause or cost,

and that child marriage still is permitted. In 2013, the Saudi government criminalized domestic violence, but women can still legally be convicted and sentenced by a court on charges like "disobedience." In 2017, the Shura Council discussed draft bills that would set the legal age of marriage at 15 and provide Saudi women with equal rights in passing nationality to their children; however, neither had been implemented by the end of the reporting period.

U.S. POLICY

During its first year, the Trump Administration strengthened the Saudi-U.S. relationship, with President Donald Trump and other administration officials emphasizing support for Saudi Arabia in regional struggles against Iranian influence and countering terrorism and extremism. In a January 2017 call with King Salman, President Donald Trump affirmed the "longstanding friendship and strategic partnership" between the two countries, underlined the importance of countering Iranian destabilizing activities, and expressed support for Vision 2030, Crown Prince Mohammed bin Salman's trademark program for economic and social change.

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ration. The declaration charted the future of the countries' strategic relationship, including a focus on countering violent extremism, disrupting terrorism financing, and expanding regional security partnerships. The two leaders

also signed a defense agreement involving nearly \$110 billion in intended sales of American defense equipment and services. President Trump's remarks during the summit called on Middle Eastern countries to confront "the crisis of Islamist extremism and the Islamist terror groups it inspires" and to make the region a place where "every man and woman, no matter their faith or ethnicity, can enjoy a life of dignity and hope." At the summit, President Trump, King Salman, and

other leaders also initiated the launch of the Global Center for Combatting Extremist Ideology to coordinate international efforts to counter extremism online. In June, then Secretary Tillerson stated that the State Department had requested that the center retrieve and replace intolerant textbooks and develop standards for accountability in this area.

In August 2017, during the rollout of the 2016 International Religious Freedom Report, then Secretary Tillerson expressed concern about religious freedom conditions in Saudi Arabia, citing violations against non-Muslims; application of severe criminal penalties for charges such as apostasy, atheism, blasphemy, and insulting Islam; and attacks targeting Shi'a Muslims as well as the "continued pattern of social prejudice and discrimination against them." In a briefing on the report, another State Department official noted the Saudi government's "excessive or overbroad use" of counterterrorism laws against Shi'a Muslims and atheists.

The State Department redesignated Saudi Arabia as a CPC in December 2017 but kept in place a waiver of any sanctions, citing important national interests that include "collective efforts to counter violent extremism and transnational terrorism, and energy security," pursuant to section 407 of IRFA. Despite this waiver, the department stated that it expected the Saudi government to make "further and more meaningful

progress on religious freedom." The waiver has been in place indefinitely since 2006, when the State Department announced that ongoing bilateral discussions with Saudi Arabia had enabled the U.S. government to identify and confirm a number of policies the Saudi government "is pursuing and will continue to pursue for the purpose of promoting greater freedom for religious practice and increased tolerance for religious groups." In reviewing implementation of the policies since the 2006 announcement, USCIRF has found

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that progress had been achieved in several areas, but that other areas require significant work. These incomplete areas include halting dissemination of intolerant literature and extremist ideology, revising

textbooks to remove intolerant content, protecting the right to private worship for all, and bringing the Kingdom's rules and regulations into compliance with international human rights standards.

In December 2017, Congress introduced H.R.4549, the Saudi Educational Transparency and Reform Act. If enacted, this legislation would require the secretary of state to submit a yearly review of Saudi educational materials indicating whether all intolerant content had been removed, and analyzing the Saudi government's efforts to retrieve and destroy previous materials, retrain teachers, and stop global exportation of intolerant materials.