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Alkarama Foundation

ALKARAMA is a geneva-based organisation working to document and treat cases of **human rights** abuses in the **Arab world**



OUR PRIORITIES

KILLINGS

Arbitrary, extrajudicial or summary execution of a person without a fair trial

DISAPPEARANCES

A person abducted or detained without the state acknowledging the act or informing relatives

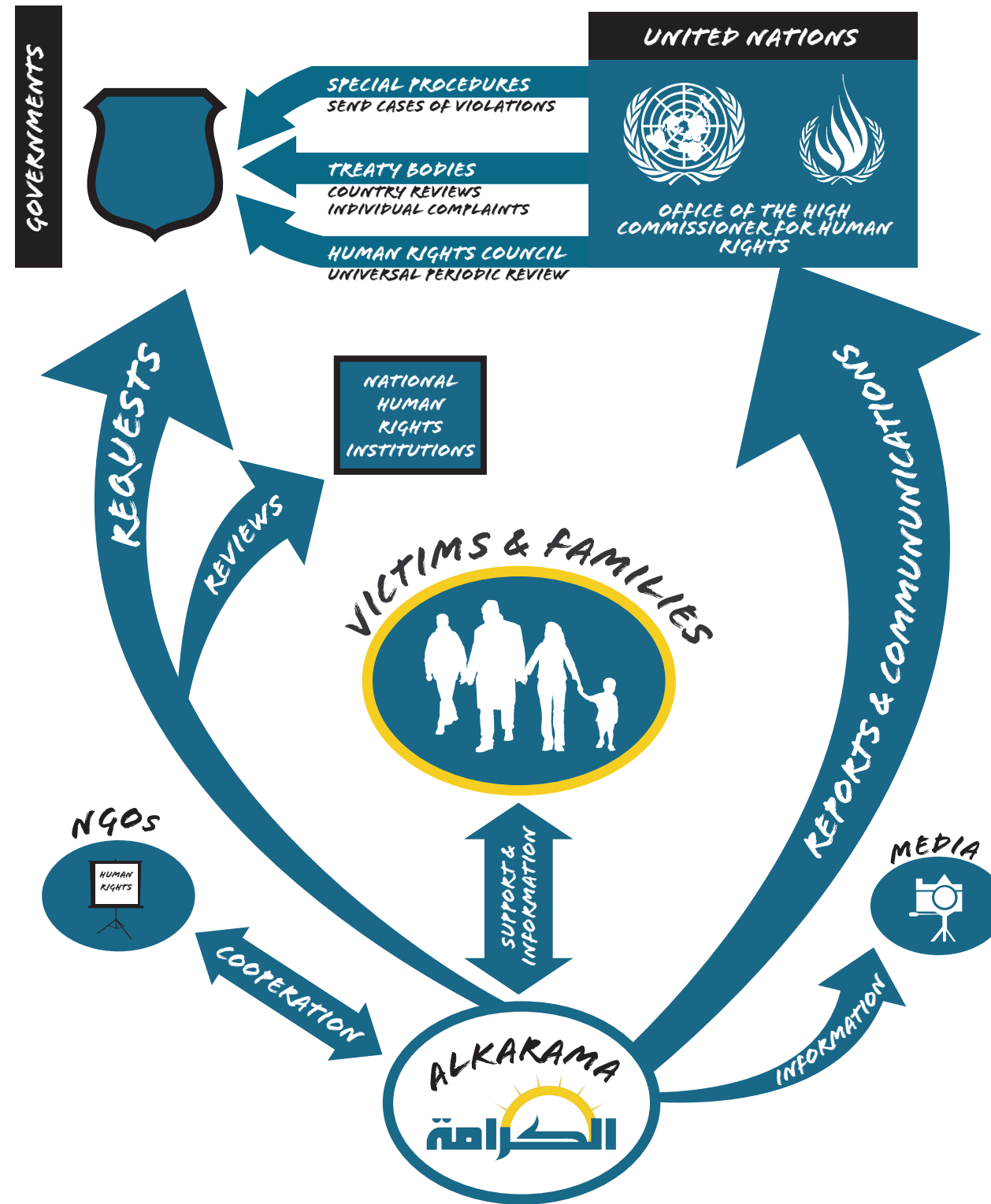
TORTURE

Inflicting severe physical or mental pain or suffering to obtain information or a confession, or to punish or intimidate a person

ILLEGAL DETENTION

Arbitrarily depriving a person of their liberty in violation of their fundamental rights

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Events and Activities

• 26 JANUARY 2012
Seminar with Olivier Roy, French Academic, at Alkarama office, Geneva

• 19 FEBRUARY 2012
Release of Dr Said Bin Zair, Saudi human rights activist and 2011 Alkarama Award Laureate

• 25 FEBRUARY 2012
Participation in Human Rights Forum at Plan-les-Ouates, Geneva

• 27 MARCH 2012
Launch of Alkarama's 2011 Annual Report at the Swiss Press Club, Geneva

• 20-27 MAY 2012
Training workshop in Egypt for Human Rights Defenders from the Arab World, in partnership with CIHRS

48TH CAT SESSION
21 MAY-04 JUNE 2012
SPECIAL REVIEW OF SYRIA BY THE CAT

19TH SPECIAL SESSION OF HRC
1 JUNE 2012
SPECIAL SESSION ON SITUATION IN SYRIA

• 15-22 SEPTEMBER 2012
Visit of SRT to Morocco

• 27 SEPTEMBER-5 OCTOBER 2012
Visit of SRHRD to Tunisia

3RD CED SESSION
NOVEMBRE 2012

• 26-29 NOVEMBER 2012
Alkarama mission to Jordan in order to strengthen links with civil society

• 10-16 NOVEMBER 2012
Visit of SRTruth to Tunisia

• 15-20 DECEMBER 2012
Mission to Libya: awareness raising among civil society regarding human rights mechanisms, prison visits

• 7 DECEMBER 2012
ALKARAMA AWARD presented to Dr Mohamed Al Roken (United Arab Emirates) and Dr Saud Al Hashimi (Saudi Arabia)

ALKARAMA AWARD 2012

The Alkarama Award is presented each year on Human Rights Day, 10 December, to a person or organisation who has significantly contributed to the promotion and protection of human rights in the Arab world.

This year, we chose to highlight the struggle of two human rights activists from the Gulf, a region which has seen a rapid deterioration of the human rights situation in 2012.

The 2012 Alkarama Award was presented to representatives of the two laureates during a ceremony on 7 December 2012 in Geneva.

The 2012 Laureates:



Dr Mohamed Al Roken, lawyer and human rights defender, United Arab Emirates



Dr Saud Al Hashimi, human rights defender and member of the reformist movement, Saudi Arabia

Please send us your suggestions for candidates for the 2013 Alkarama award to award@alkarama.org

ALKARAMA'S FUNDING

In 2012, the Alkarama Foundation restructured to consolidate its teams and adapt to developments in the Arab region. 15 employees from 9 different countries as well as dozens of volunteers are currently working for Alkarama around the world.

2012 Budget

Salaries and charges	CHF	830 638
Rent, heating, electricity	CHF	142 748
IT, telecoms and printing	CHF	54 162
Third party services	CHF	131 576
Conferences, travel, seminars	CHF	55 462
Total	CHF	1 214 583

We express our gratitude to our donors who continue to support the work of our organisation. In particular, we would like to thank our numerous private donors, the Netherlands Human Rights Fund and the communes of Geneva.








