



Annual Report 2008

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Alkarama for Human Rights – 2bis Chemin des Vignes – 1209 Geneva – Switzerland
Tel: +41 22 734 10 06 – Fax: +41 22 734 10 34 - Email: geneva@alkarama.org - Url: www.alkarama.org

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1. Introduction >>>

For all those whose rights to life, physical and moral integrity and freedom are threatened.

Alkarama (Dignity) for Human Rights is a registered Swiss foundation working on human rights throughout the Arab world. Alkarama was founded in 2004 by a team of volunteer lawyers and human rights defenders to help ensure the promotion and protection of human rights, focusing on the Arab World. Initially created as a “society” (association), we were registered as a Swiss Foundation in June 2007.

Alkarama uses United Nations human rights procedures and mechanisms for the protection of victims and their families. Although Alkarama is concerned with the promotion of human rights in a holistic way, there are certain areas the organisation chooses to concentrate its efforts on. Alkarama has set as a priority to use the tools of international law, including the United Nations mechanisms, to help the victims of the following violations of human rights:

1. Arbitrary Detention and Unfair trials
2. Torture
3. Extra-Judicial Killings
4. Enforced Disappearances

Alkarama participates in all of the United Nations human rights procedures including submission of communications and reports to the Special Procedures and Treaty Bodies as well as the newly established Universal Periodic Review (UPR). Alkarama has, in a very short time, become one of the main NGOs working with these mechanisms in relation to the Arab world.

Alkarama has offices and representatives in Geneva (Switzerland), London (United Kingdom), Beirut (Lebanon), Doha (Qatar), Sanaa (Yemen), as well as numerous delegates and volunteers in most Arab countries.

The aim of Alkarama is to work in a constructive dialogue with all actors – including States, National Human Rights Institutions, the Office of the High Commissioner for Human Rights and all members of civil society.

Alkarama views its role as being part of the whole international human rights movement, thereby recognising the importance of all others working for this noble cause. Cooperation between Alkarama and organisations with similar objectives is something not only desired, but also actively sought.

The present report, which covers the period from 1 January 2008 to 31 December 2008 aims to present the different activities carried out by Alkarama over this period.

Following this section, Section 2 of this report begins with a general overview of Alkarama’s actions with UN human rights mechanisms and then details Alkarama’s activities undertaken per country. Section 3 presents the thematic activities undertaken: Guantanamo Bay detainees, human rights in Iraq and enforced disappearances in Algeria. As for section 4, it describes Alkarama’s other activities, notably participation in meetings and other events. Section 5 discusses organisational aspects of Alkarama such as the structure, and human and financial resources. Finally, sections 6 and 7 respectively present the list of cases submitted and the reports published by Alkarama in 2008.

OUR VISION

To be a credible and effective organisation, international in scope, representing a refuge for victims of human rights violations in the Arab world and to campaign and advocate for these rights to be respected.

OUR MISSION

To work for the promotion and protection of the values of justice; equality before the law; respect for the dignity and rights of the individual as well as to free citizens from persecution and fear in the Arab world. We base our work primarily on principles of international human rights and humanitarian law.

THOSE WE WORK FOR

For all victims, regardless of race, religion or ideology. We work for all those whose rights to life, physical and moral integrity and freedom are threatened.

OUR GOALS

- To provide information on human rights violations in the Arab world;
- To provide moral and legal assistance to victims of these violations;
- To prosecute the authors of these violations and fight impunity;
- To encourage and, if need be, campaign for governments to respect human rights;
- To propagate a culture of human rights in Arab societies and make citizens aware of their constitutional rights and the means of protecting them;
- To train human rights defenders ;
- To support all initiatives tending to reinforce citizens’ protection against human rights violations.

OUR METHODS

We apply rigorous criteria during the gathering, examination and communication of information concerning the victims we defend. We accord vital importance to the respect of victims and to the confidentiality of their information. Our working methods have made Alkarama a credible and reliable organisation for its diverse partners, particularly United Nations human rights mechanisms. For example, to date, every Opinion adopted by the Working Group on Arbitrary Detention (WGAD) on cases submitted by Alkarama has upheld Alkarama’s view that the detention was indeed arbitrary.

2. Working with UN mechanisms

More than **600** cases handled in 2008

2.1 SUMMARY

In 2008, Alkarama submitted 285 cases of human rights violations to various UN mechanisms: Special Procedures, Treaty Bodies and the High Commissioner for Human Rights. These cases covered 16 Arab countries and the United States (regarding Guantanamo Bay detainees). Further to this, Alkarama dealt with 316 cases via other confidential procedures.

Alkarama was actively involved in the newly established Universal Periodic Review (UPR) process, by submitting reports and making oral interventions as well as through the analysis and follow up of pledges made by States. Alkarama provided UN human rights bodies with 10 reports on 7 countries: 7 UPR reports to the Human Rights Council, 2 to the Human Rights Committee in the context of follow-up to the Committee's recommendations, and a substantive alternative report to the Committee Against Torture.

During 2008, 31 Opinions were rendered by the Working Group on Arbitrary Detention on cases previously submitted by Alkarama concerning four countries : Egypt (26), Saudi Arabia (3), the United Arab Emirates (1) and Yemen (1).

The number of cases Alkarama submitted per country does not necessarily reflect the quantity or gravity of human rights violations in that country, but rather reflects the availability of information on those violations and the contact base Alkarama has in these countries. The same is true for the percentage of Alkarama's cases submitted to the each UN human rights mechanisms; this reflects more particularly the number of cases Alkarama received relating to these particular violations than the actual occurrence of each violation in the country.

The country analysis on the opposite page summarises the work done by Alkarama in 2008 for each country.

2.2 EVALUATION OF OUR LEGAL ACTIVITIES

Measuring the direct impact of our action is not straightforward: one can rarely claim that the fact that a particular prisoner has been released or effectively placed under the protection of the law is a direct consequence of our work. This is mainly due to the uniqueness of our field of action and to the diversity of modes of operation of the United Nations mechanisms for the protection of human rights, their confidentiality and the disparity in attitudes among states.

There are however instances where the chronological unfolding of events does provide clear indications that the alleviation of the suffering of the victims or their recovery of freedom was indeed related, if not due, to the actions of Alkarama. We have also observed that States, whether motivated by genuine policies for improving their human rights record or concerned about their image, do take into account procedures brought before the UN human rights mechanisms.

While there were many instances of individuals being freed during 2008, we prefer not to give statistics on this subject so as not to infer that Alkarama's work is the sole or direct reason for their liberation. We do however provide a description of some of these cases in the countries section.

A statistical analysis can also be made of the activities related to the WGAD which renders written opinions, thus making it possible to quantitatively measure the impact of actions undertaken.

In 2008, the WGAD determined a total of 46 cases in three successive sessions (WGAD Report A/HRC/10/21 published 16/02/2009) of which 24 related to the Arab region. Among these cases, 13 were submitted by Alkarama.

In terms of Opinions rendered, the number of cases submitted by Alkarama represents 28% of the total and 54% of the cases submitted to WGAD concerning the Arab world (see Figure 1). All were declared admissible and led to the issuance of an Opinion recognising them as arbitrary detention by the WGAD.

In terms of numbers of victims, the WGAD considered 183 cases during this year, concerning people for the whole world including 81 for the Arab world, of which 41 situations were communicated by Alkarama (Figure 1).

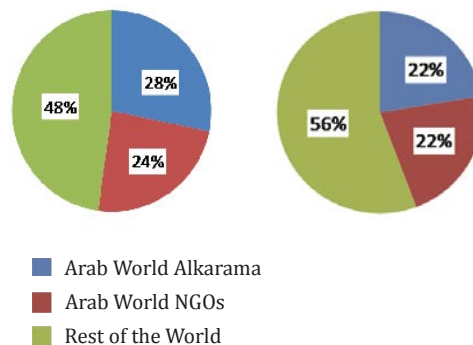


Figure 1. Fraction of Opinions rendered (left) and cases of victims treated (right) by the WGAD concerning the Arab World and handled by Alkarama.

Map 1 Distribution by country of cases submitted and reports published by Alkarama

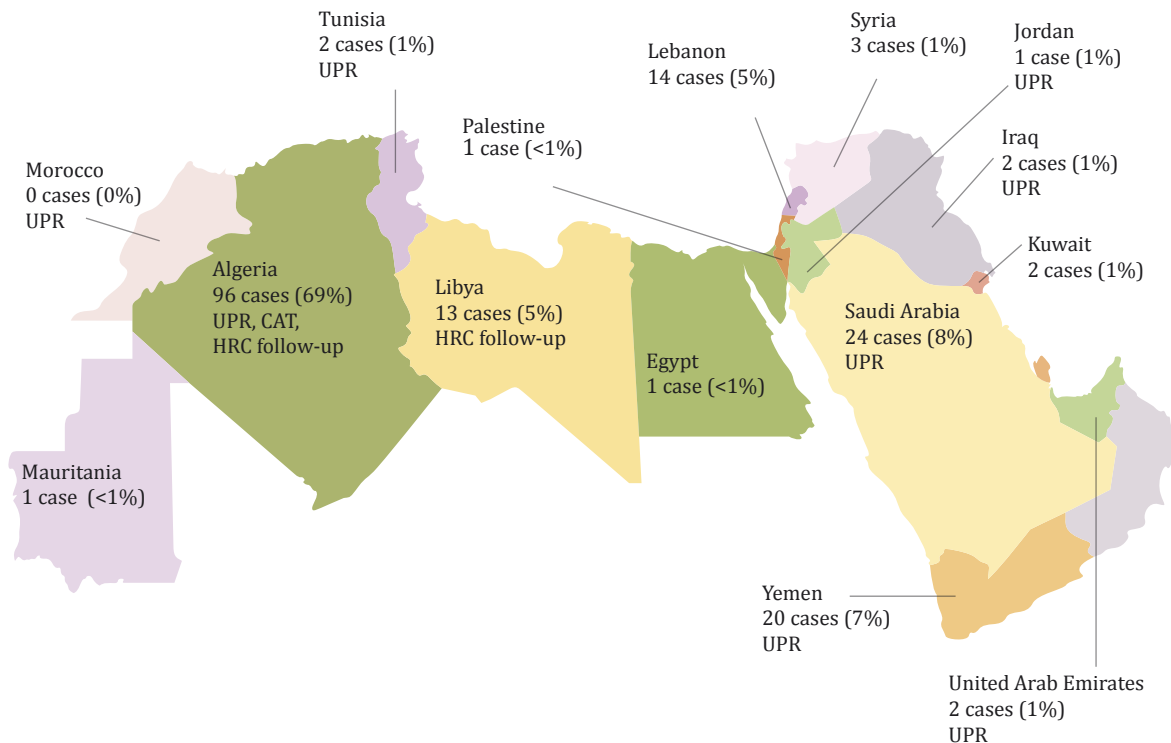


Table 2 Distribution of cases submitted by Alkarama in 2008 by UN mechanism

| UN Human Rights Mechanism | Number of Communications | % of Communications |
|-----------------------------|--------------------------|---------------------|
| WGAD | 48 | 17 |
| SRT | 22 | 8 |
| SUMX | 6 | 2 |
| WGEID | 197 | 69 |
| HRD (Sp. Rep. HR Defenders) | 1 | <1 |
| FRDX | 4 | 1 |
| HRCttee | 6 | 2 |
| HCHR (High Commissioner HR) | 1 | <1 |
| TOTAL | 285 | |

Table 2 represents the distribution of cases submitted by Alkarama in 2008 to UN mechanisms. 69% to the Working Group on Enforced or Involuntary Disappearances, 17% to the Working Group on Arbitrary Detention, and 8% to the Special Rapporteur on Torture.

Glossary >>>

General Terms

Ratification, acceptance, approval

Ratification, acceptance and approval all refer to the act whereby a State establishes its consent to be bound by a treaty. As a step preceding ratification, the signature of a treaty also creates an obligation on a State, in the period between signature and ratification, acceptance or approval, to refrain in good faith from acts that would defeat the object and purpose of the given treaty (see article 18 of the 1969 Vienna Convention of the Law of Treaties). (UN, OHCHR, Handbook for Civil Society, 2008)

Accession

Accession is the act whereby a State that has not signed a treaty expresses its consent to become a party to that treaty by depositing an “instrument of accession” with the United Nations Secretary-General. Accession has the same legal effect as ratification, acceptance or approval (UN, OHCHR, Handbook for Civil Society, 2008).

UN Human Rights Treaties and Treaty Bodies

UN Human Rights Treaty Bodies

There are eight human rights treaty bodies, which are committees of independent experts that monitor implementation by State parties of the 8 core international human rights treaties (There is one more treaty on enforced disappearance but it has not yet entered into force). Treaty bodies are created in accordance with the provisions of the treaty that they monitor. All States parties are obliged to submit regular reports to the Committee on how the rights are being implemented. The Committee examines each report and addresses its concerns and recommendations to the State party in the form of “concluding observations”.

International Covenant on Civil and Political Rights (ICCPR) - (HRCttee)

Adoption: 16 December 1966

Entry into force: 23 March 1976

UN treaty based on the Universal Declaration of Human Rights. It states that individuals have a range of civil and political rights such as freedom of expression, association, movement, religion or conscience. The implementation of the ICCPR by its State parties is monitored by the Human Rights Committee (HRCttee).

Optional protocol to the International Covenant on Civil and Political Rights (OP ICCPR)

Adoption: 16 December 1966

Entry into force: 23 March 1976

The Optional Protocol to the ICCPR is an international treaty supplementing the ICCPR. By signing this addendum, states agree to allow the Human Rights Committee to consider individual complaints that is complaints from individuals claiming to be victims of the violations any of the rights in the ICCPR.

International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)

Adoption: 20 December 2006

Entry into force: Not yet in force

UN treaty which recognises enforced disappearance as a crime under international law (preamble). An enforced disappearance is considered to be “the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law” (art. 2). The convention commits State parties to arrest on their territory and to surrender, extradite or prosecute those responsible for such practices.

The Committee on Enforced Disappearances, in addition to functions of monitoring the implementation of the Convention and consideration of complaints concerning cases of enforced disappearance, has an urgent procedure (art. 30), the ability to undertake visits (art. 33) and to urgently bring to the attention of the UN General Assembly situations of widespread and systematic practice of enforced disappearance (art. 34).

It will enter into force once ratified by 20 countries; by 30 September 2008 there were 5 States parties to ICPPED.

Convention Against Torture and other cruel, inhuman or degrading treatment or punishment (CAT)

Adoption: 10 December 1984

Entry into force: 26 June 1987

UN treaty which defines torture (art. 1), requires states to take effective legal and other measures to prevent torture (art. 2 §1), declares that no exceptional circumstance (state of emergency, other external threats), nor orders from a superior officer or authority may be invoked to justify torture (art. 2 §2-3). It forbids countries to “expel, return or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture”(art. 3 §1). The CAT also establishes the Committee Against Torture (art. 17) group of ten independent experts, that monitors the implementation of CAT by its state parties.

CAT; Article 20
Confidential enquiry

If the Committee against Torture “receives reliable information which appears to it to contain well-founded indications that torture is being systematically practised in the territory of a State party, the Committee shall invite that State party to co-operate in the examination of the information and to this end to submit observations with regard to the information concerned.” A State party may state it does not want to recognise the competence of the Committee Against Torture at the time of ratification or accession.

CAT; Article 21
Inter-state complaints

Article 21 of the Convention states that a State party may at any time declare that it recognises the competence of the Committee against Torture to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Convention.

Article 22, CAT
Individual communications

Article 22 states that a State party may at any time declare that it recognises the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State party of the provisions of the Convention.

Optional Protocol to the Convention Against Torture and other cruel, inhuman or degrading treatment or punishment (OP CAT)

Adoption: 18 December 2002 Entry into force: 22 June 2006
An international treaty supplementing the CAT. It provides for the establishment of “a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment,” (art. 1, OP CAT).

UN Human Rights Council

Human Rights Council (HRC)

The Human Rights Council is an inter-governmental body within the UN system composed of 47 States. The HRC is responsible for strengthening the promotion and protection of human rights around the globe, addressing situations of human rights violations and making recommendations on them. It replaced the former Human Rights Commission, following the decision by the UN General Assembly of 15 March 2006. The mechanisms assumed by the Council include UN Special Procedures, Working Groups, complaint procedures and the Universal Periodic Review.

Universal Periodic Review (UPR)

A new process (from 2008) where the Human Rights Council reviews the human rights records of all 192 UN Member States once every four years. The stated objectives of this new mechanism include “the improvement of the human rights situation on the ground” and “[t]he fulfilment of the State’s human rights obligations and commitments and assessment of positive developments and challenges faced by the State.”

Special Procedures

Special Procedures (SP)

This is the general name given to the mechanisms established by the Commission on Human Rights and assumed by the Human Rights Council to address either specific country situations or thematic issues in all parts of the world. Special procedures mandate-holders are either an individual (Special Rapporteur, Special Representative of the Secretary General, Representative of the Secretary General or Independent Expert) or a group of individuals (Working Group). Special Procedure mandate holders have a number of tools available to them including sending communications, undertaking country visits, publishing reports, preparing thematic studies and issuing press releases.

Working Group on Arbitrary Detention (WGAD)

A group of experts which has been established to, inter alia, investigate cases of arbitrary detention, seek and receive information from Governments, NGOs, other organisations and families of individuals, send urgent appeals and communications to governments to clarify cases, conduct field visits upon the invitation of governments, the submission of annual reports to the Human Rights Council and the General Assembly, and formulate opinions on cases submitted.

Working Group on Enforced or Involuntary Disappearances (WGEID)

A group of 5 experts whose basic mandate is to assist the relatives of disappeared persons to ascertain the fate and whereabouts of their disappeared family members. For this purpose, the Working Group receives and examines reports of disappearances submitted by relatives of disappeared persons or human rights organizations acting on their behalf. If the reports are receivable, the Working Group transmits individual cases to the Governments concerned, requesting them to carry out investigations and to inform the Working Group of the results. The Working Group deals with the numerous individual cases of human rights violations on a purely humanitarian basis, irrespective of whether the Government concerned has ratified any of the existing legal instruments which provide for an individual complaints procedure. It acts essentially as a channel of communication between the families of disappeared persons and Governments.

