



The logo for Alkarama, featuring a stylized orange arch above the Arabic word "الكرامة" (Alkarama) in blue, with the English word "Alkarama" below it in the same blue color.

الكرامة
Alkarama

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**ANNUAL
REPORT**



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ABOUT ALKARAMA

Alkarama is a Geneva-based non-governmental human rights organisation established in 2004 to assist all those in the Arab world subjected to or at risk of extrajudicial execution, enforced disappearance, torture, and arbitrary detention. Acting as a bridge between individual victims and international human rights mechanisms, Alkarama works towards an Arab world where all individuals live in freedom and dignity, and are protected by the rule of law. In Arabic, Alkarama means dignity.

Assisting victims of human rights violations

Alkarama brings pro bono legal assistance to victims of the most serious human rights violations, without any discrimination. The organisation focuses its efforts on violations of the right to life, human dignity, physical integrity and freedoms such as, [extrajudicial executions](#), [enforced disappearances](#), [torture](#), and [arbitrary detention](#).

Using the international human rights mechanisms and working closely with the Office of the United Nations High Commissioner for Human Rights (OHCHR), we document individual cases of violations through direct contact with the victims, their families or lawyers, and submit complaints on their behalf to the United Nations (UN) Special Procedures and Treaty Bodies, asking them to intervene with the State in question to put an end to these violations.

Alkarama also gives a voice to the victims or their families by sharing their stories, as well as the recommendations issued by the various UN mechanisms on their cases, both on our website and through our social media channels. We also use the media, lobbying, advocacy campaigns, and collaboration with other NGOs and civil society to ensure the protection of victims.

Advocate for reforms to respect and protect human rights in all Arab countries

Based on our expertise on the Arab world and the individual cases Alkarama documents, we prepare in-depth reports on the human rights situation in each of the 20 countries we cover. These can be public reports, submissions to the Treaty Bodies – such as the Committee against Torture (CAT), the Human Rights Committee (HRCtee), and the Committee on Enforced Disappearances (CED) – ahead of a country’s review, or contributions to the Human Rights Council’s Universal Periodic Review (UPR) that takes place every four to five years. We also work with local civil society to participate in the reviews of National Human Rights Institutions in the Arab region by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions (GANHRI).

On the basis of information submitted to them, all of these mechanisms issue recommendations aimed at improving the human rights situation in a given country, which can in turn be used by the local civil society to lobby for their implementation.

Raising awareness on human rights in the Arab world

Alkarama also brings media attention to the cases and situations it covers, helping victims to have their voices heard and shedding light on the human rights situation of a country, through press releases as well as public reports and analyses published in various media outlets. In order to reach a broader audience, we increasingly rely on social media, particularly Twitter and Facebook.

FORWARD

Today, more than ever, the fight against impunity in the Arab World must persist

Reporting on the human rights issues that Alkarama has covered this year across the Arab region, one cannot help but notice that impunity stands out as a recurring theme, a defining feature of the various countries in the region, despite their differences. It has benefited successive regimes and non-state actors alike, both in times of war and in times of peace.

Today, impunity has become a shared culture across the region. It is so entrenched that perpetrators from all sides have benefited from it, while victims from all backgrounds continue to suffer its consequences.

The road toward accountability and justice may be long and strenuous; it remains an imperative journey and a fundamental responsibility for the human rights community globally. Facing the powerful actors that enjoy this impunity and the many obstacles in obtaining justice for their victims, one can quickly question the effectivity of international human rights advocacy. In the midst of doubt, we hold on firmly to our conviction that this work must be done and carried out, generation after generation.

Alkarama firmly believes that first, documenting injustice, case by case, report by report, is a foundational part of building justice and accountability. Bringing cases of human rights violations to international legal mechanisms means bearing witness to the abuses and atrocities committed throughout the region. As a legal organisation, Alkarama understands that reliable fact-finding is key to ensuring the success of future accountability mechanisms.

Furthermore, as it is essentially a failure to bring perpetrators of a human rights violation to justice, impunity also constitutes a self-standing violation to the victims right to truth, redress, and justice. Over the years, Alkarama has made considerable efforts to advocate for victims of violations and to obtain, through documented submissions, resolutions and recommendations from various UN mechanisms denouncing violations and urging to improve the human rights situation. For many victims, these resolutions represent the only meaningful opportunity to obtain some form of recognition, if not relief and justice.

This mission is even more important given the absence of domestic accountability mechanisms be they legal, mediatic, or civil society based. Across the region, the independence of the judiciary is inexistent, national human rights institutions remain under the control of the executive authorities,

civil society spaces are restricted by repressing laws. One-fourth of the countries cited in the 2022 UN Secretary General [report](#) on reprisals committed by UN state members against individuals who cooperate with the United Nations are from the MENA region. Moreover, according to the 2022 [Press Freedom Index](#), the quasi totality of the MENA countries is graded in the lowest third globally in terms of press freedom and journalist safety.