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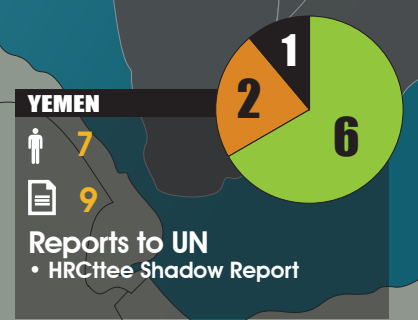
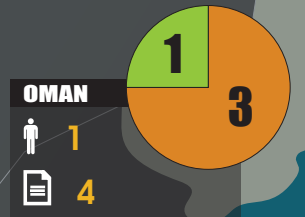
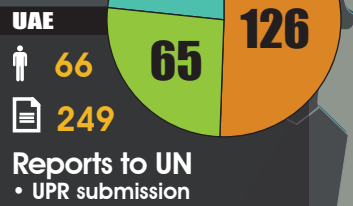
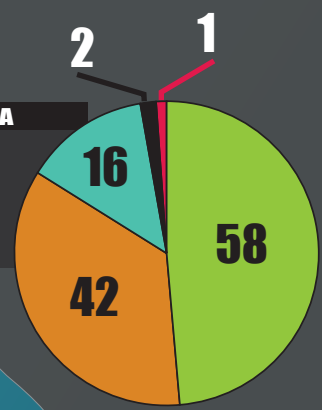
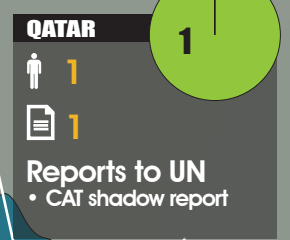
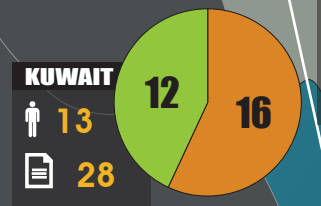
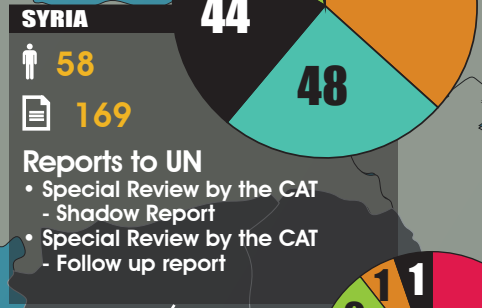
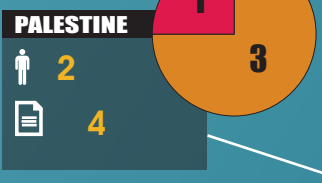
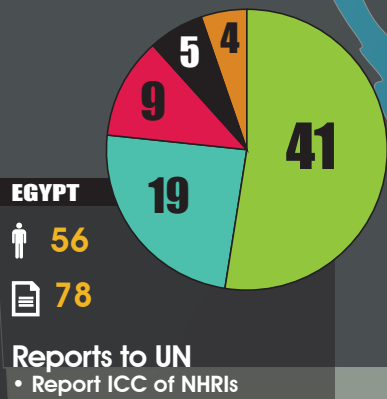
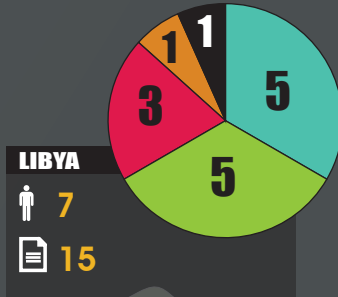
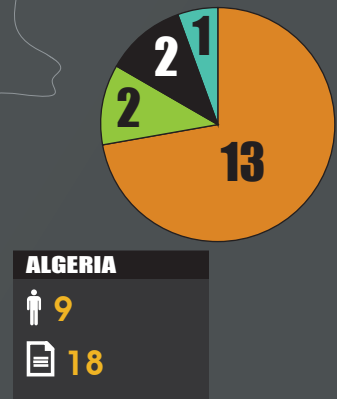
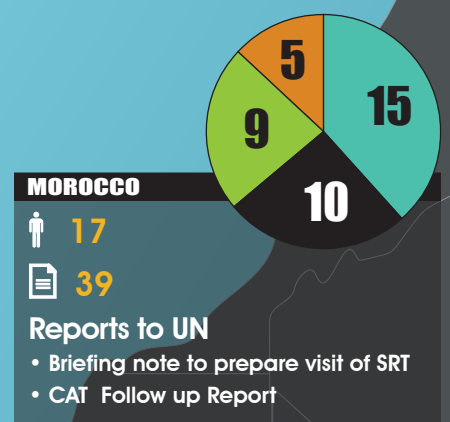
OUR WORK 2012

847
COMMUNICATIONS
TO UN

342
INDIVIDUAL
CASES

MAP LEGEND

 # of cases	 special rapporteur on summary executions
 # of communications	 working group on enforced disappearances
	 special rapporteur on torture
	 working group on arbitrary detention
	 other



These figures represent Alkarama's work in the region and are not necessarily indicative of the severity of the human rights situation in each country

A Note from the President

Transitional periods have always been difficult for countries that have suffered systematic human rights violations and in which the principles of the rule of law have too long been ignored. The Arab world is no exception to this rule and, following the euphoria that accompanied the overthrow of dictators, the populations of the region are realizing that major political, economic and social challenges remain. Despite the rapid progress that has been achieved in the Arab states that saw revolutions, we are also aware that much is still to be done. As an organization that defends human rights, Alkarama has followed these changes closely and maintained contact with the key actors of these developments in order to promote the respect and protection of human rights in the Arab world.

As such, Alkarama considers that there has already been one major positive achievement: human rights have been placed at the center of political and societal debates, including during the drafting of new constitutions in Egypt and Tunisia. Many countries have also ratified human rights treaties or their optional protocols in the wake of the revolutions.

The tragic situation in Syria illustrates the dangers of violent action and foreign interference. The chaotic situation and massive violations of human rights in Iraq also a reminder of the devastating effects of a foreign invasion. The Gulf countries are no exception, with more and more voices calling for the respect of human rights and fundamental freedoms, no longer willing to live under absolute rule. Everywhere in the Arab world, civil society is increasingly aware of its strengths and responsibilities, but also the sometimes extremely violent repression by the authorities to attempt to slow the course of history. Human rights defenders have thus become the targets of dictators, prompting Alkarama to present its 2012 Award to two human rights defenders from the Gulf.

Always faithful to our mission, our organization, which has grown over the course of the year, will remain vigilant and continue its struggle to ensure the respect and promotion of human rights in the Arab world. It will continue to work with the mechanisms of international human rights law as a priority and will lobby for states which have experienced revolutions to enact constitutional, institutional, and legal reforms that guarantee the fundamental rights of their citizens.

Dr. Abdul Rahman Omair Al-Naimi
President of the Alkarama Foundation

ABOUT US

Alkarama is 15 employees from 9 different countries, as well as dozens of volunteers, working together towards an Arab world where all individuals live in dignity, freedom, and protected by the rule of law. In Arabic, Alkarama means dignity.



MISSION

Alkarama is a non-governmental organization for the defense and protection of victims of human rights violations in the Arab World, and in particular of the right to life, physical integrity and liberty. Alkarama uses, as a priority, the mechanisms of international law.

DIRECTORS

Dr Mourad Dhina
Mr Rachid Mesli

Executive Director
Director of the Legal
Departement

COUNCIL OF THE FOUNDATION

Abdul Rahman Omeir Al Naimi
Abbas Aroua
Khalifa Mohamed Rabban
Ahcene Kerkadi

President of the Council
Secretary of the Council
Member of the Council
Member of the Council

GLOSSARY OF TERMS

Acronyms

HRC	– Human Rights Council	WGAD	– UN Working Group on Arbitrary Detention
HRCttee	– Human Rights Committee	WGEID	– UN Working Group on Enforced and Involuntary Disappearances
CAT	– Convention/Committee Against Torture	SRT	– UN Special Rapporteur on Torture
ICCPR	– International Covenant on Civil and Political Rights	SUMX	– UN Special Rapporteur on Summary Executions
ICPPED	– International Convention for the Protection of All Persons from Enforced Disappearance	HRD	– UN Special Rapporteur on Human Rights Defenders
NHRI	– National Human Rights Institution	FRDX	– UN Special Rapporteur on Freedom of Expression
ICCPR-OP1	– First Optional Protocol to the ICCPR	IJL	– UN Special Rapporteur on the Independents of Judges and Lawyers
OPCAT	– Optional Protocol to the CAT	SRTruth	– UN Special Rapporteur on the promotion of truth, justice,
UPR	– Universal Periodic Review	NPM	– National Preventive Mechanism
ICC	– International Criminal Court		

Other TERMS

COMMUNICATION	Alkarama’s transmission of information about one individual case to one UN special procedure mandate-holder
INDIVIDUAL CASE	The documenting of an individual victim of a human rights violation
ROME STATUTE	The International Criminal Court’s founding treaty
LIST OF ISSUES	A contribution to a list of questions drawn up by the experts of the CAT or HRCttee for a stateparty under examination
SHADOW REPORT	A report to the CAT or HRCttee providing independent information about the implementation of the relevant treaty by the State party being examined
FOLLOW UP REPORT	A report to the CAT or HRCttee providing independent information about the implementation of the relevant treaty and recommendations issued by the two committees by the country in question

The continuing protests in the country attest to a period of extreme political uncertainty in Algeria. Legislative and municipal elections, in May and November 2012 respectively, were largely boycotted by Algerian voters and served the sole function of presenting the international community with the illusion of a democracy .