Glossary >>>

| | |
|---|---|
| Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment (SRT) | An expert who examines questions relating to torture. This mandate covers all countries, irrespective of whether a State has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The mandate includes transmitting urgent appeals and communications to governments, fact finding visits, and the submission of annual reports to the Human Rights Council and the General Assembly. |
| Special Rapporteur on the promotion and protection of human rights while countering terrorism (SRHRwCT) | An expert who makes concrete recommendations on the promotion and protection of human rights and fundamental freedoms while countering terrorism. The Rapporteur gathers, requests, receives and exchanges information and communications from and with all relevant sources on alleged violations of human rights and fundamental freedoms while countering terrorism, with special attention to areas not covered by existing mandate-holders; integrates a gender perspective throughout the work of their mandate, identifies, exchange and promote best practices on measures to counter terrorism that respect human rights and fundamental freedoms and works with other mandates and relevant UN bodies. |
| Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (FRDX) | An expert who gathers all relevant information, wherever it might occur, of discrimination against, threats or use of violence and harassment, including persecution and intimidation, directed at persons seeking to exercise or to promote the exercise of the right to freedom of opinion and expression. and seeking and receive credible and reliable information from governments and non-governmental organizations and any other parties who have knowledge of these cases; The mandate includes transmitting urgent appeals and communications to governments (individual complaints), undertaking fact-finding country visits, and the submission of annual reports to the Human Rights Council and the General Assembly. |
| Special Rapporteur on extrajudicial, summary or arbitrary executions (SUMX) | An expert mandated to examine situations of extrajudicial, summary or arbitrary executions and to submit on an annual basis his findings, together with conclusions and recommendations, to the Human Rights Council, as well as such other reports as the Special Rapporteur deems necessary in order to keep the Council informed about such serious situations of extrajudicial, summary or arbitrary executions that warrant its immediate attention, responds effectively to information that comes before him, in particular when an extrajudicial, summary or arbitrary execution is imminent or threatened or when such an execution has occurred. |
| <h2>National Human Rights Institutions (NHRI)</h2> | |
| NHRI | An official body at the national level which independently and in cooperation with the relevant Government deals with human rights issues in that country. |
| ICC: International Coordinating Committee of NHRIs | International Coordinating Committee of NHRIs (ICC), the international body created by those NHRIs in conformity with the Paris Principles to coordinate efforts by NHRIs at the international level. |
| ICC accreditation status | Indicates whether a NHRI is in conformity, or not, with the Paris Principles which outline the standards that should apply to NHRIs and aim to guarantee their independence. The accreditation process concludes with the granting of one of four statuses: |
| ICC accreditation status categories | <ul style="list-style-type: none">• “A” indicates compliance with the Paris Principles. A-status, which is reviewed every 5 years, grants the NHRI the possibility to participate in UN human rights mechanisms such as the Treaty Bodies and the Human Rights Council.• “A(R)” indicates accreditation with reserve – granted where insufficient documentation is submitted to confer A status;• “B” indicates observer Status within the ICC - due to the NHRI Not being in full compliance with the Paris Principles or insufficient information provided to make a determination;• “C” indicates that the NHRI is not compliant with the Paris Principles. |

3.1 Algeria >>>

"..Article 45 of the decree grants immunity from prosecution to members of the security forces. However, they were responsible for hundreds of abductions followed by murder. These were not isolated acts, but part of a systematic practice."

- Sir Nigel Rodney; vice-president of the Human Rights Committee; 23 October 2007, during the Human Rights Committee's consideration of Algeria's third periodic review (CCPR/C/SR.2494).

ALGERIA

People's Democratic Republic of Algeria



CONSTITUTION latest revision 12.11.2008
STATE OF EMERGENCY since 09.02.1992



ICCPR Last report due 01.06.2000 (3rd)
Submitted 22.09.2006 (3rd)
Ratified 12.09.1989 Next report due 01.11.2011 (4th)
Alkarama submitted a Follow-Up report to the ICCPR on 05.11.2008

**ICCPR OPTIONAL
PROTOCOL**
Ratified 12.09.1989

CAT Last report due 11.10.1998 (3rd)
Submitted 16.01.2006 (3rd)
Ratified 12.09.1989 Next report due 20.06.2012 (4th)
Alkarama submitted a "Shadow Report" to CAT on 04.04.2008

CAT COMPLAINT PROCEDURES
Art. 20 (Confidential inquiry) Yes
Art. 21 (Inter-State complaints) Yes
Art. 22 (Individual communications) Yes

CAT OPTIONAL PROTOCOL Not a signatory

ICCPED Signed 06.02.2007

NHRI

Commission Nationale Consultative de Promotion et de Protection des Droits de l'Homme (CNCPPDH)

ICC Accreditation Status: A (under review)

UPR Last review 14.04.2008 (1st)
Alkarama made a submission to the UPR on 20.11.2007

Human Rights Council

Member from 2006 - 2007

ALGERIA

People's Democratic Republic of Algeria

GENERAL CONTEXT

In February 1992, a state of emergency was promulgated in Algeria. It is still in force today and the army remains the real power holder in the country. The anti-terrorism law enacted in September 1992 establishes a broad and vague definition of terrorism. Many articles of this law have been incorporated into the 1995 penal code, generalising emergency provisions to authorize practices by the courts which are in violation of the fundamental guarantees provided by international law.

Under the guise of the "fight against terrorism", serious violations of human rights were committed beginning in 1992 by all the security forces as well as the militias set up by the army as of 1994. Thousands of people were detained by Administrative Order in internment camps in the south, some of them for almost 4 years (officially these camps were closed by the end of 1995), tens of thousands of people were arbitrarily arrested and detained, torture was widespread and tens of thousands of people were summarily executed or have been victims of enforced disappearances.

The law enforcement and judicial structures put in place following the establishment of a state of emergency to fight both the armed and civilian opposition are still in place. If the number of victims has decreased considerably in recent years, arbitrary arrests, incommunicado detention and torture are still widely practised in the context of what the authorities justify as the fight against terrorism.

With the presidency of Abdelaziz Bouteflika since April 1999, the authorities claim to have entered a new phase : civil concord and national reconciliation. Members of armed groups who surrendered and collaborated with the authorities benefited from the partial or total termination of prosecution. More importantly, members of the security forces received a general amnesty. No complaint against them is legally admissible.

Although it was forced to recognize the magnitude of the phenomenon of enforced disappearances, the Algerian state claims to have settled the matter through (inadequate) compensation. Alkarama has submitted in recent years nearly a thousand cases concerning missing Algerians out of a total of 2730 cases submitted by the various NGOs to the Working Group on Enforced and Involuntary Disappearances. Despite the efforts of the Working Group with the Algerian state, none of these cases have so far been resolved due to the lack of willingness on the part of the Algerian authorities to cooperate with the special procedures on this subject.

Finally, the law on "national reconciliation" prohibits any criticism of the state within or outside the country under penalty of criminal persecution.



Protests of families of disappeared persons in Algeria

ACTIONS TAKEN BY ALKARAMA

Alkarama submitted 196 cases to Special Procedures, distributed as follows:

- 1 case to the Working Group on Arbitrary Detention: Malik Medjnoun.
- 195 cases to the Working Group on Enforced and Involuntary Disappearances: an individual communication concerning Adel Saker and two grouped communications concerning respectively 175 and 19 cases.

Alkarama submitted a report to the Committee Against Torture (CAT) on 04.04.2008.

Alkarama submitted on 5 November 2008 a report to the Follow-up Procedure of the Human Rights Committee on its concluding observations of 1 November 2007.

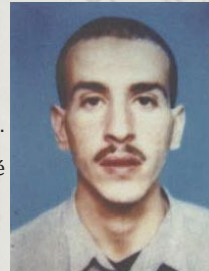
Alkarama contributed a report to the new Human Rights Council Universal Periodic Review mechanism on Algeria, which was used in the preparation of a 'stakeholder's summary' document drawn on for the review of Algeria, which took place on 14 April 2008.

CASE STUDY

Adel Saker

Adel Saker, a 32 year old student of Arabic literature, has been arrested and detained incommunicado 3 times since 1994. Each time he was detained for over a year without trial.

Mr Saker was first arrested by the Département de la Sécurité et des Renseignements (DRS) in 1994, when he was only 16 and was detained for 3 years. Released in 1997, he was again arrested in 1998 and held for a year. In 2001, he was arrested again and detained for a further year.



When released in 2002, his parents thought it was best for him to go and finish his Arabic Literature studies in Syria, where he would no longer be harassed by the DRS. After studying in Syria for a year and a half, he was arrested by the Syrian Intelligence Services in January 2005, who told him that they were arresting him on behalf of the Algerian Intelligence Services. Upon his arrival in Algiers on 26 February 2005 he was arrested by the DRS, detained incommunicado for a year and severely tortured and abused.

He was presented before the Court of Algiers and accused of "belonging to a terrorist group" and in particular of being "the intermediary between Al-Qaida and the Algerian GSPC" – a charge most probably trying to justify the 12 months of incommunicado detention, as he was freed the next day. Regardless of this, he continued to be harassed by the security services and was summoned to the Headquarters of the State Security on 26 May 2008. Since then, his family has had no sign of life from him.

Alkarama submitted his case to the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on Torture on 30 June 2008.

3.2 Egypt >>>



"The Working Group considers that, in principle military tribunals should not try civilians."

- Working Group on Arbitrary Detention Opinion No. 27/2008 (Egypt) concerning Mohamed Al-Shatter and 25 others; Adopted on 12 September 2008. Alkarama submitted the case of MrAl-Shatter to the Working Group on Arbitrary Detention on 27 August 2007.

Egyptian riot police use tear gas to disperse protesters during clashes in Mahalla City about 110 km north of Cairo, 6 April 2008.



E G Y P T

Arab Republic of Egypt



CONSTITUTION amended 26.03.2007

STATE OF EMERGENCY Yes, in effect since 1967, except for an 18-month break in 1980 according to Emergency Law No. 162 of 1958. Re-imposed on 06.10.1981 after the assassination of Anwar Sadat

ICCPR

Ratified 14.01.1982

Last report due 31.12.1994 (3rd)
Submitted 13.11.2001 (3rd)
Next report due 01.11.2004 (4th)

ICCPR OPTIONAL
PROTOCOL
Not a signatory

CAT

Ratified 25.06.1986

Last report due 25.06.2000 (4th)
Submitted 19.02.2001 (4th)
Next report due 25.06.2004 (5th)

CAT COMPLAINT PROCEDURES
Art. 20 (Confidential inquiry) Yes
Art. 21 (Inter-State complaints) No
Art. 22 (Individual communications) No

CAT OPTIONAL PROTOCOL Not a signatory

ICCPED

Not a signatory

NHRI

Egyptian National Council for Human Rights

ICC Accreditation Status: A (due to be reviewed in 2010)

UPR

Upcoming review February 2010

Human Rights Council

Member from 2007 - 2010

E G Y P T

Arab Republic of Egypt

GENERAL CONTEXT

The National Democratic Party (NDP) has governed the Arab Republic of Egypt since the party's establishment in 1978. The NDP, which continues to dominate national politics by maintaining an overriding majority in the popularly elected People's Assembly (PA) and the partially elected Shura (Consultative) Council, derives its governing authority from the 1971 constitution and subsequent amendments. Executive authority resides with the President and the Cabinet.

In 2005 President Hosni Mubarak won a fifth consecutive six-year term with 88 percent of the vote in the country's first presidential election, which was marred by low voter turnout and charges of fraud. The civilian authorities do not always maintain effective control of security forces, who committed numerous, serious abuses of human rights.

In 2008, the government's respect for human rights remained poor, and serious abuses continued in many areas. The government limited the right of citizens to change their government and continued a state of emergency that has been in place almost continuously since 1967. Security forces used unwarranted lethal force and tortured and abused prisoners and detainees, in most cases with impunity.



Egyptian riot policemen arrest a protester following clashes at Mahalla el-Kobra, 6 April 2008.

Prison and detention centre conditions were poor. Security forces arbitrarily arrested and detained individuals, in some cases for political purposes, and kept them in prolonged pre-trial detention. The executive branch placed limits on and pressured the judiciary.

The government's respect for freedoms of press, association, and religion declined during the year, and the government continued to restrict other civil liberties, particularly freedom of speech, including internet freedom, and freedom of assembly, including restrictions on nongovernmental organisations (NGOs). Government corruption and lack of transparency persisted.



Egyptian border guards clash with Palestinians attempting to cross from Gaza into Rafah, 25 January 2008.

ACTIONS TAKEN BY ALKARAMA

Alkarama presented the case of Khaled Hamza to the Working Group on Arbitrary Detention. Khaled Hamza was arrested on 20 February 2008, and eventually released.

In addition to this, the Working Group on Arbitrary Detention issued an opinion on 26 cases submitted by Alkarama. The list of these individuals is as follows:

Mohamed Khirat Saad Al-Shatar, Ayman Abd Al-Ghani Hassanin, Khaled Abdelkader Awda, Ahmad Ahmad Nahhas, Ahmad Ashraf Mohamed Mostafa Abdul Warith, Ahmed Azzedin El-Ghoul, Amir Mohamed Bassam Al-Nagggar, Esam Abdelmohsen Afifi, Essam Abdul Hakim Hashish, Farid Aly Galbat, Fathy Mohamed Baghdady, Gamal Mahmoud Shaaban, Ahmed Mahmoud Shousha, Yasser Mohamed Ali, Mahmoud Abdul Latif Gawad, Hassan Ezzudine Malek, Mahmoud Morsi Koura, Mamdouh Ahmed Al-Husseini, Medhat Ahmad El-Haddad, Mohamed Ali Bishr, Mohamed Mahmoud, Hafez, Mohamed Mehany Hassan, Mohamed Ali Baligh, Mostafa Salem, Osama Abdul Muhsin Shirby, Murad Salah El-Desouky.

CASE STUDY

Khaled Hamza

Between 14 February and 15 March 2008, 831 leading members and sympathizers of the Muslim Brotherhood were arrested in Egypt, in all regions of the country (Cairo, Alexandria, Al Buheira, Al Qalyubia, Al Gharbiya, Kafr Al Sheikh, Assiut, Dakahliya, Bani Suwayf, Al Sharqiya, Damietta, Giza, Al Fayyum etc.). Most of those arrested were candidates in the municipal elections of 8 April 2008.



Most of the people who were arrested (without judicial warrants) were subjected to inhuman and degrading treatment, their homes have been searched and their personal belongings seized by security agents.

The arrest of Khaled Hamza on 20 February 2008 is undoubtedly related to his freedom of expression, his role as a human rights defender and the role the media played in the 2008 election campaign. Khaled Hamza was born on 28 October 1963 and currently resides in Daqahliyah. He is a civil engineer and as a human rights defender he was chief editor of the English website for information on the Muslim Brotherhood (<http://www.ikhwanweb.com>).

He was arrested as he was leaving his office moments after a meeting with human rights activists, including the President of the Arab Commission for Human Rights. When arrested, Khaled Hamza asked if there was a judicial warrant against him and the staff answered "we have no need of a warrant." He was then dragged by force to a police car, handcuffed and blindfolded.

He was taken to the headquarters of security services in Lazoghli, where he underwent an interrogation which lasted until 9 o'clock in the morning. His office was fully searched: all documents and 16 computers belonging to his company were confiscated by police. The police then went to his home and took everything that was there: documents, personal books, electronics, computers, etc.

Presented to the Prosecutor of the Tribunal, MrHamza was notified of the customary charge of "membership to the Muslim Brotherhood" and put in custody at Tora prison.

He was unsuccessful in obtaining medical treatment at the prison. His health had particularly deteriorated since the early days of his detention. On 9 March 2008 he eventually had to be evacuated in an emergency to Kasr Al-Aini's hospital .

On 19 March 2008, Alkarama sent an appeal to the Working Group on Arbitrary Detention and the Special Representative for Human Rights Defenders asking them to intervene in his case.

Khaled Hamza was released on 15 April 2008. He reported that during his detention he was subjected to abuse. The authorities continue to threaten him with arrest if he continues his activities as a human rights defender.

3.3 Iraq >>>



"They killed me..."

- Bashir Muzhar Abdullah Al Joorani; Baaqouba General Hospital, 1 December 2008 - to his wife after 10 days of torture during his detention by the Interior Ministry. Mr Al-Joorani died 13 hours later. Alkarama submitted the case of Mr Al Joorani to the Special Rapporteur on Torture on 6 December 2008.



L R A Q
 Republic of Iraq



CONSTITUTION ratified 15.10.2005
 STATE OF EMERGENCY No

ICCPR
 Ratified 25.02.1971

Last report due 04.04.1995 (4th)
 Submitted 05.02.1996 (4th)
 Next report due 04.04.2000 (5th)

**ICCPR OPTIONAL
 PROTOCOL**
 Not a signatory

CAT

Not a signatory

CAT COMPLAINT PROCEDURES
 Art. 20 (Confidential inquiry) -
 Art. 21 (Inter-State complaints) -
 Art. 22 (Individual communications) -

CAT OPTIONAL PROTOCOL Not a signatory

ICCPED

Not a signatory

NHRI

-

UPR

Upcoming review: February 2010

Human Rights Council

Not a member

I R A Q

Republic of Iraq

GENERAL CONTEXT

Iraq, with a population of approximately 27.5 million, is a republic with a government led by Prime Minister Nouri Jawad Al-Maliki. The current administration assumed office in 2006 after the Council of Representatives approved a unity government composed of the major political parties. Iraq is still occupied by a US-led coalition force which ousted former President Saddam Hussein in 2003.

Despite the launch of a national reconciliation process in 2007, Iraq remains the scene of violent clashes in which civilians continue to pay a heavy toll. Daily attacks and reprisals involve the occupation forces, government forces as well as various militia groups. This climate of high tension is a breeding ground for an increase of violations of human rights. Indeed, the human rights performance of both the occupying force and the government consistently fell short of standards established under both national and international law.