The adoption of laws and policies suppressing fundamental liberties have put journalists, lawyers, human rights defenders, and other peaceful activists under constant threat for their freedom and even their lives. This is far from being insignificant: impunity is more easily achieved in the absence of free media.

Over the years, Alkarama has shed light on the shared pattern of Arab governments of punishing human rights defenders and victims who dare to seek remedy before the UN mechanisms. Counterterrorism and national security remain the favourite justifications for MENA countries to crack down on their civil societies and peaceful dissenting voices.

As highlighted by the UN Assistant Secretary-General for Human Rights in the 2022 [report](#) on reprisals against those who cooperate with the United Nations, “laws and regulations in place

have been used to, or had the effect of, deter or punish individuals and organizations for their cooperation with the UN based on counter-terrorism, national security arguments, or laws governing activities of civil society”.

In spite of these reprisals and intimidation, the UN human rights advocacy in the Arab World that Alkarama developed is only growing. Far from achieving their objective of silencing voices calling for justice and accountability, crackdowns on civil society by authoritarian states should rather be interpreted as the last gasps of their impunity.

While we are nearing two decades of relentless advocacy, we have witnessed the creation of new civil society organisations and increased engagement with the United Nations human rights mechanisms. We therefore express our gratitude to the steadfast and dedicated men and women who risk their lives to defend dignity and human rights in the Arab region and keep speaking up for those who are being silenced by their governments.

We also sincerely thank the United Nations independent experts in charge of special procedures, the treaty bodies and the OHCHR staff for their dedicated cooperation and continued trust and support.

THE GULF

Alkarama's concerns on the situation in the Gulf remain the same with heightened care over some countries such as **Saudi Arabia**, the **United Arab Emirates** (UAE) and **Yemen**. While issues such as crackdowns on freedom of expression, peaceful assembly and association and reprisals against peaceful dissidents, political opponents and human rights defenders are a common thread in the region, torture and ill-treatment in detention worryingly persist in countries such as **Bahrain**, **Saudi Arabia**, the UAE and **Yemen**.

In November 2022, **Bahrain's** human rights record was [examined](#) by the UN Human Rights Council's Universal Periodic Review ([UPR](#)). The review provided an opportunity for civil society to highlight systematic violations such as the use of torture by the security forces, and the absence of accountability for perpetrators as well as the use of counter-terrorism laws against political opponents, human rights defenders, and other peaceful activists.

In April 2022, the [Human Rights Committee](#) (HR Committee) issued its first [concluding observations](#) on **Qatar** since the country's accession to the International Covenant on Civil and Political Rights (ICCPR). The experts' main concerns regarded the country's counter-terrorism legislation which allows for "long periods of pretrial detention without adequate judicial review". In previous [reports](#) submitted to UN experts, Alkarama highlighted the issue of the lack of protection of fundamental guarantees detention in the counter-terrorism law.

Another issue that was also [raised previously](#) by Alkarama is the lack of respect for the non-refoulement principle which imposes on countries not to deport, expel or extradite individuals at risk of torture in the receiving state. The HR Committee [echoed](#) previous recommendations made by [Alkarama](#) to the Qatari authorities, including to incorporate the principle of non-refoulement as prescribed in article 3 of the UNCAT

into national legislation; ensure that the legal safeguards provided in the Code of Criminal Procedure apply equally to terrorist suspects; and ensure the tenure of foreign judges in order to secure their independence.

The situation in **Yemen** remains of particular concern with violations of human rights and humanitarian laws continuing unabated in complete impunity. According to a December 2022 UNICEF [report](#) on the situation in the country, “more than 11,000 boys and girls have been killed or injured in the war in **Yemen** – an average of four a day since fighting escalated in 2015, though the number is likely to be far higher.”

Public freedoms: right of association, peaceful assembly, expression and media, human rights defenders

An ever more worrying crackdown on civil society and religious scholars in Saudi Arabia

This year, Alkarama’s work in the Gulf focused on the situation of peaceful political opponents, human rights defenders, journalists, and religious scholars targeted by the Saudi monarchy’s crackdown on any form of opposition and criticism. For example, Alkarama [followed – up](#) the case of Yemeni journalist Marwan AL MURAISSY,

who is arbitrarily detained in Saudi Arabia since his abduction by the Saudi authorities in early June 2018. After his abduction the journalist disappeared for several months. This sparked widespread international condemnation and criticism. Early November 2022, Alkarama was [informed](#) that the Criminal Court of Appeal, which specialises in state security cases, had issued a five-year prison sentence against the detained Yemeni journalist.

AL MURAISSY’s disappearance was part of the [campaign of mass arrests](#) and enforced disappearances in Saudi Arabia that began in September 2017, targeting people from all segments of society, including [members of the royal family](#), [human rights defenders](#), businessmen, [religious figures](#), and other public figures. A campaign was [launched](#) in September 2022 by Saudi and foreign activists, NGOs, and Alkarama to demand the release of prisoners of conscience in the Kingdom and denounce their unfair trials and sentences.