Over the course of this year, human rights defenders and political activists were subjected to a campaign of repression by the authorities for their peaceful activities. Despite the lifting of the state of emergency, its principal provisions remain in force: any gathering in the capital is banned and the country continues to be controlled by a plethora of security services and the army.

Official statements aside, the question of the disappeared remains unresolved. The authorities refuse to shine light on the thousands of cases of forced disappearances and, in this context, the Human Rights Committee adopted several decisions this year condemning the Algerian government for its numerous violations of the rights of victims and their families.

The Human Rights Council examined Algeria in May 2012 in the context of the Universal Periodic Review. The official delegation presented a report that outlined the country's progress on women's rights, the "responsible" management of the "national tragedy," and a process of political and institutional reform that "enlarged the spaces of liberty."

Alkarama's contribution to the Review revealed the persistence of numerous violations of human rights in the country. Our organization made recommendations in line with those made by many member states, particularly relating to the freedoms of expression, peaceful protest and association as well as the necessity to fight against impunity and guarantee the respect of the right to truth and justice for the families of the disappeared.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED ✗

ICCPR OPTIONAL PROTOCOL ✓

CAT OPTIONAL PROTOCOL ✗



UPCOMING

- Spring 2013: Proposed reform of the constitution



Saber Saidi, Cyber-Activist Accused of 'Glorifying Terrorism'



Saber Saidi, a 33-year-old political activist who writes on several social networks, was charged with 'glorifying terrorism' for having called for a peaceful regime change in Algeria and sharing videos of the Arab revolutions. Arrested by agents of the *Département du Renseignement et de la Sécurité* (DRS) on 11 July 2012 at Bordj El Kiffan (Algiers), Saber Saidi was detained for eleven days in secret and then transferred to El Harrach prison where he is imprisoned to this day.

Alkarama submitted his case to the UN Working Group on Arbitrary Detention on 2 August 2012, which then adopted Opinion No. 49/2012 confirming the arbitrary nature of his detention. After having noted the absence of «specific facts against Mr. Saidi,» the UN experts reminded the authorities of "the rights and freedoms" of the victim to "criticize a political regime and to call for its change by peaceful means."

His detention is part of a wider crackdown by the Algerian authorities against political activists and human rights defenders, victims of legal persecution for having exercised their right to freedom of expression.



OUR CONCERNS

- The lack of a clear timeframe for political, economic and social reforms;
- The continuing persecution of youth protest movements, those of the unemployed as well as against human rights defenders;
- Impunity of those responsible for violations during the 1990s, notably forced disappearances and extrajudicial executions.



OUR RECOMMENDATIONS

- Put an end to all police and judicial harassment against human rights defenders and activists and repeal Law No. 12-06 on associations adopted in January 2012 that violates articles of the ICCPR;
- Repeal the National Reconciliation Charter of 2006, which enshrines impunity for crimes against humanity; try human rights violators from the 1990s;
- Ratify OPCAT and the ICCPED, ratified by the majority of the North African states.

During the major demonstrations of 2011 calling for constitutional reforms and denouncing social injustice, the Bahraini authorities made use of violent repression to suppress the protests, including numerous arbitrary arrests of protestors and excessive force by police and security services.

An independent commission of inquiry under the leadership of Cherif Bassiouni was set up by King Hamed Al Khalifa to investigate human rights violations that occurred during the demonstrations and recommend solutions to defuse the crisis.

Though the king accepted the recommendations on 23 November 2011, few of these commitments have been implemented. The members of the security services responsible for extrajudicial executions and torture continue to act with impunity while the leaders of the opposition were sentenced in 2012 to long prison sentences for having called for reforms and participated in demonstrations.

In this context, Mr Bassiouni stated that “many recommendations were not implemented or were only reluctantly implemented by the authorities. The prosecution must still investigate more than 300 cases of alleged torture, some of which led to deaths in custody, and no investigation into the chain of command, even at the lowest level, has been conducted concerning people that died following acts of torture.”

While some steps have been taken, such as the reinstatement of dismissed officials for their participation in protests, reprisals against human rights defenders and political activists continued in 2012.

Bahrain was examined by the Working Group of the Universal Periodic Review on 21 May 2012, during which member states noted “visible repression” and “arrests of people who only exercised their right to freedom of expression.” Alkarama contributed to this review by providing a report on the situation in the country.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED ✗

ICCPR OPTIONAL PROTOCOL ✗

CAT OPTIONAL PROTOCOL ✗



UPCOMING

- February 2013: Visit by the SRT
- 2014: Parliamentary elections



OUR CONCERNS

- The arbitrary detention of human rights defenders and political opposition members as well as their trials before military courts
- The use of torture and other ill-treatment
- The excessive use of force to disperse demonstrations



OUR RECOMMENDATIONS

- Put an end to the persecution of political opponents and human rights defenders
- Fully implement all recommendations of the report of the independent commission of inquiry headed by Bassiouni
- Put an immediate end to all use of torture and other ill-treatment

The year began with increasing tension as Egyptians called for the departure of the Supreme Council of the Armed Forces (SCAF) who had been ruling Egypt since ousting of President Mubarak in February 2011. Despite parliamentary elections in late 2011, the election in June 2012 of Egypt's first civilian president, and the lifting in May 2012 of the 30 year old state of emergency, significant human rights violations continued to be committed.

In August 2012, more than 6300 civilians sentenced by military tribunals as well as several political detainees were released under a presidential amnesty. Despite these measures, arrests and arbitrary detentions continue and hundreds of people were tried before the State Security Emergency Court and military courts in 2012. 14 people were sentenced to death by the State Security Emergency Court following an unfair trial.

Alkarama remains concerned about the widespread violations carried out by the police and security forces, in particular during protests and gatherings; the growing violence between communities and the continuing impunity of those responsible for violations in the past.

Throughout 2012 the government and parliament consulted with civil society and other relevant actors on legislative changes and other measures to address these issues, but has so far failed to adopt strong legislation to promote and protect human rights in the country.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED X

ICCPR OPTIONAL PROTOCOL X

CAT OPTIONAL PROTOCOL X



UPCOMING

- April 2013: Projected parliamentary elections
- May 2013: Review of the National Council for Human rights (NHRI)



Ten Copts Sentenced to Life in Prison Following an Unfair Trial



On 21 May 2012, ten members of the Coptic community were sentenced by the State Security Emergency Court, a special court, to life in prison for “attacking the public order and national unity.” These ten individuals were arrested on 19 April 2011 by the Egyptian security services during confrontations between Copts and Muslims which lasted from 18 to 22 April 2011 in the town of Abou Qarqas.

A number of fair trial norms were ignored, including the arbitrary nature of their arrests, the exceptional court before which they were presented, and the impossibility of appealing their sentences.

On 23 October 2012, Alkarama submitted their case to the UN Working Group on Arbitrary Detention of the UN due to the flagrant violations of the rights of those detained.



OUR CONCERNS

- The excessive use of force against protestors and the practice of torture in places of detention
- The recourse to the State Security Emergency Court and military courts to try protestors as well as the ongoing application of provisions of the state of emergency
- The continuing impunity of those responsible for serious human rights violations



OUR RECOMMENDATIONS

- End the use of torture in all places of detention;
- Combat impunity for those who commit human rights violations;
- Enact strong legislation to promote and protect human rights;
- Guarantee that all allegations of torture, summary executions, and arbitrary detention are investigated by independent and impartial bodies;
- Ratify ICPPED, OPCAT, and ICCPR-OP1.

While in 2011 Iraq was in a political stalemate, 2012 has seen tensions mounting and divisions between the major communities deepening. In terms of security, the level of violence has increased and the crisis about Kurdistan's borders, a region rich in petroleum, has become a permanent feature. These events confirm that the underlying causes of division in Iraqi society have not been resolved and are bound to deepen.

After the pullout of American troops at the end of 2011, power was fully transferred to the current government under Nouri Al-Maliki. Power remains very much in the hands of the head of government, leading to growing internal and international isolation for Mr Al-Maliki and his ruling party. The growing opposition to his government was expressed by several large demonstrations at the end of the year, protesting against corruption and certain provisions of the national reconciliation plan.

In 2012, Alkarama was once again witness to the continued degradation of the human rights situation in Iraq. The judicial system remains a concern and the overcrowded prison system is deplorable. The practice of torture is widespread despite the 2011 ratification of the Convention against Torture. The intelligence services answer directly to the executive branch and act with total impunity as they commit grave human rights violations.