About half of the detainees officially accounted for are held in prisons controlled by the occupation forces. The other half are held in centres under the responsibility of following Iraqi institutions: Ministry of Justice, Ministry of Interior and the Army. There are also hundreds of secret detention centres in Iraq.

During the year, the following significant human rights problems were reported: arbitrary execution, disappearances, torture and other cruel, inhuman, or degrading treatment or punishment; impunity, poor conditions in pretrial detention and prison facilities, denial of fair public trials, arbitrary arrest and detention, arbitrary interference with privacy and home, limitations on freedoms of speech, press, assembly, and association, restrictions on freedom of movement, large numbers of internally displaced persons and refugees, lack of protection of refugees and stateless persons, lack of transparency and widespread, severe corruption at all levels of government, and constraints on international organizations and nongovernmental organizations investigating on alleged violations of human rights.



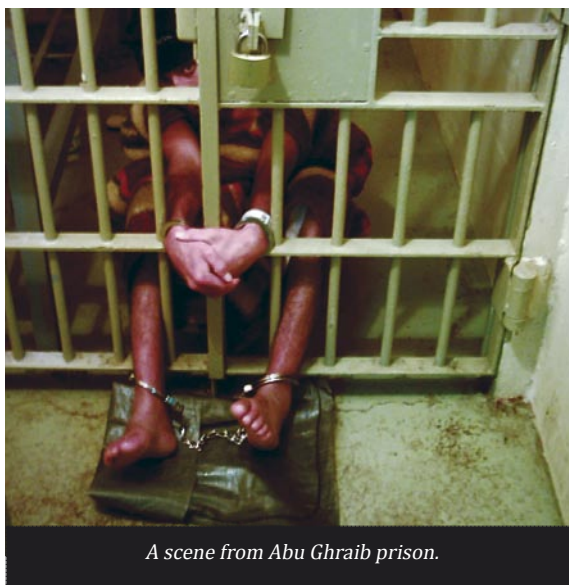
Entrance to Abu Ghraib prison in Baghdad, Iraq



A photo taken of Muntadhar Al-Zaidi, the Iraqi journalist who through the shoe at George W. Bush

ACTIONS TAKEN BY ALKARAMA

Alkarama submitted two cases to the Special Rapporteur on Torture: Bashir Al-Joorani (see next page) and Muntadhar Al-Zaidi (above).



A scene from Abu Ghraib prison.

CASE STUDY

Bashir Al-Joorani



Bashir Muzhar Abdullah Al-Joorani, a 34 year old teacher and leader of the “Sahwa” movement in Baaqouba, was arrested on 21 November 2008 and tortured to the point of needing hospitalisation. He died in Baaqouba General Hospital on 2 December 2008 at 4:30 in the morning, only having had enough strength to utter the words : “They killed me” to his wife.

Mr Al-Joorani was arrested on 21 November 2008 around midday at a road-block set up by a group of agents from the Directorate of Criminal Affairs of Diyala (Mudiriyet Jara’im Diyala) at Jadidat al Chatt, on the periphery of Diyala on the road to Baghdad.

Mr Al-Joorani’s family spent days looking for Bashir, and only on 1 December 2008 did they learn that he had been admitted to Baaqouba General Hospital, brought there by agents of the Ministry of the Interior.

His family immediately went to visit him. They found him in a terrible condition: several of his limbs had been broken, and he had holes pierced through him. He died the next morning, on 2 December 2008.

The doctors who confirmed his death requested an autopsy, after pressure by the family. His body was then transferred to the forensic medicine section. The head of the Forensic Department was visited by Commander Hisham al Tamimi, head of the Directorate of Criminal Affairs, who threatened him with death should he announce the cause of death.

The family went to the head of the US forces in the region, and requested their support. The Colonel of the local US Battalion accompanied the family to the Forensic Department of the hospital and requested an autopsy. It was in these conditions that the autopsy was done. The family never was given a copy of the autopsy report. They did however have the opportunity to photograph Bashir’s body in the state it was in when he died.

Alkarama informed the Special Rapporteur on Torture of this case on 6 December 2008, sending him details of the torture and photographic proof of the serious abuse which caused the Bashir Al-Joorani’s death.



3.4 Jordan >>>

"The deprivation of liberty of Issam Al-Uteibi is arbitrary being in contravention of Article 19 of the International Covenant on Civil and Political Rights to which Jordan is Party."

- Working Group on Arbitrary Detention Opinion No. 18/2007 (Jordan); Adopted on 22 November 2007. Alkarama submitted the case of Mr Al-Utaibi to the Working Group on Arbitrary Detention on 17 April 2007.



JORDAN

Hashemite Kingdom of Jordan



CONSTITUTION promulgated on 08.01.1952
STATE OF EMERGENCY No

ICCPR

Ratified 28.05.1975

Last report due 22.01.1992 (3rd)
Submitted 26.05.1992 (3rd)
Next report due 21.01.1997 (4th)

ICCPR OPTIONAL
PROTOCOL
Not a signatory

CAT

Accession 13.11.1991

Initial report due 12.12.1992
Submitted 24.11.1994 (1st)
Next report due 12.12.1996 (2nd)

CAT COMPLAINT PROCEDURES
Art. 20 (Confidential inquiry) Yes
Art. 21 (Inter-State complaints) No
Art. 22 (Individual communications) No

CAT OPTIONAL PROTOCOL Not a signatory

ICCPED

Not a signatory

NHRI

National Centre for Human Rights (NCHR)

ICC Accreditation Status : A (due to be reviewed in 2010)

UPR

Upcoming review 06.02.2009

*Alkarama made a submission to the UPR on
01.09.2008*

Human Rights Council

Member from 2006 - 2009

JORDAN

Hashemite Kingdom of Jordan

GENERAL CONTEXT

Jordan is a constitutional monarchy where the King, Abdullah II (who ascended to the throne in 1999), holds legislative and executive powers. The parliament consists of a senate composed of notables appointed by the King (Majlis Al-A'yan) and a chamber of 110 deputies elected by an electoral college (Majlis Al-Nuwwab).

Under the reign of his father, the lifting of emergency rule, the abolition of martial law and the subsequent release of political prisoners were declared in 1992. New laws on political parties, newspapers and publications were enacted at the same time allowing the formation of opposition parties.

Two weeks after the attacks of 11 September 2001 in the United States, the Jordanian authorities introduced amendments to the Penal Code: the definition of "terrorism" was enlarged in an attempt to embody various vague offences, including: restricting freedom of expression and extending the scope of capital punishment and life imprisonment. A law amending the Criminal Code entered into force on 2 October 2001, while waves of arrests took place, most notably after three events held in Amman and Zarqa. Many people were arrested and held incommunicado for long periods of time because of their political opinions.

In the wake of bomb attacks on 9 November 2005 in three hotels in Amman which killed 60 people and injured hundreds of others, the Jordanian authorities published a draft law on the prevention of terrorism. The new law entered into force on 1 November 2006 and does not comply with the country's international obligations.

The General Intelligence Directorate (GID - Da'irat Mukhabarat Al-Al'amma) is the main department responsible for internal security and as such is responsible for the arrest, detention and interrogation of persons suspected of terrorism or considered political opponents. The GID officials routinely resort to torture and act with total impunity.

Jordan's fight against terrorism is conducted at the international level in cooperation with the United States. In this context, Jordan plays the role of "outsourcing" by allowing suspects to be transferred to its detention centres and subjected to torture.

The Jordanian authorities have introduced a series of measures to show their willingness to respect human rights, namely, the creation of a National Centre of Human Rights in 2002, which authorizes visits by the Red Cross in prisons. The GID detention centre in Amman was visited by the Special Rapporteur on Torture in 2006, but even these measures have not provided any notable improvement to the human rights situation in Jordan.



Jordanian police maintaining the periphery of a demonstration in the capital Amman.

ACTIONS TAKEN BY ALKARAMA

Alkarama sent a communication to the High Commissioner for Human Rights with regards to the arrest and detention of Isam Tahar Al-'Utaibi.

As part of the Universal Periodic Review (UPR) on Jordan, Alkarama contributed a report on 1 September 2008.



Jordanian security forces overlook protesters in Al-Rabiah district in Amman, Jordan

CASE STUDY

Issam Al-Utaibi

Issam Mohamed Tahar Barqaoui Al-Utaibi (Abu Mohammed Al-Maqdisi) was born on 7 March 1959 in Barqa and is a renowned Jordanian writer and theologian in the Arab world. He was arrested on 28 November 2002 with 11 other persons accused of “conspiracy to commit terrorist actions.” This arrest occurred as a result of public statements he made.

Brought before the State Security Court, he was acquitted on 27 December 2004. He was not released and subsequently held incommunicado for another 6 months from 27 December 2004 to 28 June 2005, during which time he was tortured several times.

Released in June 2005, he gave an interview on Al-Jazeera network on 4 July 2005 in which he expressed his condemnation of the US military occupation in Iraq. He was again arrested the next day, on 5 July 2005. Since then he has yet to be brought before a court and his most basic rights have repeatedly been violated.

From this date, he was held incommunicado for nearly a year and tortured on numerous occasions. He was also denied his right to legal counsel of his choice and of challenging the lawfulness of his detention.

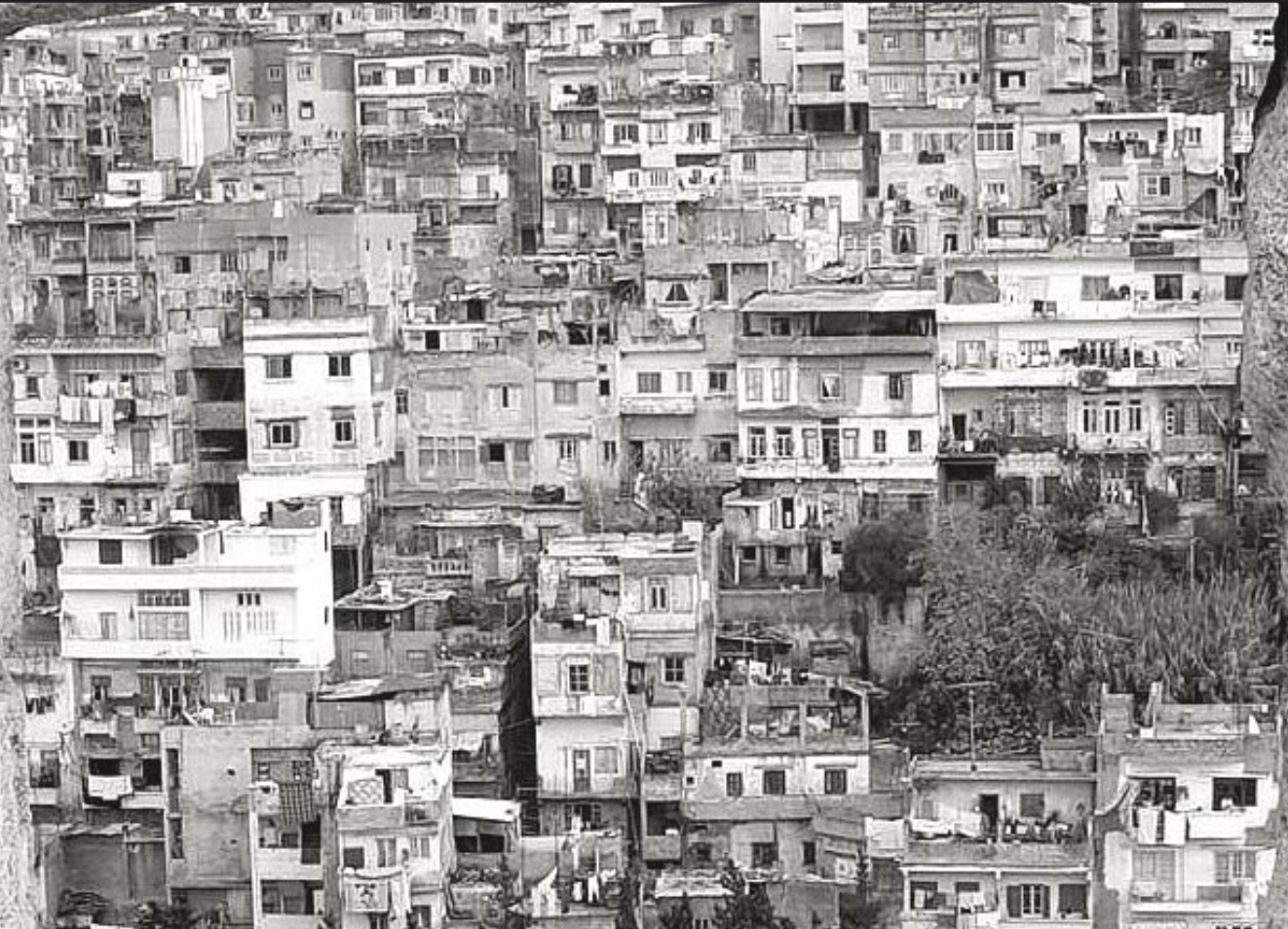
Alkarama sent several communications (17 April 2007 and 7 June 2007) to several UN procedures. The Working Group on Arbitrary Detention, at its last session in November 2007, adopted the opinion that his detention is arbitrary.

The Working Group on Arbitrary Detention, in accordance with its working methods, notified the Jordanian government and asked them to take the necessary steps to remedy the situation.

However, despite or because of this procedure, the treatment of Al-Utaibi worsened during the month of January 2008 which is why he began a hunger strike on 4 February 2008.

Issam Al-Utaibi was finally released on 12 March 2008.

3.5 Lebanon >>>



205 out of 316 detainees interviewed by Alkarama gave details of the torture they had been subjected to while in detention at the Ministry of Defence during and following the Nahr Al-Bared Crisis in 2007.

A view overlooking the old city from Sufian bin Mujib Al-Azdi's Citadel in Tripoli.



LEBANON

Lebanese Republic



CONSTITUTION Yes 23.05.1926
STATE OF EMERGENCY No

ICCPR Last report due 21.03.1986 (3rd)
Submitted 08.06.1996 (3rd)
Next report due 21.03.2001 (4th)
Accession 03.11.1972

**ICCPR OPTIONAL
PROTOCOL**
Not a signatory

CAT Initial report due 05.10.2001
Accession 05.10.2000

CAT COMPLAINT PROCEDURES
Art. 20 (Confidential inquiry) Yes
Art. 21 (Inter-State complaints) No
Art. 22 (Individual communications) No

CAT OPTIONAL PROTOCOL
Accession 22.12.2008

ICCPED Signed 06.02.2007

NHRI

UPR Upcoming review December 2010

Human Rights Council
Not a member

LEBANON

Lebanese Republic

GENERAL CONTEXT

Lebanon is a parliamentary republic based on a confessional arrangement: the president is a Maronite Christian, the prime minister a Sunni Muslim, and the speaker of the Chamber of Deputies a Shia Muslim. On May 25, 2008, parliament elected President Michel Sleiman, now head of state, in a process that was facilitated by Qatar and the Arab League. As specified in the constitution, former president Emile Lahoud stepped down in November 2007 at the end of his term, and the powers of the presidency were transferred to the cabinet. Although parliament was originally scheduled to begin the presidential election process in September 2007, the speaker rescheduled the election 19 times.

Although no government agents appear to have directly committed any politically motivated killings, militant groups did kill civilians in internal sectarian and political clashes during the year.

There are credible reports that security forces abuse detainees and use torture. The Government acknowledged that violent abuse usually occurs during preliminary investigations conducted at police stations or military installations, where suspects are interrogated without a lawyer. Such abuses occur despite laws that prevented judges from accepting any confession extracted under duress.

Methods of torture reportedly included beatings and suspension by arms tied behind the back. Some detainees were beaten, handcuffed, blindfolded, and forced to lie face down on the ground. One person has died in custody. Also, local journalists and human rights organizations were not given access to the Yarze prison, which is controlled by the Ministry of Defense.



A Lebanese protestor makes the victory sign during a demonstration.

ACTIONS TAKEN BY ALKARAMA

Alkarama submitted 13 cases to the Special Rapporteur on Torture (list on following page).

Alkarama also presented the case of Bilal Bin Hamoud Al-Riyadh (Abu Jandal) to the Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions.

CASE STUDY

Firas Mohammed Awadh

Firas Mohammed Awadh, Palestinian refugee born in 1984 in Nahr El Bared, was arrested on 11 July 2007 when exiting a camp at a Lebanese army roadblock, during the evacuation of civilians. He was moved to Qoubbah where he remained for two days, and then to the Ministry of Defence in the Yarzéh sector of Mount Lebanon.

He relates, among other tortures, having suffered the agony of the “Farouj” method (suspension by the wrists handcuffed behind the back) and having been tortured with electricity at the Ministry of Defence, adding that he was transferred to hospital because of the serious deterioration of his health. He was imprisoned in the Roumieh prison on 27 July 2007 and his condition currently requires serious and urgent medical care.

During the 2007 Nahr Al-Bared Crisis, Alkarama's Beirut office was notified of over 200 cases of torture being used on people arrested in connection with the conflict in the north of the country. They visited prisons and talked with families to collect information about these allegations and Alkarama then submitted the most urgent cases to the Special Rapporteur on Torture on 15 October 2008.

These particularly difficult physical and psychological methods of torture aimed at extracting confessions and making the victims sign statements dictated or written by the torturers, which they were not able to read.

All told the judge, at their first appearance, of having been subjected to torture were and ill-treatment during their incommunicado detention but the judge did not take statements into account nor did he order an investigation into their allegations. Their statements were credible because they bore visible traces of torture on certain parts of their body, and some, on their faces.

The following 13 cases were submitted by Alkarama to the Special Rapporteur on Torture:

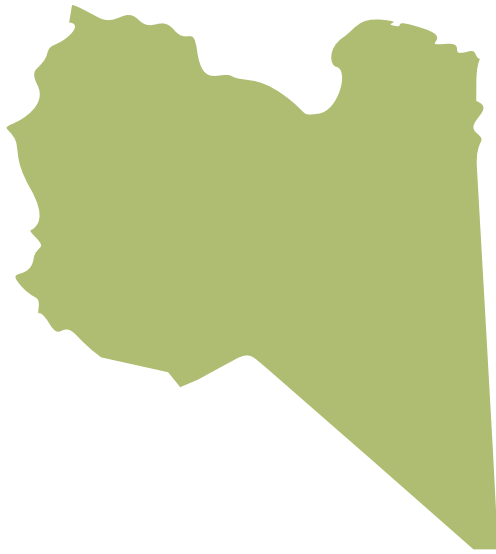
1. Ali Mohammed Ibrahim
2. Shadi Majdi Al-Mawlawi
3. Rabee Bahjat Shaalan
4. Medhat Al-Mahmoud Andouri
5. Abbas Sebtaoui Omar
6. Bilal Ahmed Saleh
7. Mounir Ahmed Mohammed,
8. Ziad Jamil Badra,
9. Firas Mohammed Awadh,
10. Hassan Ali Ismael,
11. Bassam Mohammed Faisal Beitieh,
12. Khaled Ahmed Steitieh,
13. Hussein Mohammed Shaaban

3.6 Libya >>>



“He was not released. He was kept in detention instead and transferred to an unknown location. He has been secretly detained ever since, neither being able to consult a lawyer, nor presented to any judicial authority.”

- Working Group on Arbitrary Detention Opinion No. 16/2007 (Libyan Arab Jamahiriya) concerning Mr Hassan Aboussedra; Adopted on 14 September 2007. Alkarama submitted the case of Mr Aboussedra to the Working Group on Arbitrary Detention on 31 January 2007.



LIBYA

Great Socialist People's Libyan Arab Jamahiriya



CONSTITUTION Declaration of the Establishment of the People's Authority of March 1977
STATE OF EMERGENCY No

ICCPR Last report due 01.10.2002 (4th)
Submitted 06.12.2005 (4th)
Next report due 30.10.2010 (5th)
Ratified 15.05.1970
Alkarama submitted a Follow-Up report to the ICCPR on 30.10.2008

ICCPR OPTIONAL PROTOCOL
Accession 16.05.1989

CAT Last report due 14.06.1998 (3rd)
Submitted 02.09.1998 (3rd)
Next report due 14.06.2002 (4th) and 14.06.2006 (5th)
Accession 16.05.1989

CAT COMPLAINT PROCEDURES
Art. 20 (Confidential inquiry) Yes
Art. 21 (Inter-State complaints) No
Art. 22 (Individual communications) No

CAT OPTIONAL PROTOCOL Not a signatory

ICCPED Not a signatory

NHRI
Gadaffi International Foundation for Charity Association (GIFCA)
ICC Accreditation Status : N/A

UPR Upcoming review December 2010

Human Rights Council
Not a member



LIBYA

Great Socialist People's Libyan Arab Jamahiriya

GENERAL CONTEXT

Libya, known formally as the Great Socialist People's Libyan Arab Jamahiriya, has been governed by an authoritarian regime controlled by Colonel al-Qaddafi and his inner circle (who maintain effective control of the security forces) since 1969.

While in theory citizens rule the country through a pyramid of popular congresses, communes, and committees, as laid out in the 1969 Constitutional Proclamation and the 1977 Declaration on the Establishment of the Authority of the People, in fact, the population of approximately 6 million people faces serious human rights problems.

These include disappearance, torture, arbitrary arrest and detention, official impunity and poor prison conditions. Unfair trials are rampant, and political prisoners and detainees may remain detained for long periods of time, civil liberties and freedom of speech and press as well as assembly and association being heavily restricted.



Libyan anti-riot police outside the British embassy in central Tripoli during a protest.



A Google Earth photomap of Abu Salim prison, the capital Tripoli's main detention centre.

ACTIONS TAKEN BY ALKARAMA

In 2008, Alkarama submitted 7 cases to the UN Special Procedures, as follows:

4 cases to the Working Group on Arbitrary Detention: Mohamed Hassan Aboussedra, Abdaslam Salem Mohamed Mjber, Ali Al-Talhi, and Imed Al-Chibani

1 case to the Special Rapporteur on Torture: Abdelhamid Al-Daquel

2 cases to the Working Group on Enforced or Involuntary Disappearances: Mohammed Abdelsalam Ibrahim, and Ali Dbie Salah Al-Talhi.

Alkarama also submitted 6 cases to the Human Rights Committee: Aboufaied Idriss, Aboufaied Juma, Abdeladim Benali, Abdusslam Al-khwildy, Ismail Al-Khazmi, Abdenacer Younis Al-Rabassi.

Under the follow-up process of the concluding observations of the Human Rights Committee on Libya, Alkarama presented a report on 30 October 2008.

CASE STUDY

Dr Idris Aboufaied

The case of Dr Idris Aboufaied illustrates the lack of freedom of expression in Libya and the consequences of expressing this right. After undertaking several actions to the UN Special Procedures, Alkarama contributed to obtaining his release and his return to Switzerland.



Dr Idris Aboufaied is a well-known human rights defender. He has openly called for political reforms and for the respect of fundamental freedoms in his country. After 16 years of exile in Switzerland, where he obtained asylum, he returned to Libya, encouraged by official promises that he would not be subjected to prosecution or persecution. Despite commitments from the highest state authorities, Dr Idris Aboufaied was interrogated by security agents on 30 September 2006, upon his arrival at Tripoli airport, and his passport was confiscated. He was then arrested on 5 November and detained incommunicado for 54 days, during which he was subjected to torture and ill-treatment.

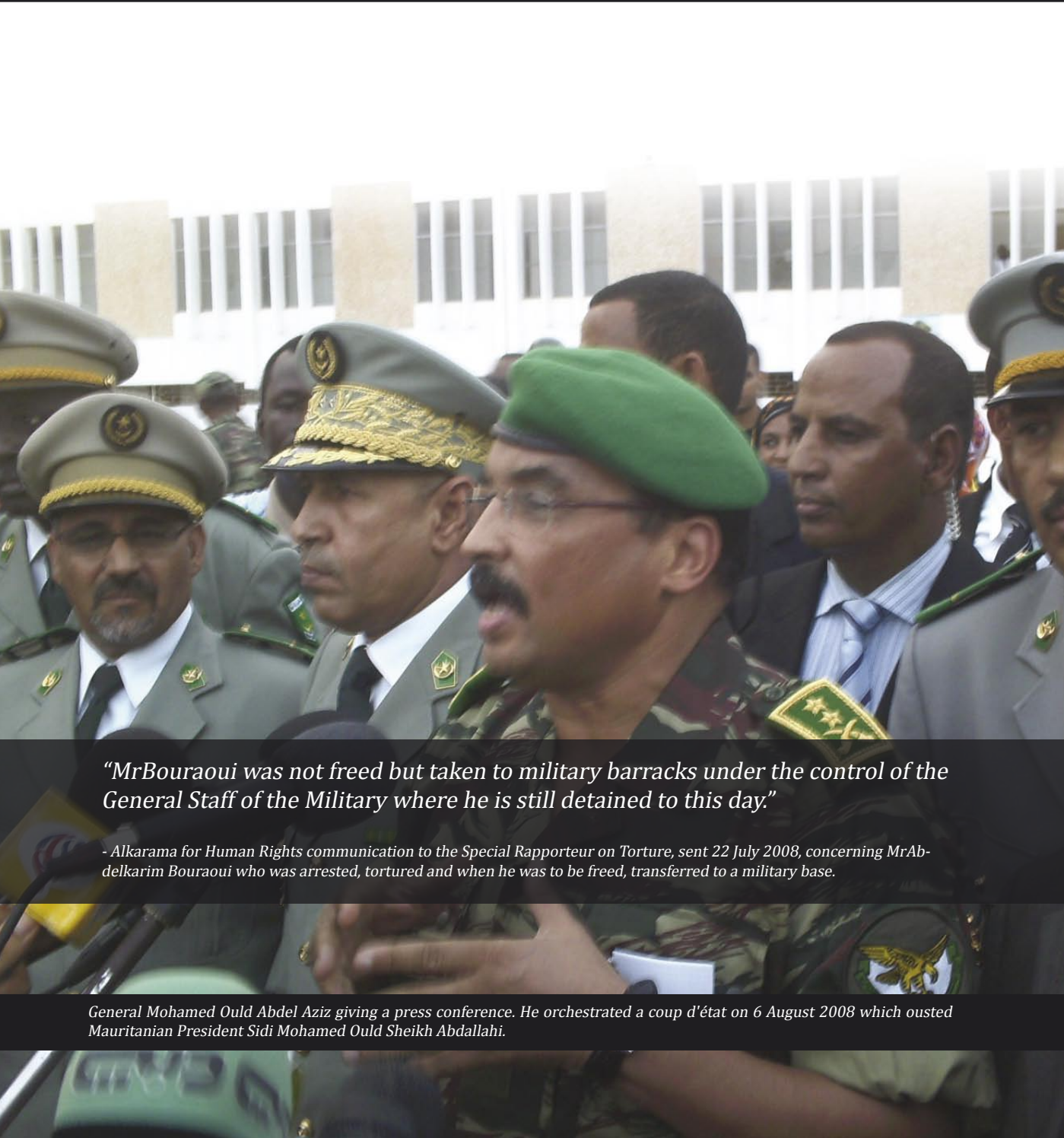
Released on 29 December 2006, without having been subject to any legal procedure, Dr Idris Aboufaied reiterated, in a press release issued by several Libyan media sites, his determination to continue his fight for democracy. He also planned to attend, with other human rights activists, a peaceful demonstration on 17 February 2007 in Tripoli, demanding the imposition of the rule of law and the respect of civil and political freedoms.

He was arrested by the Libyan authorities on the eve of the planned event, with 11 other activists. All were held incommunicado and tortured for several months without contact with their families or the outside world. No lawyer was authorized to visit them. On 7 April 2008, Alkarama and another organisation jointly submitted an individual communication to the Human Rights Committee concerning Dr Idris Aboufaied. Juma Aboufaied was arrested just hours after his brother, presumably for having alerted, by telephone, people outside the country of his brother's arrest. Both organizations had called for urgent protection measures because of the dangers incurred by the victims being held incommunicado, in particular for the release of Juma Aboufaied.

Juma Aboufaied was released on 27 May 2008 after 15 months of detention. Dr Idriss Aboufaied, meanwhile had been evacuated to hospital because of his worsening state of health. On 10 June 2008, Dr Idriss Aboufaied was sentenced to 25 years in prison by the State Security Court, as a result of a grossly unfair trial.

Dr Idris Aboufaied was finally released on the night of 8 to 9 October 2008 from Sabratha hospital on the outskirts of Tripoli, where he was hospitalized on 6 April 2008 as a result of gastric cancer from which he has suffered since his incarceration. According to sources close to the family, Dr Idris Aboufaied was then allowed to travel abroad to receive medical treatment.

3.7 Mauritania >>>



“Mr Bouraoui was not freed but taken to military barracks under the control of the General Staff of the Military where he is still detained to this day.”

- Alkarama for Human Rights communication to the Special Rapporteur on Torture, sent 22 July 2008, concerning Mr Abdelkarim Bouraoui who was arrested, tortured and when he was to be freed, transferred to a military base.

General Mohamed Ould Abdel Aziz giving a press conference. He orchestrated a coup d'état on 6 August 2008 which ousted Mauritanian President Sidi Mohamed Ould Sheikh Abdallahi.



MAURITANIA

Islamic Republic of Mauritania



CONSTITUTION Yes 12.07.1991
STATE OF EMERGENCY No

ICCPR Initial report due 17.02.2006
Accession 17.11.2004

**ICCPR OPTIONAL
PROTOCOL**
Not a signatory

CAT Initial report due 17.12.2005
Accession 17.11.2004

CAT COMPLAINT PROCEDURES
Art. 20 (Confidential inquiry) No
Art. 21 (Inter-State complaints) No
Art. 22 (Individual communications) No

CAT OPTIONAL PROTOCOL Not a signatory

ICCPED Not a signatory

NHRI
National Commission for Human Rights
ICC Accreditation Status: N/A

UPR Upcoming review December 2010

Human Rights Council
Member from 2006 - 2009

MAURITANIA

Islamic Republic of Mauritania

GENERAL CONTEXT

Mauritania is governed by a military junta known as the High State Council (HSC). The HSC is led by General Mohammed Ould Abdel Aziz, who also claims the title of Head of State. The HSC assumed power on 6 August 2008 after a bloodless coup in which military officers overthrew the democratically elected president Sidi Ould Cheikh Abdallahi.

The HSC then formed a new government under the new Prime Minister Moulaye Ould Mohammed Laghdaf, but did not dissolve parliament. This military coup happened after a multi-party March 2007 presidential election and parliamentary elections in 2006 and February 2007, which were both considered to be free and fair by international observers. Until the August 2008 coup, civilian authorities maintained effective control of the security forces.

Following the 6 August 2008 coup, several prominent civil society organizations reported a deterioration in the human rights situation. The coup abridged citizens' right to choose their government. There were arbitrary arrests and political detainees, including President Abdallahi and Prime Minister Yahya Ould Ahmed El Waghef and prison conditions remained difficult. Mistreatment and torture of detainees and prisoners, and lengthy pretrial detention also occurred.

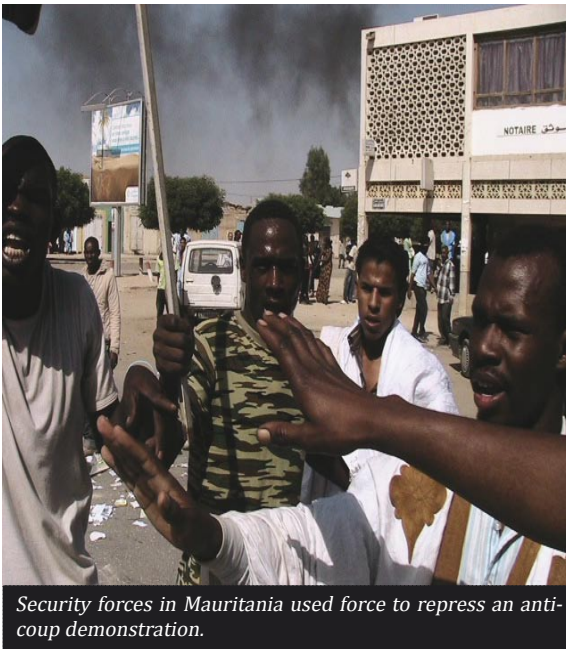
Freedom of the press and assembly remained but were limited and there were reports of the police beating demonstrators.



A photo of a prison in Mauritania. Prisoners here are tortured to extract forced confessions.

ACTIONS TAKEN BY ALKARAMA

In 2008, Alkarama submitted the case of Abdelkarim Ben Fraj Bouraoui to the Special Rapporteur on Torture on 22 July 2008.



Security forces in Mauritania used force to repress an anti-coup demonstration.



A young boy stands in a poor neighborhood of Nouakchott, Mauritania.

CASE STUDY

Abdul Karim Bouraoui

In 2008, Alkarama submitted the case of Abdul Karim Bouraoui to the Special Rapporteur on Torture.

Mr Bouraoui, born in 1980, is a Tunisian national. He has been living and working in Nouakchott since 2005 and owns a trade of vehicle spare parts. He was first arrested on 18 January 2008 by State Security (Amn Al-Dowla), and detained for 1 month, double the legal duration of 15 days for police custody. He was again arrested on 3 May 2008 in Nouakchott, detained incommunicado for 25 days and severely tortured. After this period, he was taken to the military barracks of the army headquarters, where he is still currently detained.

At the time of his first detention, he was presented to the Prosecutor of the Tribunal of Nouakchott on 18 February 2008 and was released without being prosecuted. However, following his second arrest, which took place as part of a mass arrest of nearly a hundred people in the context of a so-called counter-terrorism operation following the attack on the Israeli Embassy on 2 February 2008, he has still not been released. His solitary confinement was very uncomfortable, in a small cell of 1x2 metres, without ventilation in suffocating heat. Bouraoui was also severely tortured during his interrogations. This included being stripped, beaten, prevented from going to the toilet or from sleeping for several consecutive days. He was also tied with handcuffs behind his back and hung in the position of the "jaguar", a method of torture used by Mauritanian security services.