Mr Al-Maliki's official discourse illustrates the excess of the executive branch. He has expressed "his praise and admiration for lawyers that refuse to defend terrorists, murderers and criminals" while castigating those that do provide defence to these parties. Lawyers considered this declaration as a threat to their independence.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED ✓

ICCPR OPTIONAL PROTOCOL ✗

CAT OPTIONAL PROTOCOL ✗



UPCOMING

- March 2013: 10th anniversary of the US invasion of Iraq
- June 2013: Initial report to the Committee against Torture overdue by one year
- 2014: Second cycle of UPR

This year, Alkarama continued to focus on the status of non-Iraqi, Arab prisoners who remained one of the most vulnerable categories of victims in the country. American forces and/or Iraqi security services arrested the majority of these detainees between 2003 and 2007. Often accused of illegal entry into the country, many have been sentenced to long prison terms following unfair trials, often without the assistance of legal counsel and on the sole basis of confessions extracted under torture.

We remain particularly concerned by the numerous executions that took place in 2012. Our organization considers these executions to be illegal, as carried out after death sentences were handed down following trials that did not respect international fair trials standards.



OUR CONCERNS

- The increasing number of executions following unfair trials
- The systematic practice of torture and deplorable detention conditions
- The absence of an independent judiciary



OUR RECOMMENDATIONS

- Suspend death sentences that result from unfair trials;
- Authorize access to all detention facilities for independent and effective monitoring by national and international organizations;
- Undertake investigations into all allegations of human rights violations, in particular cases of torture and extrajudicial executions.



Ahmed Saleh Al Shami, Special Envoy for Libyan Detainees in Iraq



A number of Arab states are currently in talks with the Iraqi government to negotiate the repatriation of their nationals that are arbitrarily detained in inhumane conditions in Iraq. Libya had appointed Mr. Ahmed Saleh Al-Shami, a political science professor respected for his activities as a human rights defender, and he had visited Iraq several times in 2012.

While travelling with the Arab League representative at Baghdad International Airport on October 18, 2012, agents of the Iraqi intelligence services arrested him without a warrant and without giving the reasons for his arrest.

Only after two months of arbitrary detention was he released, despite the fact that a judge had ordered his release in early November 2012. Mr. Al-Shami reported being beaten by agents of the intelligence services during interrogation sessions.

Despite regional upheavals, the situation in Jordan remained relatively stable in 2012. Alternating between promises of reform and dismissing his cabinet, King Abdullah II remained stable in power, albeit by relying heavily on the security and intelligence services. Nonetheless, the fact that he has sacked 4 prime ministers since early 2011 demonstrates that he is aware of the growing popular discontent.

As in 2011, it was primarily economic policies that angered public opinion. Jordanians, particularly of lower socio-economic status, took to the streets following significant rises in fuel and gas prices in September and November. When demonstrators began denouncing corruption, the lack of political reforms, and the electoral law favouring the monarchy, security services violently repressed the peaceful protests.

Hundreds of arrests took place throughout the year. Many were referred to special courts and some reported having been victims of torture and other ill treatment in detention. Alkarama regrets that the authorities refuse to denounce these violations and open investigations, as this reinforces the climate of impunity. Peaceful activists and independent journalists have also been targeted by security services and arbitrarily detained for exercising their right to freedom of opinion and expression. Several Islamist activists detained on charges of terrorism have had no right to a fair trial. Some of them are imprisoned for years without legal proceedings.



OUR CONCERNS

- Threats to the freedom of opinion and expression;
- Systematic use of special courts and administrative detention;
- Torture and ill-treatment of detainees.



OUR RECOMMENDATIONS

- Amend legislations to create an enabling environment for civil society so that they are able monitor the human rights situation in the country;
- Investigate all allegations of torture to combat impunity;
- Remove the jurisdiction of military courts to try civilians and end administrative detention.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED X
 ICCPR OPTIONAL PROTOCOL X
 CAT OPTIONAL PROTOCOL X



UPCOMING

- January 2013: Legislative elections
- October 2013: 2nd UPR cycle

Hitherto untouched by the mass protests that have rocked the region, Kuwait witnessed some of the most important events in its history in 2012.

On 25 October of this year, more than 50,000 Kuwaitis took to the streets to protest against announced constitutional amendments which would change the electoral system on the eve of new elections. These elections were then boycotted by a large part of this opposition. Although Kuwait has an elected parliament and its citizens enjoy more political and civil rights than others in the region, the current crisis has led to a sharp decline in freedoms traditionally enjoyed by citizens and marked increase in the repression of dissent. Protests and peaceful assemblies have been dispersed and the formation of political parties remains prohibited.

The Bidun population (stateless people) in Kuwait is estimated to measure at least 120,000 people, and remains central to our concerns this year. Despite some social and economic benefits granted to the Bidun in March 2011, they continue to face discrimination and are considered 'illegal citizens'. Since December 2011, they have organized regular protests to demand their right to citizenship which have been violently dispersed by the security services.

On 11 January 2012, the Minister of the Interior announced that gatherings by 'illegal residents' were banned. Two days after his announcement, at least 50 Biduns were arrested during a peaceful demonstration. Several civil society organizations report that more than 150 people were arrested in 2012 and charged with 'participating in an illegal gathering' and 'destruction of police property'.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED X
 ICCPR OPTIONAL PROTOCOL X
 CAT OPTIONAL PROTOCOL X



UPCOMING

- 2015: 2nd UPR Cycle
- 2015: Review before CAT



Two Activists for Bidun Rights Accused of 'Illegal Assembly'



On 1 May 2012, Abulhakim Al Fadhli, an activist for the rights of Bidun in Kuwait, was arrested by the police for the third time this year due to his participation in an assembly organized in Taima, a suburb west of Kuwait City. During the third day of his detention, he was brought before the prosecutor who accused him of “inciting a protest” and “participating in an illegal assembly.”

The same accusations were used against Abdallah Al Anzi, a political activist particularly active in rallies for Bidun rights since 2011 as well as on online social networks. He was arrested in January 2012.

The persecution faced by the two men are clearly tied to their protest activities and constitute a serious attack on the freedom of expression and assembly.

Alkarama submitted their cases to the Special Rapporteur on the Freedom of Expression, calling on him to remind the Kuwaiti authorities of their international obligations.



OUR CONCERNS

- The decline of civil and political rights;
- The repression and arrest of peaceful protestors, particularly the Bidun;
- Discrimination and ill treatment of the Bidun community



OUR RECOMMENDATIONS

- Engage in a genuine political dialogue with the opposition and organize free and transparent elections to resolve the country's current institutional deadlock;
- Authorize the creation of political parties;
- Put an end to discrimination against the Bidun.

Despite the conflict in Syria and a number of internal crises throughout the year, a delicate balance remained in place in Lebanon in 2012. As in the past, power politics, played along confessional lines continued to condition developments on the Lebanese scene. In May, the death of a cleric and his companions at a military checkpoint in North Lebanon resulted in violent protests in Tripoli and armed confrontations in Beirut. Several months later, intercommunal tensions were revived after a family clan took several people hostage to obtain the release of their relatives detained by armed groups in Syria.

Due to the one-month stalemate in parliament, laws intended to bring Lebanese legislation in line with international human rights standards still have not been passed. The planned amendments include the establishment of a NHRI and a national preventive mechanism against torture. A draft law on the criminalization of torture was submitted at the end of 2012 and should be reviewed in 2013. Other critical issues such as the overly broad jurisdiction of military courts are yet to be reviewed.

Alkarama remains concerned by the trial of civilians before military tribunals and the Judicial Council; the use of confessions obtained under torture in trials; and the excessive length of pretrial detention. These problems remain the principle obstacles to guaranteeing fair trials in Lebanon. For example, those arrested in the aftermath of the Nahr Al-Bared events in 2007 still await their trials, after five years of detention. This constitutes a violation of their right to a prompt trial.

Alkarama also documented several cases of Syrian refugees deported back to their country of origin by the Lebanese despite the risk of torture they faced there. These forced expulsions constitute a grave violation of the principle of non-refoulement, enshrined in article 3 of the Convention against Torture.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED ✗
 ICCPR OPTIONAL PROTOCOL ✗
 CAT OPTIONAL PROTOCOL ✓



UPCOMING

- 25 March 2013: Trial for the assassination of former prime minister Rafik Hariri before the Special Tribunal for Lebanon
- June 2013: Parliamentary elections



Badria Abu Meri, 3 years in Baabda Prison without Trial



Badria Abu Meri was arrested in May 2010, allegedly for involvement in a highly mediatised murder case. Accused of having instigated the crime, Badria Abu Meri was summoned to court for questioning in May 2010. She testifies that she was severely tortured during her interrogation by security officers responsible for the preliminary investigation.