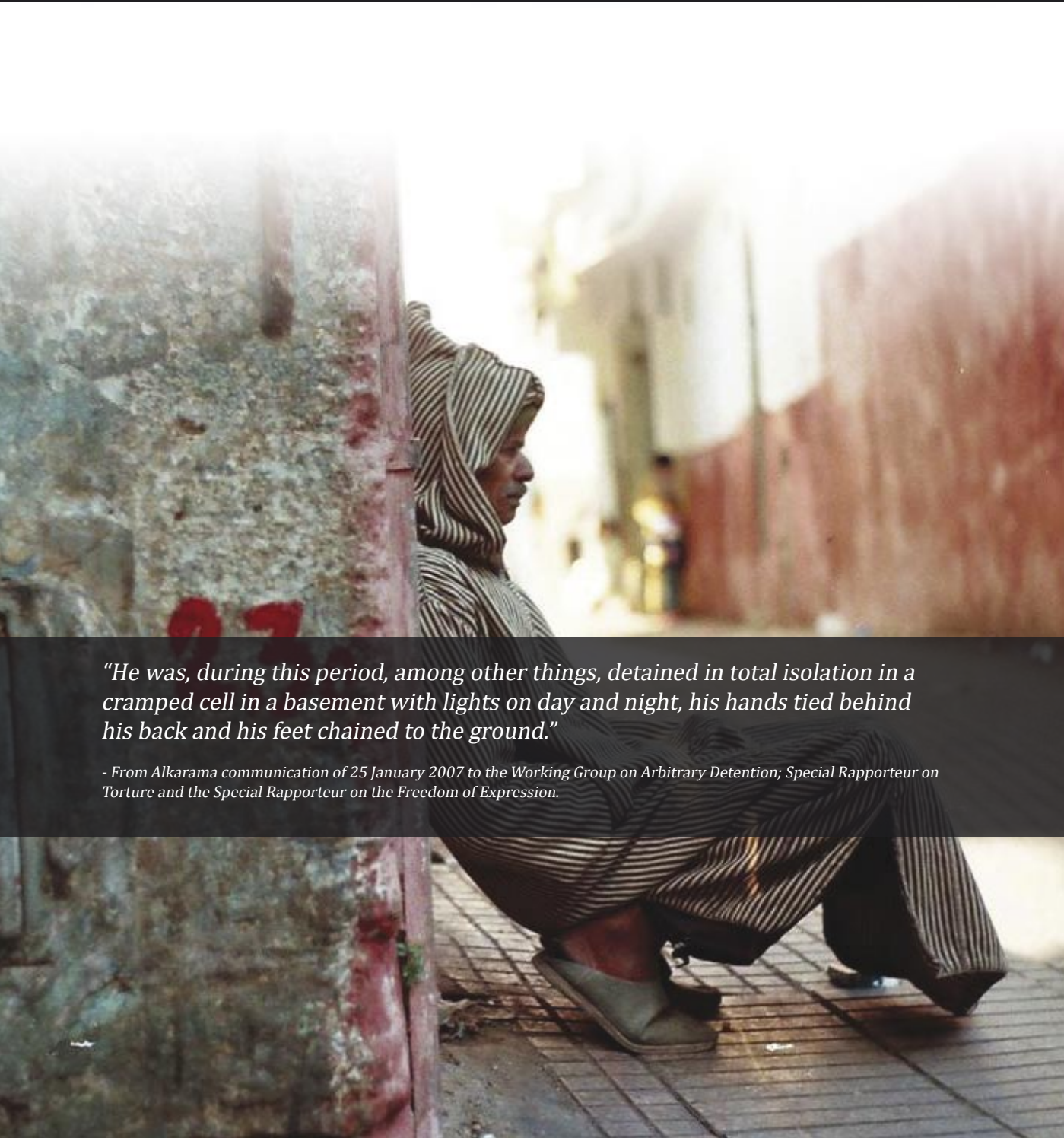
Presented on 28 May 2008 before the Investigating Judge of the 3rd chamber of the Court of the First Forum of Nouakchott, along with others arrested in the same context, Bouraoui showed obvious signs of torture.

He was accused in the case of the attack against the Israeli Embassy which occurred on 2 February 2008. However on that day he was being detained in the premises of the State Security Services since more than 15 days. In view of this obvious alibi, the magistrate, Ould Yemeh, although recognizing the inconsistency of the prosecution decided to place Mr Bouraoui under judicial supervision, while most other people involved in the case were released.

Due to opposition by the prosecutor, Bouraoui was not released and taken to a military barracks controlled where he is still detained.

Alkarama fears that Mr Bouraoui, who is currently imprisoned in a place not intended for that purpose, is still subjected to torture and/or ill-treatment, and has requested an urgent intervention for him to be placed under the protection of the law.

3.8 Morocco >>>



“He was, during this period, among other things, detained in total isolation in a cramped cell in a basement with lights on day and night, his hands tied behind his back and his feet chained to the ground.”

- From Alkarama communication of 25 January 2007 to the Working Group on Arbitrary Detention; Special Rapporteur on Torture and the Special Rapporteur on the Freedom of Expression.



MOROCCO

Kingdom of Morocco



CONSTITUTION amended September 1996
STATE OF EMERGENCY No

ICCPR

Ratified 03.05.1979

Last report due 31.10.2003 (5th)
Submitted 10.03.2004 (5th)
Next report due 01.11.2008 (6th)

ICCPR OPTIONAL
PROTOCOL
Not a signatory

CAT

Ratified 21.06.1993

Last report due 20.07.2002 (3rd)
Submitted 21.05.2003 (3rd)
Next report due 20.07.2006 (4th)

CAT COMPLAINT PROCEDURES
Art. 20 (Confidential inquiry) Yes
Art. 21 (Inter-State complaints) Yes
Art. 22 (Individual communications) Yes

CAT OPTIONAL PROTOCOL Not a signatory

ICCPED

Signed 06.02.2007

NHRI

Conseil Consultatif des droits de l'homme du Maroc
(Consultative Council for Human Rights)

ICC Accreditation Status : A (due to be reviewed in 2010)

UPR

Last review 08.04.2008

Alkarama made a submission to the UPR on 20.11.2007

Human Rights Council

Member from 2006 - 2007

MOROCCO

Kingdom of Morocco

GENERAL CONTEXT

Following the death of King Hassan II in July 1999, his son, Mohamed VI who succeeded him expressed his will to democratise the political process and civil society. The hopes raised after these promises have now dissipated. Since his coronation, political freedoms have been reduced and human rights violation have heavily increased compared to the late 1990s and early 2000s. This includes the reaction to the terrorist attacks of 16 May 2003, when thousands of people were arbitrarily arrested, tortured and imprisoned following unfair trials, and this remains the case today.

The new law on terrorism promulgated on 28 May 2003 contains measures which violate principles enshrined in the international conventions ratified by Morocco.

Torture is widespread and almost of a systematic nature and does not only happen to people in pre-trial detention ('garde à vue') with the aim of extracting 'confessions', but is also a common practice in detention centres under the control of the DST (Direction de la surveillance du territoire - Directorate for Territorial Surveillance), the internal intelligence services.

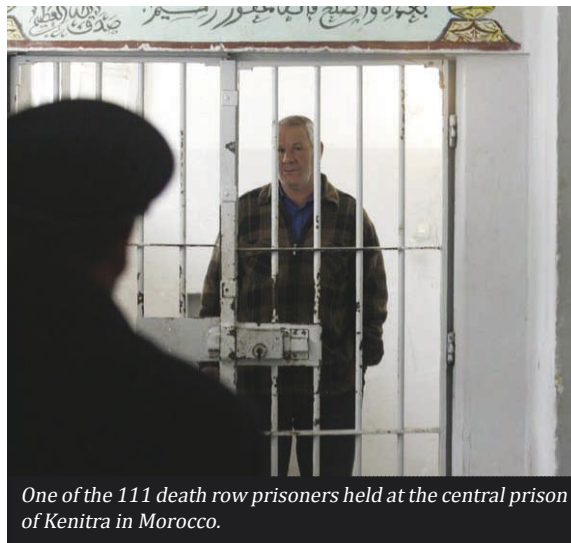


Prisoners in Morocco give the peace sign. Thousands of prisoners are awaiting trial for alleged terrorist acts.

Another problem which raises grave concerns is the fact that the Moroccan security services 'sub-contract' torture for their partner in counter-terrorism measures.

Freedom of expression and of assembly and association have also suffered serious restrictions. Numerous people have been arrested and sentenced for having peacefully protested to express their opinions.

The treatment inflicted on numerous refugees and migrants is another concern, particularly when it concerns expulsion in inhuman or degrading conditions for asylum seekers or recognised refugees.



One of the 111 death row prisoners held at the central prison of Kenitra in Morocco.

ACTIONS TAKEN BY ALKARAMA

Alkarama contributed a report to the new Human Rights Council Universal Periodic Review mechanism on Morocco, which was used in the preparation of a 'stakeholders summary' document drawn on for the review of Morocco, which took place on 8 April 2008.



Moroccans protest in Rabat on April 12, 2008 against increasing commodity prices.



3.9 Saudi Arabia >>>

“The Working Group observes that Mr Al-Alouane was not shown an arrest warrant, was not informed about the reasons for his arrest, was not informed about the precise charges laid against him, was not allowed to consult or appoint a defense lawyer, could not effectively contest or appeal his detention and continues to be deprived of his liberty without having been formally charged or tried.”

Working Group on Arbitrary Detention Opinion No. 22/2008 (Saudi Arabia) concerning Mr Suleyman Al-Alouane; Adopted on 10 September 2008. Alkarama submitted the case of Mr Alouane to the Working Group on Arbitrary Detention on 27 October 2006 and to the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression on 30 October 2006.

SAUDI ARABIA

The Kingdom of Saudi Arabia



CONSTITUTION promulgated in 1992
STATE OF EMERGENCY No



ICCPR Not a signatory

**ICCPR OPTIONAL
PROTOCOL**
Not a signatory

CAT
Accession 23.09.1997
Initial report due 22.10.1998
Submitted 27.02.2001 (1st)
Next report due 22.10.2002 (2nd)
and 22.10.2006 (3rd)

CAT COMPLAINT PROCEDURES
Art. 20 (Confidential inquiry) No
Art. 21 (Inter-State complaints) No
Art. 22 (Individual communications) No

CAT OPTIONAL PROTOCOL Not a signatory

ICCPEP Not a signatory

NHRI

The National Society for Human Rights

ICC Accreditation Status : N/A

UPR Upcoming review 06.02.2009

Alkarama made a submission to the UPR on 08.09.2008

Human Rights Council

Member from 2006 - 2009

SAUDI ARABIA

The Kingdom of Saudi Arabia

GENERAL CONTEXT

The Kingdom of Saudi Arabia was proclaimed on 23 September 1932. It is an absolute monarchy where the King is both head of state, chief of the government and enacts laws. He is also the servant of the two holy cities, Mecca and Medina. In accordance with the Basic Law, of 1992 he has full authority over the army, the secret services (Al-Mabahith Al-Aama) the police and Islamic police (Mutawwaa).

Opposition parties are not tolerated and, in general, any challenge to the authorities is repressed. The King's support of the United States role in the Gulf wars of 1991 and 2003, by permitting US military presence in the territory, shocked many Saudis. The participation of 15 Saudis in the attacks of 11 September 2001 and the presence numerous Saudi fighters in Afghanistan has put the kingdom in an awkward situation. On the external front, it is accused of serving as a pedestal for Islamist terrorism, while internal criticism, vis-à-vis the alliance with the United States, is growing. Saudi Arabia has been the scene of many attacks attributed to groups linked with Al-Qaeda.

After 11 September 2001, US pressure on the country grew considerably. Cooperation between the two governments in monitoring humanitarian associations and their transfer of funds has strengthened. Many charities that previously received benefits from the state were banned and their assets frozen.

The reform movement that had only just begun to develop in the 1990s was eventually repressed. Those who dare to get involved in the effort for constitutional reforms are pursued. Campaigners for the protection of civil and political freedoms are particularly affected, especially if they speak publicly through the Arab media.

Arbitrary arrests and detention of both Saudi and foreign citizens are substantial and systematic while torture is frequently practiced. Trials are usually unfair and those convicted are often held in detention after having served the totality of their sentence.

Saudi Arabia has been a member of the Human Rights Council since May 2007. It became a party to the Convention Against Torture on 23 September 1997 and submitted its initial report to the Committee Against Torture in 2001. Saudi Arabia's Consultative Assembly ratified the Arab Charter on Human Rights in April 2008.



The father of a doctor sentenced by a Saudi court to 15 years in prison and 1500 lashes for malpractice.

ACTIONS TAKEN BY ALKARAMA

Alkarama submitted 24 cases to the special procedures regarding Saudi Arabia, distributed as follows:

- 14 cases to the Working Group on Arbitrary Detention: Abdelqouui Mussa Ali Al-Humaikani, Abdurrahman Abdulkarim Khalil Al-Junahi, Naif Abdullah Mohamed Al-Qahtani, Al-Farhan Foued, Khalil Ibrahim Al-Ghaith Ghaith Ibrahim, Ahmed Abdel Rahman Marwan Samara , Nedjma Faisal Abdullah Al-Majed, Walid Al-Amri, Ali Abdullah Abdulrahim Al-Murbati, Nasser Al-Hadiqi, Khalid Al Shammari, Mahmoud Badr Hozbor, Salah Al-Awad Huweiti and Matrouk Al-Faleh.
- 3 cases to the Special Rapporteur on Torture: Said B. Mubarek B. Zair, Mahmoud Badr Hozbor, Salah Al-Awad Huweiti.
- 4 cases to the Special Rapporteur on Extrajudicial Executions: Khaled Mohammed Al-Issa Qadihi, Qasim B. Ridha B. Suleyman Al-Mahdi, Ali Hassan Al-Issa Bouri, Khaled Hatem
It should be noted that Khaled Hatem, a Yemeni citizen, arrested in late April 2008 and detained in Dabbane prison in Jeddah, was brutally tortured and died on 31 August 2008.
- 1 case to the Special Representative for Human Rights Defenders: Matrouk Al-Faleh.
- 2 cases to the Special Rapporteur for Freedom of Opinion and Expression: Salah Al-Awad Huweiti, Matrouk Al-Faleh.
Alkarama also contributed a report for the Universal Periodic Review of Saudi Arabia on 8 September 2008.

The Working Group on Arbitrary Detention adopted opinions on 3 cases previously submitted by Alkarama: B. Said Amer Thaqfan Al-Muhammad Al-Qahtani, Ali Al-Chahr Chafi Abdul Rahman and B. Abdelaziz Al-Sudays.

CASE STUDY

Dr Said bin Zair

Dr Said bin Zair, aged 56, and professor of information technology at the University of Riyadh, was arrested on 6 June 2007 in Riyadh. Dr Bin Zair is a well-known figure in Saudi Arabia for his spirit of independence and his public statements about the need for institutional reforms. He was an avid supporter of the reform movement.



Less than two months after the arrest of his son Saad bin Zair, a lawyer and human rights defender, the Ministry of Internal Affairs arrested Dr bin Zair at a checkpoint at the gates of Riyadh. Dr bin Zair was returning from Mecca where he had performed the pilgrimage of Umrah with his other son Mubarak bin Zair.

Dr bin Zair had previously been imprisoned several times, without trial and without having ever been the subject of any legal procedure, including one for over 8 years, between 1995 and 2003. On 19 September 2004, Dr bin Zair was sentenced to 5 years imprisonment following an unfair trial. He never had access to the list of charges nor been given a lawyer to assist on the day of his trial but the Judge said "You talk about what does not concern you and your words arouse discord and sow the seeds of division and discord between people."

Alkarama presented the case of Dr Said bin Zair to the Working Group on Arbitrary Detention on 8 July 2004 and, after his trial, to the Special Rapporteur on Freedom of Expression on 21 October 2004, requesting the urgent intervention of the High Commissioner for Human Rights after his trial.

The Working Group filed his case, without prejudging the arbitrary character of his detention, on 29 August 2005 (Opinion No. 22/2005), after the announcement of his release by the Government of Saudi Arabia on 8 August 2005, as a royal amnesty enacted unto that day.

The family of Dr bin Zair remain unaware as to the reasons for this latest arrest (June 2007). His son Ben Mubarek reported that the officers who arrested Dr bin Zair did not present a judicial warrant and have not provided any reason for this arrest.

3.10 Syria >>>

disappeared

disappeared

disappeared

disappeared

disappeared

disappeared

"As of this date [27 July 2007], their families remained without any news of them until 3 June 2008 when they were informed by the Intelligence Services that their relatives were detained in Sednaya Prison near Damascus."

- Alkarama for Human Rights communication submitted to the Working Group on Arbitrary Detention on 22 October 2008 concerning Mr Mustapha Kamel Houriya.

Families of Lebanese, Palestinian, Syrian, and Egyptian men who disappeared in Syrian prisons during the Lebanese civil war staged a sit-in protest in front of the UN House in Beirut for more than a year.



S Y R I A
 Syrian Arab Republic



CONSTITUTION Yes 13.03.1973
 STATE OF EMERGENCY Yes, in force since
 08.03.1963; eased by the reform of the Ba'ath
 Party in June 2005

ICCPR
 Accession 21.04.1969

Last report due 01.04.2003 (3rd)
 Submitted 05.07.2004 (3rd)
 Next report due 01.08.2009 (4th)

**ICCPR OPTIONAL
 PROTOCOL**
 Not a signatory

CAT
 Accession 19.08.2004

Initial report due 19.09.2005

CAT COMPLAINT PROCEDURES
 Art. 20 (Confidential inquiry) No
 Art. 21 (Inter-State complaints) No
 Art. 22 (Individual communications) No

CAT OPTIONAL PROTOCOL Not a signatory

ICCPED

Not a signatory

NHRI

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UPR

Upcoming review December 2011

Human Rights Council

Not a member

SYRIA

Syrian Arab Republic

GENERAL CONTEXT

Syria is a republic under the authority of President Bashar Al-Asad. The President makes decisions with a council composed of a small circle of security advisors, ministers, and senior members of the ruling Ba'ath Party (Arab Socialist Renaissance). The Constitution mandates the primacy of Ba'ath party leaders in state institutions and society. President Al-Asad and party leaders, supported by various security services, dominate all three branches of government. In May 2007 President Al-Asad was confirmed for another seven-year term in elections that were considered by international and local human rights advocates as neither free nor fair. Civilian authorities maintain effective control of the security forces, and members of the security forces often commit numerous, serious human rights abuses.

In 2008, the government's respect for human rights worsened, and there is continued neglect for the international rule of law. The government systematically repressed citizens' abilities to stimulate legislative change. There were instances of arbitrary or unlawful deprivation of life, worsened by a climate of impunity. Security forces arrested and detained individuals without providing just cause, and lengthy pretrial and incommunicado detention remained a serious problem. Members of the security forces tortured and physically abused prisoners and detainees. Since 2006, it seems to be common practice for the government to violate citizens' privacy rights and it has imposed significant restrictions on freedom of speech, press, assembly, and association.

Security services disrupted meetings of human rights organizations and detained activists, organizers, and other regime critics without due process. In addition, throughout the year the Government imprisoned several high-profile members of the human rights community.



Syrian police officers stand guard as they secure an area during the arrival of a foreign delegation.

ACTIONS TAKEN BY ALKARAMA

Alkarama submitted three cases to the Working Group on Arbitrary Detention regarding Syria in 2008: Mustapha Kamel Houriya, Kerrouim Ahmed Abd Al-Qader, Yousef Amar Deh-nine.