She was then taken to the women's prison in Baabda, a detention centre built to accommodate 36 inmates but which now houses three times that number in five cells.

As is the case with many other prisoners in Lebanon, Badria has yet to stand trial more than 2 years after her arrest. Furthermore, no effective investigations into her torture allegations have been launched.

Alkarama submitted her case to the Working Group on Arbitrary Detention on 13 July 2012. Four months later, the UN experts confirmed the arbitrary nature of her detention and called on the Lebanese authorities to release her. She remains detained in Baabda Prison to this day.



OUR CONCERNS

- The use of special courts to try civilians and excessive periods of pretrial detention;
- Impunity for acts of torture and ill treatment;
- The delay in the adoption of legislation to establish a NHRI and a national preventive mechanism.



OUR RECOMMENDATIONS

- Implement measures announced to reinforce the judicial system and ensure its conformity with international standards;
- Put a definitive end to the practice of torture in places of detention as well as to the forced return of refugees;
- Adopt without delay the draft laws relative to the creation of the NHRI and the national preventive mechanism, as required by OPCAT.

Since the end of the 2011 uprising and the internal armed conflict that followed, Libya has undertaken a process of transition that has been difficult but necessary. The major challenges which Libya faced remain the same: the country needs to undertake institutional strengthening through the shoring up of the executive, legislative and judicial branches.

In this context, this year witnessed the organization of the first legislative elections since the fall of the Gaddafi regime. The transfer of power from the National Transition Council (NTC) to the National General Congress (NGC), the new Parliament elected on 7 July 2012, also marks an important step in the process of institutional reconstruction. A government was formed in November in response to the pressing need for an executive body. The judiciary continues to suffer from a severe lack of efficiency.

Resolving security issues, including the continued presence of non-state armed militias, many of which played important roles in the fight against the Gaddafi regime, is of primary importance. Several efforts for their integration into the army and police are on-going. Although the authorities, including the NGC through various proposed draft laws, have demonstrated a commitment to improving the human rights situation in Libya, Alkarama's missions to the country have documented a trend of continuing violations. A number of serious cases of torture and arbitrary detention have been documented.

Alkarama worked in partnership with a local Libyan organisation, the Assabel Foundation, on a joint project to spread awareness of human rights standards in places of detention around Tripoli, especially the necessity of ensuring the treatment of detainees is in conformity with international law. This project involves regular visits to all detention centres, without exception, within the area around the capital.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED X
 ICCPR OPTIONAL PROTOCOL ✓
 CAT OPTIONAL PROTOCOL X



UPCOMING

- 2013: Constitutional referendum
- End Oct 2013: General Elections



Joint project with Assabel Foundation to Improve Conditions in Detention Facilities in the Tripoli Area



This project, undertaken with our Libyan partner, the Assabel Foundation, and supported by the Swiss Ministry of Foreign Affairs, aims to ensure visits to all prisons and other places of detention in the Tripoli region. This includes places of detention under the formal control of the authorities as well as those still controlled by armed militias. These visits allow the documentation of violations committed against the detainees and enable awareness-raising among those responsible for the detention centers on their responsibilities and obligations under national and international law. Special attention was paid to the international obligations of Libya under the International Covenant on Civil and Political Rights and the Convention against Torture.

Within the framework of this project, Alkarama also works to enhance the capacities of our partner, the Assabel Foundation, as well as to monitor and evaluate the project in general. Finally, the information collected and the documented cases on the ground will be sent to the UN human rights mechanisms in order to encourage the authorities to improve the conditions to the level necessary to ensure the rule of law.



OUR CONCERNS

- The persistence of torture and other ill-treatment in several places of detention, in particular those outside control of the official authorities;
- The incapacity of the judicial system to guarantee the right of detainees to challenge the legality of their detention, to be tried in a timely manner, or to investigate allegations of torture or ill-treatment.



OUR RECOMMENDATIONS

- Investigate all violations committed by all parties and bring those responsible to justice;
- Establish legal procedures to guarantee and protect the rights of detainees and to ensure oversight of all places of detention without delay;
- Ensure harmonization of domestic law with international human rights standards.

Despite the government's pledges during its review before the Human Rights Council to put an end to torture as well as the use of excessive force by security services, the human rights situation in the country remains marked by the persistence of serious human rights violations and growing regional instability.

Although Mauritania ratified the ICCPED on 3 October 2012, fourteen people taken to Nouakchott prison by soldiers on 23 May 2011 and transferred to an unknown location are still considered as "disappeared." The authorities refuse to this day to inform their families of their current whereabouts.

Mauritania also ratified OPCAT in October 2012. The effective implementation of this protocol, especially the creation of a national protection and surveillance mechanism of the country's detention centres, constitutes an important step in the fight against torture.

Numerous violations are committed by the security services under the cover of the fight against terrorism. The issues of freedom of expression and the abolition of slavery remain problematic in Mauritania. Abolished in 1980 and sanctioned as of 2007, a draft law adopted by the government on 29 November 2012 established slavery as a crime against humanity. Anti-slavery activists, however, emphasize the lack of political will to actually implement these measures and illustrate the issue by pointing to the early release this year of the sole person convicted of slavery under the 2007 law.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED ✓

ICCPR OPTIONAL PROTOCOL ✗

CAT OPTIONAL PROTOCOL ✓



UPCOMING

- May 2013: Review before the CAT
- November 2013: Review before the HRCtee



OUR CONCERNS

- The use of torture in places of detention;
- Incommunicado detention of 14 people;
- The failure to establish and effectively implement legislation to abolish slavery.



OUR RECOMMENDATIONS

- Bring a definitive end to the excesses committed in the fight against terrorism, in particular torture and secret detention;
- Put in place the national preventive mechanism, and guarantee independence by ensuring a strong and pluralistic participation of civil society.

Since the promulgation of a new constitution and the 2011 legislative elections which brought in a new government, Morocco has launched itself on a process of change and reform.

During its UPR before the UN Human Rights Council in May 2012, Morocco presented these reforms and accepted a number of recommendations made during the review.

Morocco also accepted a visit from the Special Rapporteur on Torture, Mr Juan Méndez, in September 2012 and is considering ratification of the Optional Protocol to the Convention against Torture (OPCAT), the Optional Protocol to the International Covenant on Civil and Political Rights, and the Convention on Enforced Disappearances.

The legislative changes introduced since 2011 and the current ratification process, in particular the OPCAT that provides for the creation of a national mechanism responsible for the monitoring of places of detention, are important steps in strengthening the rule of law in Morocco. The conclusion of the judicial reform now underway is eagerly awaited.

However, cases of excessive use of force in response to peaceful protests or ill-treatment in detention should be systematically investigated, and those responsible prosecuted, in order to put an end to these practices.

Furthermore, a complete review of the situation of those convicted as a result of unfair trials solely based on confessions obtained under torture before the enactment of the 2011 constitution would finally close the chapter of past violations. It would also confirm the willingness of authorities to work constructively with UN mechanisms such as the treaty bodies and the Human Rights Council.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED X
ICCPR OPTIONAL PROTOCOL X
CAT OPTIONAL PROTOCOL X



UPCOMING

- OPCAT ratification process and implementation
- ICCPED ratification process and implementation



UN Calls for the Release of Mohamed Hajib, Sentenced After an Unfair Trial



Mohamed Hajib, a German and Moroccan dual national, was arrested on 17 February 2010 at Casablanca Airport, upon arrival from Frankfurt. Accused of 'creating a criminal group' and 'financing terrorism', following an expedited trial before the Court of Rabat, on 24 June 2010 he was sentenced to ten years imprisonment on the sole basis of confessions extracted under torture. His sentence was reduced to 5 years upon appeal on 9 January 2012.

Since the successive waves of mass arrests that followed the Casablanca attacks in 2003, confessions obtained under torture during preliminary investigations by security services have too often been the only evidence used by the Moroccan courts to convict numerous individuals.

The Working Group on Arbitrary Detention, who Alkarama informed of Mohamed Hajib's situation, noted in Opinion N° 40/2012 adopted on 31 August 2012, that the arbitrary nature of his detention occurred "in violation of articles 5, 9, 10 and 11 of the Universal Declaration of Human Rights and articles 7, 9 and 14 of the International Covenant on Civil and Political Rights." The UN experts urged Morocco to release him immediately and to guarantee him adequate reparation as per article 9 of the ICCPR. Mohamed Hajib remains detained in Tiflet prison.



OUR CONCERNS

- The continued detention of more than 600 people sentenced under the 2003 Anti-Terrorist Law following unfair trials;
- Harsh conditions of detention and ill-treatment;
- Excessive use of force in response to peaceful protests.