A bird's eye view of Sednaya Prison located about 30 kilometres from Damascus

CASE STUDY

Mustapha Kamel Houriya

Mustapha Kamel Houriya, born in 1956, is a well-known theologian and teacher living in Hai Atthoura in Idlib, northern Syria. He is a respected scholar known for his breadth of knowledge in the Islamic Sciences and Arabic grammar, and was often solicited by students and others about specific topics he specialized in. He would hold regular meetings at his home to which he would invite people interested in discussing whichever theme he was working on.

The authorities were always aware of these meetings, and always put in place heavy surveillance of the events. Further to this, Mr Houriya was summoned bi-monthly to the headquarters of the State Security in Idlib where he was interrogated about the people who called him or attended the gatherings at his home. Mr Houriya always refused to act as an informer and told the services nothing about these gatherings. Mr Houriya's home was also regularly searched without any judicial warrant, and his computer, books and other personal documents were often confiscated, then returned to him at his next visit to the Security Services' headquarters.

In mid June 2007, the Security Services again searched his house, confiscated material and summoned him to the headquarters. Only this time two people who occasionally attended his gatherings, Mr Ahmed Abdelkader Kerroum and Mr Youcef Amar Dehnine, also had their houses searched. On 14 July 2007, all were summoned to the headquarters of Military Intelligence in Damascus.

From this date, their families remained without any news of them until 3 June 2008 when they were told that the three of them were detained at the prison of Sednaya near Damascus. They had been held nearly 3 months in the secret "section Palestine 235" before being transferred to Sednaya prison.

According to their families, there have been no legal proceedings against any of the three detainees. Their detention therefore violates article 28 of the Syrian constitution which states that "No one may be kept under surveillance or detained except in accordance with the law". It also violates articles 9, 4, 14.2 and 19 of the ICCPR, relating to both freedom of expression and conditions of detention.

Alkarama submitted the case of Mustapha Kamel Houriya, as well as those of Mr Ahmed Abdelkader and Mr Youcef Amar Dehnine to the Working Group on Arbitrary Detention on 22 October 2008.

3.11 Tunisia >>>

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Conservé en cas de réclamation
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العنوان: وزارة الداخلية تونس

Code Postal 1001 الترميم البريدي

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Ahmed Zakaria Magouri, a Tunisian citizen, is prevented from working or renewing his passport because of his opposition to the Tunisian government. Here he holds a telegram protesting the denial to renew his passport.



TUNISIA

Tunisian Republic



CONSTITUTION amended in 2002
STATE OF EMERGENCY No

ICCPR

Ratified 18.03.1969

Last report due 04.02.1998 (5th)
Submitted 14.12.2006 (5th)
Next report due 31.03.2012 (6th)

ICCPR OPTIONAL
PROTOCOL
Not a signatory

CAT

Ratified 23.09.1988

Last report due 22.10.1993 (2nd)
Submitted 10.11.1997 (2nd)
Next report due 22.10.1997 (3rd)
and 22.10.2001 (4th)

CAT COMPLAINT PROCEDURES
Art. 20 (Confidential inquiry) Yes
Art. 21 (Inter-State complaints) Yes
Art. 22 (Individual communications) Yes

CAT OPTIONAL PROTOCOL Not a signatory

ICCPEP

Signed on 06.02.2007

NHRI

Comité Supérieur des droits de l'homme et des
libertés fondamentales
(Superior Committee for Human Rights and Fundamental Liberties)

ICC Accreditation Status: N/A

UPR

Last review 08.04.2008

Alkarama made a submission to the UPR on 20.11.2007

Human Rights Council

Member from 2006 - 2007

TUNISIA

Tunisian Republic

GENERAL CONTEXT

On 7 November 1987, Zine El Abidine Ben Ali, Prime Minister since 2 October 1987, dismissed the Republic's President, Habib Bourguiba because of his 'senility' and declared himself head of state. Re-elected in 1994 and 1999, he had the Constitution amended by referendum in 2002 which allowed him to seek new mandates, and therefore to remain President for life.

Ben Ali has created a police state, reducing all space for expression and forbidding all opposition. His authority is characterised by systematic human rights violations: arrests and arbitrary detention, torture in the premises of the security forces and even at the headquarters of the Ministry of Interior and in prisons, unfair trials, and harassment and criminalisation of political militants, human rights defenders and journalists.

The situation has particularly deteriorated since the adoption of the anti-terrorist law in 2003. The definition of terrorism is broad and vague enough to allow the prosecution of all opponents to the government for any crimes of opinions. Notably, however, important principles which the Tunisia government had committed itself to respecting have been seriously violated.



Journalists from Tunisian state radio and TV present their case at Journalists' Syndicate. (Soufian al-Shourabi)



Tunisian police arrest a journalist upon his return to Tunis after having received a peace prize abroad.

ACTIONS TAKEN BY ALKARAMA

In 2008, Alkarama submitted the case of Sadok Chourou (see below) to the Working Group on Arbitrary Detention as well as to the Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression.

Alkarama also submitted a report to the new Human Rights Council Universal Periodic Review procedure on Tunisia, which was used in the preparation of 'stakeholders summary', a document drawn on for the review of Tunisia, which took place on 8 April 2008.



Tunisian Special Forces officers guard government property in Tunis.

CASE STUDY

Dr Sadouk Chourou

Alkarama submitted the case of Dr Chourou, the former President of the Tunisia political movement Al Nahdha, to several of the United Nations Special Procedures following his arrest in December 2008.



Dr Chourou, a former professor at the Medical Faculty of the University of Tunis, is a key political figure in Tunisia, and is well-known in Arab world. He was the President of Al Nahdha from 1988 to 1991. He was arrested for the first time in February 1991, detained incommunicado and tortured by the services of the Ministry of Interior. He was brought before the Military Tribunal of Tunis in 1992, where he was sentenced to life imprisonment in an unfair trial. Internationally recognised as a political prisoner, he experienced a particularly hard detention regime, notably being placed in an isolated cell for 14 years. He undertook more than 10 hunger strikes to protest his conditions of detention, the last in 2007.

He was finally released on 5 November 2007 after more than 18 years of imprisonment, following a pardon accorded by the government to 21 members of the Al Nahdha movement on the occasion of the 21st anniversary of President Zine Ben Ali's accession to power.

However, following his release, he granted several interviews to various media, including one to the Arab television channel Al Hiwar on 1 December 2008 during which he broached the subject of civil and political freedoms in his country as well as the conditions of his detention. He also publicly requested that the authorities legalise his political movement in the name of the freedom of association.

Following this interview, he was arrested on 3 December 2008 by a group of approximately 10 agents who took him by force without presenting an arrest warrant or any reasons for his arrest. Dr Chourou was then detained in very difficult circumstances, before being presented to the Tunis Tribunal of First Instance, where he was accused of having taken up his political activities again. After declaring his innocence and protesting his arrest and detention, Dr Chourou was then sentenced to one year imprisonment.

In reaction to these events, Alkarama submitted a communication on Dr Chourou's behalf to the Working Group on Arbitrary Detention and the Special Rapporteur on Torture, to request their intervention with the Tunisian authorities. He is currently carrying out his sentence, but Alkarama hopes that with the Special Rapporteur on Torture and the Working Group on Arbitrary Detention's interventions, he will, at the very least, be at reduced risk of torture.

3.12 United Arab Emirates >>>

“It is beyond doubt that Mr Al-Alili did not enjoy the benefits of a fair trial, since his confession was extracted by ill-treatment, humiliation coercion, and the Federal Supreme Court did not investigate the serious allegations put forward by Mr Al-Alili during his trial.”

- Working Group on Arbitrary Detention Opinion No. 3/2008 (United Arab Emirates) concerning Mr Abdullah Sultan Sabihat Al Alili; adopted on 7 May 2008. Alkarama submitted the case of Mr Al Alili to the Working Group on Arbitrary Detention on 19 February 2007.



U A E
United Arab Emirates



CONSTITUTION 02.12.1971
STATE OF EMERGENCY No

ICCPR Not a signatory

ICCPR OPTIONAL
PROTOCOL
Not a signatory

CAT Not a signatory

CAT OPTIONAL PROTOCOL Not a signatory
CAT COMPLAINT PROCEDURES
Art. 20 (Confidential inquiry) -
Art. 21 (Inter-State complaints) -
Art. 22 (Individual communications) -

ICCPEP Not a signatory

NHRI
-

UPR Last review 04.12.2008
Alkarama made a submission to the UPR on 14.07.2008

Human Rights Council
Not a member

GENERAL CONTEXT

Following its independence in 1971, the United Arab Emirates formed a federation of seven emirates and an interim constitution which was permanently adopted in 1996. The federal institutions are not democratically elected and political parties are not authorized.

The Supreme Federal Council is the highest legislative body. It is composed of seven local emirs, and elects a president and vice-president among its members. In reality, the post of president is hereditary since the current president of the Federation is, since 2 November 2004, the emir of Abu Dhabi, Khalifa bin Zayed Al-Nahyan who succeeded his father in office in 1971. The emir of Dubai, Sheikh Mohammed bin Rashid Al-Maktoum, vice president of the Council, serves as head of government. These two emirates have a dominant role in the Council. The country's nominal legislature, the Federal National Council, was renewed in December 2006 by a panel of 6,689 electors which represents only 1% of the population. There are no democratically elected legislative institutions or political parties. Citizens express their concerns directly to their leaders through traditional, consultative mechanisms such as the open "majlis" (council).

There is evidence that the government interfered with privacy and restricted civil liberties, including freedom of speech, press (including the Internet), assembly and association. In 2008, there were no reports that the government or its agents committed arbitrary or unlawful killings. According to testimonies collected by Alkarama, those arrested by the State Security are held incommunicado and are often subjected to torture and inhumane treatment. These detainees may be released without any charges being brought against them. But if they are charged, the courts do use confessions extracted under torture and refuse to order investigations.

Secret detention is a common practice, especially when arrests are carried out by the State Security for political reasons. Places of detention are not always known and secret detention may last months or even years. The UAE's constitution prohibits torture; nevertheless, there were allegations of tortured political prisoners. Many people have been arbitrarily detained without charge, tortured and sometimes convicted without receiving the minimum guarantees of a fair trial. In reality, this is to intimidate or to silence opponents or human rights activists.



Protest of civil servants in Abu Dhabi.

ACTIONS TAKEN BY ALKARAMA

Alkarama submitted the case of Mansur Jassem Al-Shamsi to the Working Group on Arbitrary Detention.

Alkarama also presented the case of Hassan Ahmed Hassan Al-Diqqi to the Special Rapporteur for Freedom of Opinion and Expression.

The Human Rights Council met on 4 December 2008 for the Universal Periodic Review (UPR) of the United Arab Emirates. Alkarama presented its report to the UPR on 14 July 2008.

The Working Group on Arbitrary Detention issued an Opinion (No. 3/2008) on the case of Mr Al-Abdullah Al-Sutan Sabihat Alihli previously submitted by Alkarama.

CASE STUDY

Abdullah Sultan Alili

Abdullah Sultan Sabihat Al Alili, a 46 year old agricultural engineer from Ajman (UAE) is also a well-known activist in the country for his outspoken views in favour of constitutional reforms and civil and political rights. He was arrested by State Security personnel without any judicial warrant for a first time on the 8 August 2005. Alkarama informed the Working Group on Arbitrary Detention (WGAD) of this case on the 13 September 2005.

Mr Al Alili was released on 25 September 2005, after 78 days of incommunicado detention. During this detention he was questioned about his political opinions and his statements that there was a lack of democracy and freedom of speech in the country. Upon his release, Mr Al Alili had not once been told the reason for his arrest, nor had any legal procedure been initiated against him. He had, however, been asked to cease all political activity and all criticism of the government, which he refused, believing that his freedom of expression was an inalienable right.

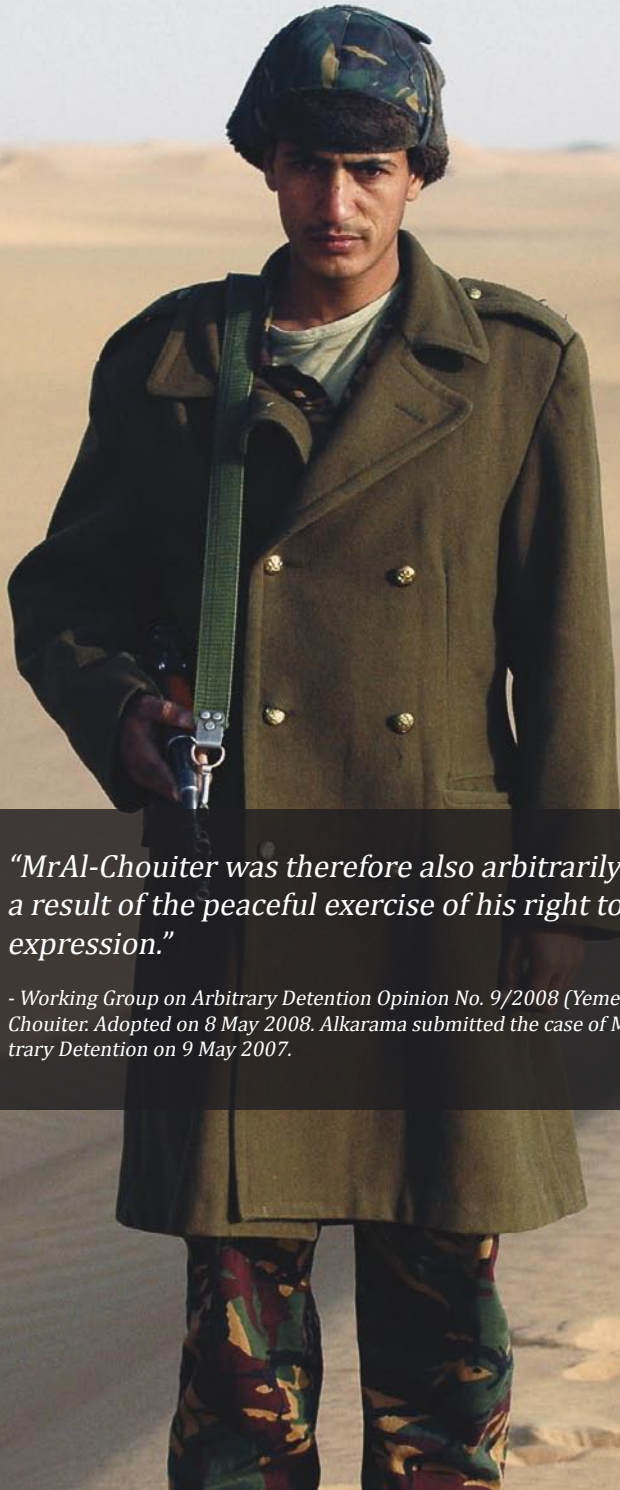
He was again arrested on 15 February 2007. Alkarama first approached the UAE's ambassador in Geneva on 18 February and then the Special Rapporteurs on Torture and Freedom of Expression as well as the Working Group on Arbitrary Detention on 19 February 2007.

Mr Al Alili was held incommunicado for a further 102 days before being sentenced to 3 years imprisonment on 1 October 2007, following a clearly unfair trial. The prosecution failed to submit any evidence to the Court, and when ordered to do so by the judge, they argued that the evidence was "secret" and that in the interest of state security the Judge should render his sentence without seeing the evidence.

The Working group on Arbitrary Detention adopted Opinion No.3/2008 on 7 May 2008 about the case of Mr Al Alili, in which they declared his detention to be arbitrary and contrary to articles 9, 10, 11 and 19 of the Universal Declaration of Human Rights, and requesting the UAE's government to take the necessary steps to remedy the situation.

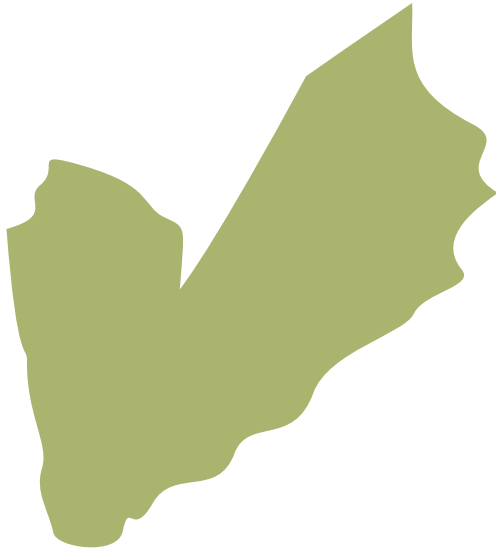
Despite this Opinion, Mr Alili remains imprisoned in Abu Dhabi's infamous Al Wathba prison, where he has been for nearly a year and a half.

3.13 Yemen >>>



“MrAl-Chouiter was therefore also arbitrarily arrested and detained as a result of the peaceful exercise of his right to freedom and opinion and expression.”

- Working Group on Arbitrary Detention Opinion No. 9/2008 (Yemen) concerning MrSaqar Abdelkader Al Chouiter. Adopted on 8 May 2008. Alkarama submitted the case of MrAl Chouiter to the Working Group on Arbitrary Detention on 9 May 2007.



Y E M E N
 Republic of Yemen



CONSTITUTION amended February 2001
 STATE OF EMERGENCY No

ICCPR
 Accession 09.02.1987

Last report due 01.08.2004 (4th)
 Submitted 04.08.2004 (4th)
 Next report due 01.07.2009 (5th)

**ICCPR OPTIONAL
 PROTOCOL**
 Not a signatory

CAT
 Accession 05.11.1991

Last report due 04.12.1996 (2nd)
 Submitted 03.07.2008 (2nd)
 Next reports due on 04.12.2000
 (3rd), 04.12.2004 (4th) and
 04.12.2008 (5th)

CAT COMPLAINT PROCEDURES
 Art. 20 (Confidential inquiry) Yes
 Art. 21 (Inter-State complaints) No
 Art. 22 (Individual communications) No

CAT OPTIONAL PROTOCOL Not a signatory

ICCPED

Not a signatory

NHRI

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UPR

Upcoming review May 2009

Alkarama made a submission to the UPR on 03.11.2008

Human Rights Council

Not a member

Y E M E N

Republic of Yemen

GENERAL CONTEXT

The Republic of Yemen was founded in 1990 upon the unification of the Democratic and Popular Republic of Yemen (South Yemen) and the Arab Republic of Yemen (North Yemen). A civil war shook the newly unified country from 5 May to 7 July 1994, before power was given to the government in Sanaa.