OUR RECOMMENDATIONS

- Finalize the complete reform of the judicial system;
- Repeal the draconian anti-terrorist provisions of law 03-03, notably its definition of terrorism;
- Establish the national protection mechanisms provided for under OPCAT and guarantee its independence by a strong and pluralistic participation of civil society.

The human rights situation in the Sultanate of Oman, which was the scene of unprecedented protests in 2011, has not improved this year. Despite the social measures taken by the Sultan and the dismissal of some members of government to momentarily appease tensions, civil society remains mobilized and continues to call for democratic reforms and to be given a chance to participate in the governing of the country.

Employees of the oil sector organized strikes and demonstrations throughout 2012 to demand better working conditions and salaries. Despite the peaceful nature of these protests, they were violently repressed by the Omani police forces.

2012 was also marked by serious attacks on the freedom of expression including a wave of massive repression against peaceful activists that began on 31 May 2012 with the arrest of three founders of the Omani Group for Human Rights: Ismail Al Meqbali, Habiba Al Anai, and Yacoub Al Khorousi as they visited the Fahud oil camp to interview the striking workers of the petroleum sector.

In the following months, dozens of other political activists, cyber-activists, and human rights defenders that participated in peaceful protests in front of the Lower House of the Council of Oman were arbitrarily arrested for exercising their right to freedom of expression and assembly. More than twenty of them were sentenced to prison terms following unfair trials and on charges such as “defamation of the person of the Sultan” (Article 126 of the Criminal Code).



WHAT IS RATIFIED

ICCPR **X** CAT **X** ICPPED **X**

ICCPR OPTIONAL PROTOCOL **X**

CAT OPTIONAL PROTOCOL **X**



UPCOMING

- 2015: Second UPR cycle



Human Rights Defender Said Al Hashimi sentenced to 18 months for Peaceful Protest



A figurehead of the peaceful demonstrations since 2011 and a prominent human rights defender, Said Ben Sultan Al Hashimi was sentenced with 18 other activists on 12 December 2012 by the Court of Appeal of Muscat to one and a half years in prison on the charge of having “participated in a banned rally” and “disrupting traffic.” He is currently held in the central prison of Samail.

For several years, this employee of the Upper House of the Council of Oman regularly spoke to the international media on the situation of human rights in his country and called for institutional reforms. He participated in peaceful gatherings denouncing corruption and calling for the political participation of citizens.

Special Forces police arrested him on 11 June 2012 with dozens of other activists who were peacefully protesting against the detention of three other human rights defenders who had been arrested on 31 May 2012.

On 27 December 2012, Alkarama submitted his case to the UN Working Group on Arbitrary Detention.



OUR CONCERNS

- The arbitrary detention of political activists and human rights defenders;
- Restrictions on the freedom of expression and the right to peaceful assembly and protest.



OUR RECOMMENDATIONS

- Release all those detained arbitrarily for having participated in peaceful demonstrations;
- Guarantee the freedom of expression and the right to peaceful assembly;
- Ratify ICCPR.

Two major events marked Palestine in 2012: the Israeli offensive on the Gaza Strip in November and the accession of the Palestinian Authority to «non-member observer state» status at the UN.

The Israeli offensive, which began with the targeted assassination of a Hamas military leader on 14 November, resulted in the deaths of 106 civilians, most of them killed during Israeli shelling of highly populated areas. Alongside this offensive, peaceful protests in support of the people of Gaza took place in the West Bank and were violently repressed by Israeli forces, leading to the deaths of three demonstrators. Following the Gaza offensive, tensions between West Bank Palestinians and Israeli occupation forces, who carried out vast campaigns of arrests, have worsened.

On 19 November 2012, the Palestinian Authority obtained «non-member observer state» status at the UN by a margin of 138 votes «for»; 9 votes «against» and 9 abstentions. This decision by the General Assembly marked the rise of the Palestinian territory to the rank of a state, supported by a significant part of the international community.

Unfortunately, a number of countries called on the Palestinian Authority to refrain from ratifying UN Conventions or the Rome Statute.

The ratification of this Statute would allow Palestine to bring war crimes and crimes against humanity committed by Israeli forces in its territory to the International Criminal Court, in particular cases of summary executions and torture committed by the Israeli army and police. In addition, the ratification of treaties such as the Convention against Torture or the International Covenant on Civil and Political Rights would oblige the Palestinian authorities to take concrete steps to address the situation of human rights on their territory, including on the issue of the treatment of members of the political opposition.



WHAT IS RATIFIED

ICCPR X CAT X ICCPED X

ICCPR OPTIONAL PROTOCOL X

CAT OPTIONAL PROTOCOL X



UPCOMING

- January 2013: 2nd UPR cycle of Israel
- June 2013: Presentation by the Special Rapporteur on the Situation of Human Rights in the Occupied Palestinian Territories to the HRC



Rushdi Al Tamimi, Palestinian killed by the Israeli Defence Forces in the West Bank



Peaceful demonstrations were held across the West Bank to protest against the Israeli offensive in the Gaza Strip between 14-21 November 2012. These gatherings were violently repressed by the Israeli security services who employed an excessive use of force and arrested dozens of protestors.

On 17 November, Israeli soldiers raided the village of Nabi Saleh in Ramallah and opened fire on protestors, killing Rushdi Al-Tamimi deliberately despite the fact that he was a peaceful protestor.

Alkarama submitted his case to the Special Rapporteur on Extrajudicial Executions on 13 December 2012.



OUR CONCERNS

- Impunity of Israeli forces for war crimes committed in Gaza and in the West Bank;
- Widespread practice of arbitrary arrests, administrative detention, and torture or other cruel, humiliating or degrading treatment by the Israeli forces against Palestinian political activists and human rights defenders;
- Repressive measures undertaken by Palestinian authorities against the political opposition.



OUR RECOMMENDATIONS

- Ratify human rights international treaties;
- Open prompt, impartial and effective inquiries into violations of human rights committed by the Palestinian authorities.

Qatar has in large part been spared the unrest experienced by the rest of the Arab world. Although the first elections with universal suffrage planned for 2013 seem to foretell a democratic breakthrough, much progress remains to be made in the respect of human rights in the country. The power to arrest and arbitrarily detain suspects based on the “protection of society” law as well as the anti-terrorism law remains a serious concern for Alkarama.

The country is home to several international television channels, notably Al Jazeera that played an important role in the media coverage of the popular protest movements in the Arab world, with the exception of the Gulf. Although Qatar seems to have created a relatively favourable atmosphere for the media, the case of the poet Mohammed Al Ajami, known as Ibn al-Dhib, who was sentenced to life in prison for defamation of the Emir, defies the image of a country that respects freedom of expression and opinion. Despite the fact that the constitution protects these rights, in reality the media practices self-censorship on certain topics.

On 5 and 6 November 2012, the UN Committee against Torture reviewed Qatar. In their concluding observations, the experts made recommendations to Qatar, many of which had been submitted by Alkarama in its alternative report. These included the need for Qatar to take effective measures to guarantee the independence of the judiciary and to prosecute those people responsible for torture.

The issue of migrant workers is also a concern for our organization, especially in the context of the exceptional growth experienced by the country. Finally, the situation of persons deprived of their nationality (Bidun) has yet to be resolved.



WHAT IS RATIFIED

ICCPR **X** CAT **✓** ICPPED **X**

ICCPR OPTIONAL PROTOCOL **X**

CAT OPTIONAL PROTOCOL **X**



UPCOMING

- 2013: First elections with universal suffrage of the members of the Consultative Council
- May 2014: Second cycle of UPR



The poet Ibn Al Dhib sentenced to life for defamation



The Qatari poet Mohammed Al Ajami, known as Ibn Al Dhib, was arrested on 16 November 2012 and sentenced to life in prison on 29 November 2012 for “inciting the overthrow of the regime,” “attacking the constitution,” and “defamation” of the crown prince Tamim bin Hamad al-Thani.

The court reproached him for the defamatory content of two poems written in 2012 and 2011. One of them, entitled “Poem of the Garden,” pays homage to the Tunisian revolution. He writes: “all of Tunisia faces a repressive elite,” expressing his hopes that the protest movements spread to the Arabian Gulf.

This highly mediatised case illustrates without a doubt the double-standard of the Qatari authorities. While Qatar presents itself as anti-dictatorial and a defender of the freedom of expression, it commits flagrant violations of this same right against its population.

The poet’s lawyer, Mr Al Nuaimy, the former Minister of Justice of Qatar, stressed that the sentence issued is very heavy in view of the charges and normally only applicable in cases of an “attempted coup.” Al-Dhib’s lawyer announced that he would be appealing the conviction.