During the Second Gulf War (1990-1991), Yemen supported Iraq, without approving its annexation of Kuwait, a move which created tension with the US. Following the attack on the USS Cole in Yemeni waters in October 2000 and the September 11 attacks, Yemen was listed as a 'rogue state' by the US and forced to accept the conditions laid down by the USA in its international fight against terrorism. The country accepted the establishment of an FBI office in Sanaa (the capital) and its military forces are now trained by US instructors.

This cooperation provoked serious internal opposition and amplified the already high tensions in the country. The government reacted by simultaneously repressing and attempting to co-opt the different social and political groupings into the state apparatus. However, this warming to certain groups hostile to the US presence in the country was perceived negatively by the Americans, who increased the pressure on the government to repress these groups.

It is in this context of a precarious equilibrium between competing internal forces and external pressures that Yemen's human rights situation should be seen. The country has, in the years following its reunification, reworked its legislation: introducing a new constitution in 1991, which was amended in 1994, and promulgating a Criminal Procedure Code, amended in 1994. In the field of human rights, the state has acceded to several international treaties, and its legislation relating to arrests and detentions is in accordance with international norms. Many human rights associations have been authorized, and a Ministry of Human Rights was established in 2003.



Opposition parties demand electoral reform and free elections during an anti-government rally in Sana'a.

Although Yemen has made progress on the legislative level, the implementation of the principles inscribed in various laws is lacking, and abuse by agents of the state and local rulers are not prosecuted or sanctioned. Hence protests about economic or social issues are also often brutally repressed at a high cost in human lives, and with hundreds of arbitrary arrests.



Tens of thousands of protestors gather in Sana'a in protest.

ACTIONS TAKEN BY ALKARAMA

Alkarama submitted 20 cases to the Working Group on Arbitrary Detention: Abdelhalim Ali Abdeljalil Al-Hattar, Adel Yahia Yahia Al-Shahrani, Abdullah Saad Ghazi Al-Ghazi Al-Rimi, Louay Abdulwahab Ali Al-Mouayyad, Ahmed Abou Bakr Mohammad Alaoui Al-Biti, Rachad Omar Saïd Marii, Salem Ali Salem Al-Atas, Ghaleb Ahmed Iwadh Baqaiti, Mohammad Salah Ahmed Iwadh Al-Maghi, Yasser Salah Bahwih, Jasem Iwadh Moubarak Barifaa, Salem Saad Salem Al-Khanchabi, Abderahman Mohammad Mahrous Barachid, Mohamed Saïd Abdullatif Mansour Bou'iran, Mohammad Abdullah Hassan Al-Shami, Hicham Abdul Rahim Omar Bin Ghawth Bawazir, Abdellah Saïd Billariyah, Hassan Al-Muqtari, Abdelghani Suleiman, Mohammed Meftah.

The Working Group on Arbitrary Detention adopted on the 8 May 2008 Opinion No. 9/2008 relating to the case of Saqar Abdelkader Chouitier submitted by Alkarama on 9th May 2007.

CASE STUDY

Ghazi Al-Rimi

On 5 August 2008, Alkarama sent a communication to the Working Group on Arbitrary Detention and the Special Rapporteur on Torture concerning Mr Ghazi Abdullah Al Saad Ghazi Al-Rimi. He was arrested on 3 April 2008 and detained without legal process by intelligence agencies.

Mr Al-Rimi, born in January 1986 and residing in Sana'a, was arrested on the afternoon of 3 April 2008 while he was in the ballroom of the Faculty of Sana'a Police where a prize-giving ceremony was taking place organized by the authorities in the presence, among others, of the Minister of Religious Endowment. He was expecting to receive a prize.

While waiting in the room with the other winners whose names had just been read to the public, a State Security officer came to him and asked him to follow him outside the hall where he was then arrested and taken to the local intelligence services (Al-Amn Al-Siyassi) in Sana'a. No judicial warrant was presented and the reasons for his arrest were not indicated.

Very quickly, it turned out that the arrest had been a mistake. Agents of the intelligence services had confused his name with another person whom they were seeking on terrorism charges.

The family of Mr Al-Rimi expected his immediate release based on the error of State Security officers, after the incident was reported by the local press. Nevertheless, he was kept in detention. Requests were made by his family as well as the President and the Vice-President of the Parliament who sent a formal letter to the head of State Security to request his release.

However, despite this formal request, Mr Al-Rimi is still being held in detention at State Security premises in the absence of any legal proceedings.

Alkarama shares the concern of Mr Al-Rimi's family and fears that he still being subjected to ill treatment or torture in a place not officially designed for detention. Alkarama is urgently seeking for him to be placed under the protection of the law.

3.14 Other Countries >>>



OTHER COUNTRIES

Kuwait/Palestine/Israel/USA

Alkarama submitted the case of three Sudanese nationals who had been held at the US military base in Guantanamo Bay to the Working Group on Arbitrary Detention: Adil Hassan Hamad Al-Muttaleb, Mahmoud Salem Adam and Hammad Ali Nawma Gadallah. Alkarama continues to follow this issue as well as other "War on Terror" cases.

During 2008, Alkarama submitted a communication about a case in Palestine (West Bank) to the Special Rapporteur on Extra-Judicial, Summary or Arbitrary Executions.

Regarding Kuwait, Alkarama submitted the case of Abdel Salem Al-Aqel Dhafeery to the Special Rapporteur on Torture on 3 July 2008.



Alkarama also began working on Palestine at the end of 2008, particularly in response to events in the Gaza strip, after the commencement of operation "Cast Lead" by the Israeli Defense Forces in December. This work will be carried over into 2009.



4. Thematic Activities >>>



Alkarama hosted Al Jazeera journalist, Sami Al Haj, during his visit to Geneva on the 27 June 2008, weeks after he was released from Guantanamo Bay where he had been detained without trial for nearly seven years.

4.1 Guantanamo Bay

Al Jazeera journalist Sami Al Haj relates experiences of life in Guantanamo Bay

Sami Al Haj, an Al Jazeera journalist, was kidnapped on the border with Pakistan in late December 2001 when he was making a documentary on the war in Afghanistan. Arbitrarily detained for nearly seven years at the US base in Guantanamo and described by the Bush administration as an "enemy combatant", Sami Al Haj was released on 1 May 2008 without ever having been charged or convicted of any crime.

Sami Al Haj was in Geneva during the week of 24 June 2008 at the invitation of Alkarama and this was his first trip abroad since his release from Guantanamo Bay on 1 May 2008. He was accompanied by the Executive Director of Civic Aid International Organization (CAIO), Mr Hassan Al-Mogummer.



Sami Al Haj attending a press conference where he was to speak of his experience at Guantanamo Bay prison

This visit coincided with the UN International Day for the Support of Victims of Torture, held every year on 26 June. The purpose of the visit was to:

- 1) raise awareness of the excesses of the "war against terrorism";
- 2) expose the situation in the detention centre at Guantanamo Bay;
- 3) call for the immediate closure of Guantanamo camp and all secret prisons ;
- 4) seek reparations for the hundreds of detainees held without any legal basis;
- 5) reaffirm the need to respect human rights in all circumstances.

The visit enabled Sami Al Haj to meet senior UN human rights workers, the ICRC and NGOs as well as diplomats in Geneva. The program also included numerous interviews with the media, a press conference on 26 June 2008 and a well attended public lecture on the evening of Friday 28 June 2008.

4.2 Human Rights in Iraq

Iraqi MP Mohammad Al Dainy visits Geneva to discuss human rights in Iraq



Rachid Mesli (left), Alkarama's Legal Director and Mohammad Al Dainy at the Swiss Press Club, 30.10.2008.

Alkarama hosted Iraqi personalities in Geneva between 29 and 31 October 2008. The delegation presented evidence and key information on the human rights situation in Iraq. The Iraqi delegation included Mohammad Al Dainy, an Iraqi Member of Parliament living in Baghdad (who has visited many prisons and places of detention and gathered evidence on torture and summary executions), lawyer Sabah Al Mukhtar and Wajeeh Ali, a journalist with the Iraqi television station Al-Sharqiyya.

The delegation presented documented information on the current human rights situation in Iraq and met with officials of the United Nations Office of the High Commissioner for Human Rights and other NGOs in Geneva. On Thursday 30 October 2008, a press conference was held at the Swiss Press Club and a public lecture took place at the Maison des Associations.

4.3 Enforced Disappearances in Algeria



Moussa Bourefis, a member of the Association of Families of the Disappeared in Jijel, outside Alkarama's head office in Geneva.

On 28 November 2008, Moussa Bourefis, whose father and brother were disappeared in Algeria, visited Alkarama in Geneva and met, alongside representatives from Alkarama, with the Working Group on Enforced or Involuntary Disappearances at the Palais Wilson in Geneva.

Moussa Bourefis, a member of the Association of Families of the Disappeared in Jijel (350 kms east of Algiers), informed the Working Group on specifics of the issue of enforced disappearance in the Jijel region.

He estimates that the number of those disappeared in the Jijel region during the 1990s is around one thousand individuals. It is feared that even more cases have not yet been accounted for due to fears by the families and intimidation from the authorities.

The Association of the Families of the Disappeared in the Jijel region has several hundred files, and plans to submit information - on those cases that have not yet been submitted - to the Working Group.

The UN experts held an important discussion with Mr Bourefis, centred around his explanations regarding the application of the so-called 'national reconciliation' law. This law does not plan for any criminal prosecution against State agents responsible for enforced disappearances, and the compensations planned for families have the sole aim of permanently closing this file.

According to Mr Bourefis, many families in the Jijel region were summoned and threatened with reprisals if they did not declare, at the Tribunal level, that their loved ones had been arrested by unknown armed groups or by terrorist groups. However, in most cases, the families know that State agents are responsible for the kidnapping. In fact, very often they know the names of these agents.

The President of the Working Group recalled that the so-called law of 'national reconciliation' contradicted international law and that the fact of having accepted compensation from the State did not mean that the case is closed at the level of the Working Group. He also recalled that the Working Group has an urgent procedure to protect families in case of intimidation exerted by the authorities.

4.4 Other Activities >>>

Open Day 2008



Various NGOs, journalists and human rights workers attended Alkarama's Open Day 11 June 2008.

On the occasion of the publication of its 2007 annual report, Alkarama held an "Open Day" on Wednesday, 11 June 2008. Officials from the Office of the High Commissioner for Human Rights, journalists, NGO representatives and members of the public had the opportunity to inquire about the day-to-day activities of Alkarama and the current conditions of human rights in the Arab world. The meeting took place in a friendly atmosphere; with discussions, exchanges of experiences and perspectives for collaboration, accompanied by a selection of oriental pastries and traditional Moroccan mint tea.

Khartoum Conference on Guantanamo



Alkarama's legal director Rachid Mesli (2nd left) attended the Khartoum Conference, 26-27 January 2008

Alkarama attended the International Conference on Violations of Human Rights at the Prison in Guantanamo on 26 and 27 January 2008, in Khartoum, Sudan under the theme "The prison at Guantanamo: the Law of force rather than the force of Law." The conference, organized by the Sudanese NGO Civic Aid International Organization, brought together 17 international human rights NGOs. Former prisoners and families of prisoners, including the wife of journalist Sami Al-Haj, who was at that time arbitrarily detained at Guantanamo. The conference in Khartoum also focused on the rights to which are entitled the Guantanamo detainees under international human rights and international humanitarian law.

Launch in Sana'a, of the Campaign for the Defense of Victims of Arbitrary Detention and Torture



Young demonstrators in Sana'a in support of victims of arbitrary detention and torture in Yemen.

In partnership with the Yemeni Organization for the Defense of Rights and Democratic Freedoms, the Organization for Change, the Social Forum, Nida newspaper, Yemen Times, Al-Mustaqilla and Al-Balagh, Alkarama participated, on 28 January 2008, at the inauguration, at the office of the Yemen Times, of the National Campaign for Defending Victims of Arbitrary Detention and Torture.



Alkarama's delegate, Mohammed Al-Ahmady with protesters in Sana'a in aid of the Campaign for the Defence of Victims of Arbitrary Detention and Torture

Sana'a sit-in with families of Guantanamo and Baghram detainees



Families of detainees in Guantanamo and Baghram met in Sana'a on 9 February 2008 for a sit-in session.

In association with the Yemeni National Rights Department (HOOD), Alkarama participated on 9 February 2008 in a sit-in of the families of detainees at Guantanamo and Baghram, in front of the Parliament in Sana'a. The protesters raised placards with pictures of their children in detention and called on the Yemeni authorities to take responsibility and work for their release.

Solidarity gathering for Sami Al Aryan in Beirut



NGOs, Lebanese and Palestinian personalities and family members of Sami Al-Aryan took part in the gathering.

Alkarama attended a solidarity gathering for Sami Al Aryan held on 25 March 2008 at the Bristol Hotel in Beirut by the Committee on Human Rights and Arab National Forum. Several NGOs, Lebanese and Palestinian personalities and family members of Sami Al Aryan took part in this event.

Sami Al Aryan, who taught computer science at the University of South Florida, was active in defending the rights of Muslims in the United States and was arrested on 20 February 2003 and accused of supporting terrorism in Palestine. He was exonerated by the court on 6 December 2005 but remains in detention.

Inauguration of Al Jazeera's "Human Rights Desk"

The Al Jazeera TV network launched, on November 1, 2008, the Public Liberties and Human Rights Desk, headed by Sami Al Haj, the Al Jazeera cameraman who was released in May 2008 from Guantanamo Bay after six and a half years of detention. The primary focus of the Desk is to promote respect for human rights and public liberties by monitoring, documenting, broadcasting and raising awareness for these key issues in the world as a whole and in the Arab region in particular.

The inauguration of the Desk was attended by many guests, among which was Deborah Manning, Senior Legal Officer from Alkarama.

Global Investigative Journalism Conference in Lillehammer, Norway



Alkarama's Deborah Manning (2nd right) in discussion at the Lillehammer conference, 10-14 September 2008.

Alkarama was represented by Senior Legal Officer Deborah Manning at the 2008 Global Investigative Journalism Conference. The conference was held in Lillehammer, Norway from 10-14 September 2008 and was attended by 500 journalists from nearly 90 countries. This conference was an important opportunity to strengthen cooperation between human rights defenders and organizations on the one side and journalists on the other side. Mr Sami Al Haj, journalist from the Al Jazeera TV network, who was released from the Guantanamo Bay detention centre in May 2008, was the keynote speaker at the confer-



5. Organisational Issues >>>

>>> Since June 2007 Alkarama has been a Foundation under Swiss law and registered in Canton of Geneva. As a Foundation, it is supervised by the Supervision Authority of Foundations of the Federal Department of Home Affairs of the Swiss Confederation.

The choice of this legal form for Alkarama reflects the will of its founders to infuse the organization with rigor and transparency in its management and guarantee the achievement of its goals and a source of stability for its various partners and authorities.

As required by law, a body of independent auditors is responsible for annually reviewing the accounts of the Foundation.

5.1 STRUCTURE & HUMAN RESOURCES

The headquarters of Alkarama is based in Geneva with offices and representatives in London, Beirut, Doha and Sana'a. A total of fifty members and volunteer activists in Europe and Arab countries contribute to the action of Alkarama.

Alkarama is a multinational, multi-cultural and multi-ethnic organisation. Accordance with the vision and mission of Alkarama as well as its high professional standards are the recruitment criteria for our organization, whether for employees, volunteers or trainees.

The recruitment effort grew considerably in 2008. While a single person was employed full time in late 2007, no fewer than seven new employees were recruited in 2008. Volunteers and students also contributed significantly to the activities of the Foundation. The activities and the dynamism of Alkarama have been made possible through the collaboration of many other activists who are the main source of information from the Arab world.

Alkarama's Board of Directors is as follows:

Chairman: Dr Abdul Rahman Al-Omair Naimi
 Secretary General: Sultan Khalifa Al-Khulaifi
 External Relations: Dr Abbas Aroua

5.2 FINANCIAL REPORT

Since its inception, the Foundation has relied primarily from donations from its founders to finance its activities. In 2008, these funds covered the vast majority of the budgetary costs of the organization.

In addition, effort has also been undertaken to seek alternative sources of funding for the Foundation, from donors, partners and state agencies. This approach has proved a practical method for the collection of additional funds with positive results. This effort will continue for 2009. The aim is to ensure adequate funding in the midterm as the Foundation's capital alone cannot guarantee coverage for growing needs.

Alkarama finished 2008 with a reserve of CHF 97'274 after covering all expenses. Alkarama's accounting for 2008 was audited by the fiduciary cooperative "Fidéc Fiduciaire Sàrl", its officially designated auditing body, and declared compliant with legal standards. No irregularities were detected.