OUR CONCERNS

- Attacks on freedom of expression;
- The situation of migrant workers and stateless people;
- Arbitrary detention and ill-treatment in detention.



OUR RECOMMENDATIONS

- Guarantee the freedom of expression and release all individual detained for having expressed his or her opinions;
- Regularize the status of the remaining stateless people residing in the country;
- Ratify the International Covenant on Civil and Political Rights.

In 2012, the authorities continued to ignore civil society's calls for institutional reforms in the Kingdom of Saudi Arabia (KSA) and those of the families of prisoners to release thousands of their relatives detained arbitrarily for years without due process.

Since July 2012, dozens of peaceful rallies were organized by the families of detainees, in particular their wives, in front of official administrative buildings or detention centres throughout the country. During these unprecedented protests outside of Al Hayer, Buraidah, and Dammam prisons, the wives of victims called upon the authorities to release their family members despite facing reprisals. More than 500 women, wives, mothers, and daughters of detainees also signed a public petition on 23 July 2012 to reiterate their demands.

July 2012 was also marked by violent incidents inside Al Hayer Prison, the largest penitentiary in the country a few kilometres from Riyadh. A protest movement broke out in the prison after a guard beat and humiliated a detainee suffering from cancer who had asked for his medication.

This movement, which began in the wing for political detainees, then spread throughout the prison before being violently repressed. For several weeks, no information came into or out of the prison and the families were not permitted to visit. Several rallies were held outside the prison but were violently dispersed by riot police and security services.

Human rights defenders and activists in the reform movement continue to suffer persecutions and reprisals. Four members of the Saudi Association for Civil and Political Rights (ACPRA), a human rights NGO founded in 2009, were victims of legal harassment and arbitrary detention for having denounced violations of fundamental rights of detainees and the lack of independence of the judiciary.



WHAT IS RATIFIED

ICCPR **X** CAT **✓** ICPPED **X**
 ICCPR OPTIONAL PROTOCOL **X**
 CAT OPTIONAL PROTOCOL **X**



UPCOMING

- Spring 2013: verdict of the Al Qahtani/Al Hamid case, co-founders of the ACPRA
- October 2013: Second UPR Cycle



Human Rights Defenders from ACPRA Victims of Reprisals



In 2012, four members of the ACPRA were subjected to arbitrary detention, judicial harassment and travel bans. These retaliatory measures were aimed at preventing their activities as human rights defenders.

Mohammad Al Qahtani and Abdullah Al Hamid, co-founders of ACPRA and prominent human rights defenders have been the target of legal harassment. Accused of “participating in the establishment of a human rights organization” and of “giving false information to international apparatuses,” their trial began in June 2012. Nine hearings were held, of which the first four were behind closed doors. The verdict is expected in 2013. They face heavy prison

sentences.

Mohamed Al Bjady is also a founder of ACPRA and was arrested on 21 March 2012, then sentenced by the Special Criminal Court in Riyadh on 10 April 2012 to 4 years in prison in a closed trial without access to a lawyer, on the grounds that he co-founded a human rights organization and incited families of political prisoners to undermine the reputation of the state and the independence of the judiciary. Suleiman Al Rashoudi, a 78-year-old lawyer, was arrested on 12 December 2012 for having publicly declared that the right to assemble, form associations, and hold peaceful protests were internationally recognized rights.



OUR CONCERNS

- The systematic repression of political activists and human rights defenders;
- The lack of independence of the judiciary;
- The use of torture in interrogations, widespread arbitrary detention, and unfair trials.



OUR RECOMMENDATIONS

- Put an end to the practice of arbitrary detention and torture; release detainees who have not had a legal process or have completed their sentence;
- Abolish the special criminal court of Riyadh established by the Interior Ministry;
- Put an end to reprisal against human rights defenders;
- Ratify the ICCPR and collaborate with the UN human rights mechanisms.

At the end of 2012, the High Commissioner on Human Rights announced that 60,000 people had been killed in the 21-month Syrian conflict. The constant increase, throughout the year, of the number of victims demonstrates an escalation of the limited clashes of 2011 into continuous fighting between the parties to the conflict. Furthermore, the regular Syrian army made greater use of aviation and heavy weaponry against the insurgents. The Syrian conflict has also resulted in the forced displacement of hundreds of thousands of people and a worsening of the humanitarian situation on the ground.

The conflict, almost in its second year, further erodes the cohesion of Syrian society each day it drags on. Confrontations have taken a sectarian character as President Bashar al-Assad seeks to reinforce the loyalty of his community of Alawites and other supporters. The inability of the diverse factions of the opposition to form a united front despite the encouragement of the international community and the latter's inability to agree on a common position regarding the Syrian conflict have also helped perpetuate the conflict, further weakening the already crumbling confidence of the Syrian public.

As the media reports the continued political impasse and the ever-increasing number of victims on a daily basis, repression continues in the shadows, including extrajudicial executions, forced disappearances, torture, and arbitrary arrests. Equally worrying is the seemingly deliberate targeting of independent journalists, human rights defenders, humanitarian workers, and medical personnel. Repression has exacerbated the effects of the conflict and raises fears that a solution remains out of reach in the short term.

In 2012, Alkarama focused on documenting cases of human rights defenders who have been subjected to these violations. The arrest of 16 human rights activists during a raid by the security services on their office in February 2012 demonstrates the targeted repression human rights defenders suffer. Five activists, among them journalist Mazen Darwish, were sentenced in an unfair trial in August 2012, and remain in detention to this day.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED ✗

ICCPR OPTIONAL PROTOCOL ✗

CAT OPTIONAL PROTOCOL ✗



UPCOMING

• Reports of the UN Commission of Inquiry



Report "Crimes against humanity in Syria, systematic torture to repress dissent," 2 May 2012

For the first time since 1997, the Committee against Torture decided to hold an extraordinary session to discuss the situation in Syria outside of the usual review process that takes place every four years. The decision was taken by the Committee on the basis of evidence of a widespread and systematic practice of torture in the country.

Alkarama was one of only three civil society organizations that formally participated in the special review of the state party by the Committee by submitting several alternative reports. Our observations were reviewed by the Committee, which confirmed the existence of "widespread, gross and continued human rights violations.»

The fact that the experts have integrated the terminology of the Rome Statute in their Final Recommendations can be interpreted as implicit support of the Committee for referral to the International Criminal Court.



OUR CONCERNS

- Fears of a worsening sectarian conflict and its impact on societal cohesion;
- The persistent impunity of those who commit war crimes and crimes against humanity;
- Massive and widespread practice of enforced disappearances, torture, arbitrary arrests and detention, in particular against human rights defenders, journalists, political activists and humanitarian workers.



OUR RECOMMENDATIONS

- Make a credible commitment to protect all communities without distinction and immediately cease all reprisals against civilian populations;
- Put an end to the practice of extrajudicial executions, enforced disappearances, torture, and arbitrary arrests;
- Shed a light on all cases of missing persons and release all those arbitrarily detained.

Since the independence of South Sudan, the economic situation has deteriorated, leading to protests against massive inflation, rises in food prices, and the removal of fuel subsidies.

The largest protests broke out in June and July 2012 in Khartoum and large urban centers in response to government economic policies and called for the removal of the regime. A large number of political activists, among them leaders of the opposition parties, were arrested arbitrarily and were the victims of torture and other ill-treatment.

The year 2012 therefore saw a rise in violations of civil and political rights, particularly the right to freedom of expression and opinion. Human rights defenders, journalists, and students were victims of arrest and arbitrary detention, torture, and summary executions.

Between September and December 2012, students in several cities, including Nyala and Darfur, organized peaceful protests that were also violently repressed by the security services. Hundreds of people were arrested and detained arbitrarily and a dozen students were summarily executed.

The arrests of activists and students, torture in places of detention, and the closure of human rights NGOs by the Sudanese government were our principle sources of concern in 2012.



WHAT IS RATIFIED

ICCPR ✓ CAT ✗ ICCPED ✗

ICCPR OPTIONAL PROTOCOL ✗

CAT OPTIONAL PROTOCOL ✗



Sudanese Journalist tortured by Intelligence Services



On 2 November 2012, Somaya Handoussa, a 24-year-old journalist and political activist, was found in a suburb north of Khartoum with a shaved head and body covered in signs of torture. Intelligence and national security agents had abandoned her there after having interrogated and tortured her over five days.

In the evening of 29 October 2012, Somaya Handoussa was arrested in the middle of the street near her home by a group of intelligence and national security agents in plain-clothes. She was brought to a detention centre under the control of these services where she was secretly detained for five days. Her torturers accused her of having written insulting articles about the Sudanese president and criticizing the regime. Somaya Handoussa was released after five days of this treatment. No legal charges were ever brought against her.

Alkarama submitted her case to the Special Rapporteur on Torture to call upon the Sudanese authorities to open an independent and impartial investigation into the allegations of torture, to prosecute those responsible and provide her with adequate reparation.



OUR CONCERNS

- Excessive use of force and the practice of torture in places of detention, in some cases leading to death;
- Attacks on the freedom of expression, opinion, and assembly;
- Disproportionate use of force against peaceful demonstrators.



OUR RECOMMENDATIONS

- Outlaw torture in all places of detention;
- Guarantee that all allegations of torture, summary executions, and arbitrary detention are independently investigated;
- Ratify CAT, OPCAT and ICCPED.

The initiator of the popular uprisings in the Arab world in 2011, Tunisia is now in a long and difficult phase of building new state institutions. This transitional process follows 23 years of rule by former President Ben Ali, marked by arbitrariness and systematic human rights violations. The National Constitutional Assembly, elected in October 2011, has the difficult task of drafting a constitution that will be voted on by referendum. This highly anticipated text is at the centre of political and societal issues, as are the quest of structural reform of the judicial system. Its adoption will be an important step in establishing the rule of law.

Economic and social conditions led to protests in the country, against which the security forces repeatedly used excessive force. In November 2012, events organized by the Tunisian General Labour Union (UGTT) erupted in Siliana to demand the departure of the government and an improvement in living conditions. The use of birdshot by the security services resulted in more than two hundred injured.

In May 2012, Tunisia underwent its Universal Periodic Review and expressed its desire to break with the serious human rights violations of Tunisia's past and its determination to reinforce the rule of law, particularly by reforming the judicial system.

Implementation of international commitments, including the training of security services, will mark a major advancement in the respect of human rights and the end of the practices of the past in Tunisia. n



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED ✓

ICCPR OPTIONAL PROTOCOL ✗

CAT OPTIONAL PROTOCOL ✓



UPCOMING

- 2013: Adoption of the new constitution
- 23 June 2013: General elections



OUR CONCERNS

- The delay in the political reform process;
- The excessive use of force by security services during the protests organized by the UGTT and opposition parties.



OUR RECOMMENDATIONS

- Put in place a national prevention mechanism for torture and ratify the OPICCCR;
- Take measures to reform the police apparatus and to ensure the independence of the judiciary;
- End impunity of those who commit serious human rights violations and open investigations into ill-treatment in detention and the excessive use of force.

The human rights situation in the UAE seriously deteriorated in 2012 with dozens of peaceful political activists and human rights defenders being arrested; arbitrarily detained; and even deprived of their citizenship and expelled from the country under the pretext that they pose a threat to national security.

Members of Al-Islah and human rights defenders who signed a petition calling for democratic reforms including the election of all members of the Federal National Council were detained for many months in secret. Dr. Mohamed Al Roken and Mohammed Al Mansoori, two prominent lawyers who have defended victims of human rights violations for years, were among those detained.

These serious violations have been universally denounced by the international community, including by the UN and European Parliament, who adopted on 26 October 2012 a resolution condemning “the attacks and crackdowns and intimidation against... human rights defenders, political activists, and civil society actors who peacefully exercise their rights to freedom of expression, opinion and association.”

The attacks on freedom of expression worsened when in November 2012 a federal decree on the fight against cybercrime (Decree No. 5/2012) was adopted. This decree severely restricts one of the few areas where freedom of expression still existed in the UAE. It provides for prison sentences for the use of the internet to criticize authorities or call for peaceful gatherings, actions now classified as violations of “international security.”

The practice of torture is central to our concerns. Several cases of torture have been documented this year, including dozens of peaceful activists held for long periods in secret.

The situation of the Bidun (stateless people) has hardly improved. Ahmad Abdul Khaleq, a Bidun activist, was expelled from the UAE to Thailand after being forced to accept a Comoran passport, a country to which he has no connection, for having peacefully expressed his opinions.



WHAT IS RATIFIED

ICCPR **X** CAT **✓** ICPPED **X**
 ICCPR OPTIONAL PROTOCOL **X**
 CAT OPTIONAL PROTOCOL **X**



UPCOMING

- 28 January 2013: Second cycle of UPR
- 4 March 2013: Beginning of trials against activists and human rights defenders



Dr. Mohamed Abdullah Al Roken, Emirati Human Rights Defender, Detained since 17 July 2012



A member of the International Bar Association and a former president of the Association of Emirati Lawyers, Dr. Al-Roken is a lawyer and human rights defender from the UAE. For several years, he has provided legal assistance to human rights defenders and political activists who have been arbitrarily detained, subject to travel bans, or tortured for having expressed their opinions.

Recently, Dr Al Roken defended the group known as the 'UAE7', seven peaceful political activists who have been deprived of their nationality for calling for reforms. Dr. Al-Roken was arrested in Dubai during the night of 17 July 2012 by the Emirati security services during the largest crackdown on human rights activists and political opponents in the country's history. He remains detained in an undisclosed location.

Dr. Al-Roken was the Laureate of the Alkarama Award for Human Rights Defenders in 2012.



OUR CONCERNS

- Arrests and arbitrary detention of political opponents and human rights defenders;
- The use of torture and other ill-treatment;
- Harassment of human rights defenders, especially those who cooperate with the UN Special Procedures;
- Attacks on the freedom of expression by the adoption of the federal decree relative to the fight against cybercrime (Decree No. 5/2012).



OUR RECOMMENDATIONS

- Guarantee greater political participation of citizens, undertake reforms and ratify the ICCPR;
- Immediately release all political activists and human rights defenders arbitrarily detained for having expressed their opinions;
- Put an end to reprisals against human rights defenders

The year 2012 in Yemen was marked by the arrival to power of Abed Rabbo Mansour Hadi, following the popular uprising against President Ali Abdallah Saleh in 2011. The new president is charged with implementing the political transition process, including the adoption of a new constitution and the restructuring of the various branches of the security services.

While the current transition process has pushed back the spectre of civil war, the situation of human rights in the country remains worrying. Members of the former regime continue to enjoy total impunity for their grave violations of human rights, especially those committed during the uprising of 2011 and the political polarization has favoured international intervention. Drone attacks and extrajudicial executions committed by American forces against civilians, which elicit a great deal of resentment in society, remain at the heart of our concerns. The fight against terrorism was used as a justification for numerous arrests and arbitrary detentions documented this year.

The national dialogue process to reunite all political and confessional factions in order to propose a new constitution is critical for the issues of transitional justice and the resolution of problems posed by armed groups in the north and south.

Despite security and economic difficulties, the transitional authorities were able to make small improvements in basic services to citizens as well as foster more freedom of expression for civil society associations. A ministerial committee in charge of detainees held abroad, particularly at Guantanamo Bay, was also created.



WHAT IS RATIFIED

ICCPR ✓ CAT ✓ ICCPED ✗

ICCPR OPTIONAL PROTOCOL ✗

CAT OPTIONAL PROTOCOL ✗



UPCOMING

- February 2014: Second UPR Cycle
- 2014: State report to CAT due
- 2015: State report to HRCtee due



Review of Yemen before the Human Rights Committee in New York



The Human Rights Committee examined Yemen's implementation of the ICCPR in March 2012 in New York. During this review, a high level Yemeni delegation, composed of political personalities such as the Minister of Human Rights, presented its national report to the Committee's experts. As part of a project supported by the Netherlands Human Rights Fund which aims to improve civil society interaction with the UN committees, Alkarama and Hood, our partner in Yemen, traveled to New York to participate in the review and discuss the latest developments of the human rights situation in the country with the Committee experts.

These experts noted in their review of Yemen several of the issues of concern that we had raised. We were able to meet with the Minister of Human Rights for Yemen several times on this occasion to express our concerns.

We also filmed and broadcast the session to allow Yemeni civil society which was unable to be present to follow the review in Yemen.



OUR CONCERNS

- Extrajudicial executions of civilians by American drones;
- Arbitrary detentions and use of torture and other ill-treatment;
- Impunity of those responsible for serious human rights violations



OUR RECOMMENDATIONS

- Put an end to arbitrary detention, torture and other ill-treatment;
- Prosecute all those responsible for serious human rights violations, in particular during the repression of demonstrations in 2011, including senior leadership figures and the security forces;
- Engage in a constructive dialog with all sectors of Yemeni society to create a new constitution.

HOW DO WE WORK?