The table below summarizes the financial report of our Foundation (figures in Swiss francs).

| Income | |
|---|----------------|
| Founders' donations | 560,413 |
| Other donations and income | 9,847 |
| Total | 570'260 |
| | |
| Spending | |
| Rent, telecoms, costs | 46,919 |
| Salaries, payment of third parties, labor costs | 352,824 |
| Travel, seminars, interns | 42,688 |
| IT, printing, postage | 30,555 |
| Total | 472,986 |
| Result | +97,274 |

ANNEX 1 Cases submitted and Opinions Received in 2008

Lists of individual cases sent to UN human rights mechanisms between 1 January & 31 December 2008.

| | Name of Victim | اسم الضحية | Submitted to | Date of Submission | Country of Violation |
|----|--|-----------------------------------|---------------|-------------------------|----------------------|
| 1 | 19 cases | حالة 19 | WGEID | 12.06.2008 | Algeria |
| 2 | Malik Medjnoun | مالك مجنون | HRC | 27.02.2008 | Algeria |
| 3 | Adel Saker | عادل ساكر | EID/SRT | 30.06.2008 | Algeria |
| 4 | 175 cases | حالة 175 | WGAD | 30.12.2008 | Algeria |
| 5 | Khaled Hamza | خالد حمزة | WGAD | 18.03.2008 | Egypt |
| 6 | Khaled Hamza | خالد حمزة | HRD | 19.03.2008 | Egypt |
| 7 | Bashir Al Joorani | بشير الجوراني | SRT | 06.12.2008 | Iraq |
| 8 | Muntadhar Al-Zaidii | منتظر الزايدى | SRT | 20.12.2008 | Iraq |
| 9 | Issam Ismael Al Uteibi | عصام اسماعيل العتيبي | HRCTtee | 18.02.2008 | Jordan |
| 10 | Abdel Aqel Salem Al-Dhafeery | لال بن رياض الحمود | SRT | 03.07.2008 | Kuwait |
| 11 | Bilal Ben Ryad Al-Hamoud (Abou Jandal) | علي محمد إبراهيم | SUMX | 20.02.2008 | Lebanon |
| 12 | Ali Mohammed Ibrahim | شادي مجدي المولوي | SRT | 17.10.2008 | Lebanon |
| 13 | Shadi Majdi Al-Mawlawi | ربيع بهجت شعلان | SRT | 17.10.2008 | Lebanon |
| 14 | Rabee Bahjat Shaalan | محمود مدحت الأندوري | SRT | 17.10.2008 | Lebanon |
| 15 | Mahmoud Medhat Al-Andouri | عمر عباس السبتوي | SRT | 17.10.2008 | Lebanon |
| 16 | Omar Abbes Sebtaoui | بلال أحمد صالح إسماعيل | SRT | 17.10.2008 | Lebanon |
| 17 | Bilal Ahmed Saleh | منير أحمد محمد | SRT | 17.10.2008 | Lebanon |
| 18 | Mounir Ahmed Mohammed | زياد جميل بدران | SRT | 17.10.2008 | Lebanon |
| 19 | Ziad Jamil Badran | فiras محمد عوض | SRT | 17.10.2008 | Lebanon |
| 20 | Firas Mohammed Awadh | علي حسن إسماعيل | SRT | 17.10.2008 | Lebanon |
| 21 | Ali Hassan Ismael | بسام محمد فيصل بيتية | SRT | 17.10.2008 | Lebanon |
| 22 | Bassam Mohammed Faisal Beiteih | أحمد خالد سبتية | SRT | 17.10.2008 | Lebanon |
| 23 | Ahmed Khaled Steitieh | محمد حسين شعبان | SRT | 17.10.2008 | Lebanon |
| 24 | Mohammed Hussein Shaaban | محمد عبد السلام إبراهيم | SRT | 17.10.2008 | Lebanon |
| 25 | Mohammed Abdelsalam Ibrahim | محمد حسن أبو سدرة | WGEID | 14.02.2008 | Libya |
| 26 | Mohamed Hassan Aboussedra | عبد السلام سالم محمد مجيب | WGAD | 06.03.2008 | Libya |
| 27 | Abdaslam Salem Mohamed Mjber | أبو فايد إدريس | WGAD | 23.10.2008 | Libya |
| 28 | Aboufaied Idriss | أبو فايد جمعة | HRC | 07.04.2008 | Libya |
| 29 | Aboufaied Juma | عبد العظيم بن علي | HRC | 07.04.2008 | Libya |
| 30 | Abdeladim Benali | علي ضبيغ صالح الطلحي | HRC | 30.05.2008 | Libya |
| 31 | Ali Dbie Salah al Talhi | عماد الشيباني | WGEID | 19.06.2008 | Libya |
| 32 | Imed Al Chibani | عبد السلام الخويلدي | WGAD | 21.06.2008 | Libya |
| 33 | Abduslam Il-Khwilyd | إسماعيل الخزمي | HRC | 03.07.2008 | Libya |
| 34 | Ismail Al Khazmi | عبد الحميد الدافل | HRC | 06.11.2008 | Libya |
| 35 | Abdelhmid Al Daquel | عبد الناصر يونيس الرياسي | SRT | 06.11.2008 | Libya |
| 36 | Abdenacer Younis Al-Rabassi | عبد الكريم بن فرج بوراوي | HRC | 22.12.2008 | Libya |
| 37 | Abdelkarim Ben Fraj Bouraoui | علي عبد القوي موسى الجميكانى | SRT | 22.07.2008 | Mauritania |
| 38 | Ali Abdelgaoui Mussa Al Humaikani | خليل عبد الرحمن عبد الكريم الجتحي | WGAD | 15.01.2008 | Saudi Arabia |
| 39 | Khalil Abdul Rahman Karim Al-Junahi | نايف عبد الله محمد القحطاني | WGAD | 21.01.2008 | Saudi Arabia |
| 40 | Naif Abdallah Mohamed Al Qahtani | فؤاد الفرحان | WGAD | 27.02.2008 | Saudi Arabia |
| 41 | Foued Al Farhan | محمد بدر هزبر | WGAD | 14.01.2008 & 29.02.2008 | Saudi Arabia |
| 42 | Mahmoud Badr Hozbor | خليل إبراهيم غيث الغيث | WGAD/SRT | 21.03.2008 | Saudi Arabia |
| 43 | Khalil Ibrahim Ghaith Al Ghaith | عبد الرحمن مروان أحمد سمارة | WGAD | 25.03.2008 | Saudi Arabia |
| 44 | Abdel Rahmane Marwan Ahmed Samara | فيصل نجم عبد الله الماجد | WGAD | 08.05.2008 | Saudi Arabia |
| 45 | Fayçal Nedjm Abdullah Al-Majed | متروك الفالح | WGAD | 24.05.2008 | Saudi Arabia |
| 46 | Matrouk Al-Faleh | وليد العمري | WGAD/FRDX/HRD | 06.06.2008 | Saudi Arabia |
| 47 | Walid Al-Amri | عبد الرحيم علي عبد الله المرابطي | WGAD | 13.06.2008 | Saudi Arabia |
| 48 | Abdulrahim Ali Abdullah Al-Murbati | صالح عواد الخويطي | WGAD | 16.07.2008 | Saudi Arabia |
| 49 | Salah Awad Al-Huweiti | ناصر الحديقي | WGAD,SRT/FRDX | 18.07.2008 | Saudi Arabia |
| 50 | Nasser Al-Hadiqi | خالد محمد عيسى القديحي | WGAD | 02.08.2008 | Saudi Arabia |
| 51 | Khaled Mohammed Issa Al-Qadihi | قاسم بن رضى بن سليمان المهدي | SUMX | 22.08.2008 | Saudi Arabia |
| 52 | Qasim b. Ridha b. Suleyman Al-Mahdi | علي حسن عيسى البوري | SUMX | 22.08.2008 | Saudi Arabia |
| 53 | Ali Hassan Issa al-Bouri | خالد حاتم | SUMX | 16.09.2008 | Saudi Arabia |
| 54 | Khaled Hatem | خالد الشمري | SUMX | 16.09.2008 | Saudi Arabia |
| 55 | Khalid Al Shammari | سعيد بن مبارك الزاير | WGAD | 18.09.2008 | Saudi Arabia |
| 56 | Said . B. Mubarek B. Zair | مصطفى كامل حورية | SRT | 29.12.2008 | Saudi Arabia |
| 57 | Mustapha Kamel Houriya | أحمد عبد القادر كروم | WGAD | 22.10.2008 | Syria |
| 58 | Ahmed Abdelkader Kerroum | يوسف عمر دهنين | WGAD | 22.10.2008 | Syria |
| 59 | Youcef Amar Dehnine | الصادق بشوروي | WGAD | 22.10.2008 | Syria |
| 60 | Sadok Chourou | حسن أحمد حسن الدقي | WGAD/FRDX | 19.12.2008 | Tunisia |
| 61 | Hassan Ahmed Hassan Al Diqqi | منصور جاسم الشامسي | FRDX | 29.07.2008 | UAE |
| 62 | Mansoor Jassem Al Shamsi | محمد مفتاح | WGAD | 08.08.2008 | UAE |
| 63 | Mohammed Meftah | عبد الجليل الهتار | WGAD | 04.01.2008 | Yemen |
| 64 | Abdelhalim Ali Abdeljalil Al Hattar | عبد الجليل الهتار | WGAD | 09.05.2008 | Yemen |

| | Name of Victim | اسم الضحية | Submitted to | Date of Submission | Country of Violation |
|----|--|-----------------------------------|--------------|--------------------|----------------------|
| 65 | Adel Yahia Yahia Al Shahrani | عادل يحيى يحيى الشهراني | WGAD | 19.05.2008 | Yemen |
| 66 | Abdullah Saad Ghazi al Ghazi al Rimi | عبدالله سعد غازي الغازي الرمي | WGAD | 05.08.2008 | Yemen |
| 67 | Louay Abdulwahab Ali Al-Mouayyad | لؤي عبدالوهاب علي المؤيد | WGAD | 10.08.2008 | Yemen |
| 68 | Ahmed Abou Bakr Mohammad Alaoui Al Biti | أحمد أبو بكر محمد علوي البيتي | WGAD | 19.11.2008 | Yemen |
| 69 | Rachad Omar Saïd Marîi | رشاد عمر سعيد مرعي | WGAD | 19.11.2008 | Yemen |
| 70 | Salem Ali Salem al-Attas | سالم علي سالم العظاس | WGAD | 19.11.2008 | Yemen |
| 71 | Ghaleb Ahmed Iwadh Baqaiti | غالب أحمد عوض باقطيقي | WGAD | 19.11.2008 | Yemen |
| 72 | Mohammad Salah Ahmed Iwadh al-Maghi | محمد صالح أحمد عوض المغي | WGAD | 19.11.2008 | Yemen |
| 73 | Yasser Salah Bahwih | ياسر سالم صالح باحويح | WGAD | 19.11.2008 | Yemen |
| 74 | Jasem Iwadh Moubarak Barifaa | جاسم عوض مبارك بارفاعة | WGAD | 19.11.2008 | Yemen |
| 75 | Salem Saad Salem Al Khanchabi | سالم سعد سالم الخنبيشي | WGAD | 19.11.2008 | Yemen |
| 76 | Abderahman Mohammad Mahrous Barachid | عبد الرحمن محمد محروس بارشيد | WGAD | 19.11.2008 | Yemen |
| 77 | Mohamed Saïd Abdullatif Mansour Bou'iran | محمد سعيد عبد اللطيف منصور برعن | WGAD | 19.11.2008 | Yemen |
| 78 | Mohammad Abdullah Hassan Al Shami | محمد عبد الله حسن الشامي | WGAD | 19.11.2008 | Yemen |
| 79 | Hicham Abdul Rahim Bin Goth Bawazir | هشام عبد الرحيم عمر بن غوث باوزير | WGAD | 19.11.2008 | Yemen |
| 80 | Abdellah Saïd Billariyah | عبد الله سعيد بلرعية | WGAD | 19.11.2008 | Yemen |
| 81 | Hassan al Muqtari | حسن المقتري | WGAD | 19.11.2008 | Yemen |
| 82 | Abdelghani Suleiman | عبد الغني سليمان | WGAD | 03.12.2008 | Yemen |

ANNEX 2 WGAD opinions adopted in 2008 concerning Alkarama communications

| | Name of Victim | اسم الضحية | Country of Violation | Date of Submission | Opinion Rendered | Adopted On |
|----|---|--|----------------------|--------------------|------------------|------------|
| 1 | Dejma Seid Slimane Ramadan | جمعة السيد سليمان رمضان | Egypt | 06.10.2007 | No.18/2008 | 09.09.2008 |
| 2 | Dr Islam Sobhy Abdelatif Attia El-Mazeny | الدكتور إسلام صبحي عبد اللطيف عطية المازني | Egypt | 11.09.2007 | No.20/2008 | 10.09.2008 |
| 3 | Mohamed Khirat Saad Al-Shatar | محمد خيرت سعد الشاطر | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 4 | Ayman Abd El-Ghani Hassanin | أيمن عبد الغني حسنين | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 5 | Khaled Abdelkader Awda | خالد عبد القادر عودة | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 6 | Ahmad Ahmad Nahhas | أحمد أحمد النحاس | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 7 | Ahmad Ashraf Mohamed Mostafa Abdul Warith | أحمد أشرف محمد مصطفى عبد الوارث | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 8 | Ahmed Azzedin El-Ghoul | أحمد عز الدين الغول | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 9 | Amir Mohamed Bassam Al-Naggar | أمير محمد بسام النجار | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 10 | Esam Abdelmohsen Afifi | عصام عبد المحسن عفيفي | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 11 | Essam Abdul Hakim Hashish | عصام عبد الحكيم حشيش | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 12 | Farid Aly Galbat | فريد علي جلبط | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 13 | Fathy Mohamed Baghdady | فنحي محمد بغدادي | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 14 | Gamal Mahmoud Shaaban | جمال محمود شعبان | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 15 | Ahmed Mahmoud Shousha | أحمد محمود شوشة | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 16 | Yasser Mohamed Ali | ياسر محمد علي | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 17 | Mahmoud Abdul Latif Gawad | محمود عبد اللطيف عبد الجواد | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 18 | Hassan Ezzudine Malek | حسن عز الدين مالك | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 19 | Mahmoud Morsi Koura | محمود مرسي قورة | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 20 | Mamdouh Ahmed Al-Husseini | مدوح أحمد الحسيني | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 21 | Medhat Ahmad El-Haddad | مدحت أحمد الحداد | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 22 | Mohamed Ali Bishr | محمد علي بشر | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 23 | Mohamed Mahmoud Hafez | محمد محمود حافظ | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 24 | Mohamed Mehany Hassan | محمد مهني حسن | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 25 | Mohamed Ali Baligh | محمد علي بليغ | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 26 | Mostafa Salem | مصطفى سالم | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 27 | Osama Abdul Muhsin Shirby | أسامة عبد المحسن شربي | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 28 | Murad Salah El-Desouky | مراد صلاح الدسوقي | Egypt | 27.08.2007 | No.27/2008 | 12.09.2008 |
| 29 | Suleiman Al-Alouane | علمرين سعيد بن محم النقفاند القحطاني | Saudi Arabia | 27.10.2006 | No.22/2008 | 10.09.2008 |
| 30 | Abdel Rahman Marwan Ahmad Samara | علي شافي علي الشهري | Saudi Arabia | 08.05.2008 | No.31/2008 | 20.11.2008 |
| 31 | Said b. Mubarek b. Zair | عبد الرحمن بن عبد العزيز السديس | Saudi Arabia | 20.10.2004 | No.36/2008 | 22.11.2008 |
| 32 | Matrouk b. Hais b. Khalif Al Faleh | سليمان العلوان | Saudi Arabia | 06.06.2008 | No.37/2008 | 21.11.2008 |
| 33 | Amer Said B. Muhammad Al-Thaqfan Al-Qahtani | عبد الرحمن مروان أحمد سمارة | Saudi Arabia | 20.04.2006 | No.11/2008 | 09.05.2008 |
| 34 | Ali Chafi Ali Al-Chahri | سمعيد بن مبارك بن زعير | Saudi Arabia | 11.05.2007 | No.13/2008 | 09.05.2008 |
| 35 | Abdul Rahman B. Abdelaziz Al Sudays | متروك بن هابس بن خليف الفالح | Saudi Arabia | 06.06.2005 | No.6/2008 | 08.05.2008 |
| 36 | Abdullah Sultan Sabihat Al Alili | عبد الله صبيحات العليلي | UAE | 13.09.2005 | No.3/2008 | 07.05.2008 |
| 37 | Saqar Abdelkader Al Chouiter | صقر عبد القادر عبد الله الشويطر | Yemen | 09.05.2007 | No.9/2008 | 08.05.2008 |
| 38 | Abdeladhim Ali Abdeljelal Al Hattar | عبد العليم علي عبد الجليل الهتار | Yemen | 09.05.2008 | No.11/2008 | 24.11.2008 |

Publications

UNIVERSAL PERIODIC REVIEW REPORTS

UPR Algeria: Stakeholders Contribution to the Universal Periodic Review (UPR) for Algeria, Alkarama for Human Rights, Geneva, 20 November 2007.

UPR Morocco: Stakeholders Contribution to the UPR for Morocco, Alkarama for Human Rights, Geneva, 20 November 2007.

UPR Tunisia: Stakeholders Contribution to the UPR for Tunisia, Alkarama for Human Rights, Geneva, 20 November 2007.

UPR UAE: Stakeholders Contribution to the UPR for the United Arab Emirates, Alkarama for Human Rights. Geneva, 14 July 2008.

UPR Jordan: Stakeholders Contribution to the UPR for Jordan, Alkarama for Human Rights, Geneva, 1 September 2008.

UPR Saudi Arabia: Stakeholders Contribution to the UPR for Saudi Arabia, Alkarama for Human Rights, Geneva, 8 September 2008.

UPR Yemen: Stakeholders Contribution to the UPR for Yemen, Alkarama for Human Rights, Geneva, 3 November 2008.

HUMAN RIGHTS COMMITTEE

Libya: Report for the Follow-up Procedure, Human Rights Committee, Alkarama for Human Rights, Geneva, 30 October 2008.

Algeria: Report for the Follow-up Procedure, Human Rights Committee, Alkarama for Human Rights, Geneva, 5 November 2008.

COMMITTEE AGAINST TORTURE

"Algeria: Torture remains common practice", Shadow Report presented to the Committee Against Torture (CAT) for the consideration of the third periodic report for Algeria, Alkarama for Human Rights, Geneva, 4 April 2008.

Website

Alkarama's website (www.alkarama.org) was very active in 2008 with over 470 articles published in 3 languages (Arabic, English, French). The website has also become a tool for victims and their relatives to inform Alkarama of violations of their rights.