Furthermore, as illustrated by the [release](#) in March 2022 of Saudi blogger Raif BADAWI after his ten-year prison sentence ended, even when prisoners of conscience are released, they are still subjected to restrictive measures including travel bans. Even after the blogger was released, he remains today banned from travelling for another ten years.

Alkarama had repeatedly [raised](#) his case before UN human rights experts along with other prisoners of conscience who in turn [called](#) on the Saudi authorities to release them and stop their crackdown on civil society.

The right to liberty remains virtually inexistent in Saudi Arabia as illustrated by the case of reformist preacher Khaled bin Mohamed AL RASHED detained since 2006 and sentenced to 15 years' imprisonment for having publicly criticised the policies of the country's leaders. Alkarama [had followed](#) AL RASHED's case throughout his detention and unfair trial first by referring his case to the Working Group on Arbitrary Detention ([WGAD](#)) on 30 April 2006. Following this referral, the UN experts published on 8 April 2007 [Opinion No. 4/2007](#) which considered AL RASHED's detention to be arbitrary. The experts also highlighted AL RASHED's solitary confinement and ill-treatment during his arrest and throughout his detention and requested the Saudi authorities to release him.

However, despite this decision, the Saudi government never took any action to remedy the situation. On the contrary, AL RASHED was sentenced to 5 years imprisonment in a secret trial during which he was denied his right to legal assistance. On 6 April 2009, when he appealed this unfair sentence, the judge tripled his sentence to 15 years without giving him the opportunity to

defend himself against the charges or to be assisted by a lawyer.

In [February](#) and then again in [November](#) 2022, Alkarama alerted the WGAD on his situation as an additional sentence was pronounced by the Riyadh Court of Appeal, just while he had completed in September 2020 his initial 15-year arbitrary prison sentence. Although he should have been released on 6 October 2020, after serving his full sentence, he was [again sentenced](#) to an additional 25 years' imprisonment for the same offences after another unfair trial. Like many political prisoners who have served their sentences, AL RASHED was ordered to publicly "acknowledge" his "mistakes" and support the crown. When he refused to comply with their orders, he was summoned to the Special Criminal Court in February 2022 and tried again on the same charges for which he had already been convicted on 6 April 2009. During the trial, he was asked to retract his previous statements, which he refused, and was sentenced to an additional 25 years in prison.

The situation of religious figures who publicly opposed the politics of the Crown Prince is constantly worsening as illustrated by the cases of AL RASHED, Salman AL ODAH or Safar AL HAWALI.

On 31 May 2022, Alkarama [submitted](#) a request for Opinion to the WGAD to

rule on the arbitrariness of Dr Salman AL ODAH's detention. The complaint requested the UN experts to call on the Saudi authorities to immediately release the scholar as his conditions of detention constitute a real and immediate threat to his life and mental health. This request followed another ongoing [complaint](#) submitted to the UN Committee on the Rights of Persons with Disabilities (CRPD). Dr AL ODAH was arrested in September 2017, while Saudi Arabia witnessed an [unprecedented crackdown](#) on freedom of expression. Dozens of public figures and activists have been targeted, most of whom were arrested solely because they disagreed with government policy or because they failed to publicly display their support for the Saudi-led blockade of Qatar.

Since his arbitrary arrest, the authorities have continuously kept Dr AL ODAH outside of the law's protection, with long periods of secret and incommunicado detention. He has been in complete solitary confinement since day one and was subjected to sensory deprivations, as well as other various forms of physical and psychological torture. Meanwhile, as his health state degraded, he was denied medical care and forced to take unidentified psychotropic medication. His family witnessed progressively his severe emaciation as well as a cognitive decrease and mental clouding. Alkarama highlighted in its [complaint](#) to

the UN experts that the Saudi authorities' persistence in their mistreatment against Dr AL ODAH only confirm their intention to kill him slowly, a fear expressed by his [son](#).

Similar concern was raised concerning prominent scholar Safar bin Abdulrahman AL HAWALI, arbitrarily detained since 12 July 2018 after publishing a book in which he criticised Saudi Crown Prince Mohammed bin Salman's international policy choices and issued recommendations to his attention. In [December 2022, the Committee on the Rights of Persons with Disabilities](#) (CRPD) called [again](#) on the Saudi authorities to release immediately 70-year-old religious scholar. His four sons, and his brother, were arrested by State Security forces as a form of reprisal and further intimidation. Since his arrest, he has been denied appropriate care in spite of his speech impairment and extremely fragile health state and denied access to the outside world. As a form of punishment for his criticism of the Crown Prince, AL HAWALI is practically being left to die in detention, cut off from the outside world and his loved ones, and living in fear of harassment and threats to his relatives. Among its urgent requests, the CRPD [highlighted](#) that the Saudi authorities had the obligation under the Convention to arrange for his immediate release and end all forms of reprisals against him and his relatives.

Alkarama also raised its concerns with the UN experts regarding another prominent figure: prisoners of conscience Dr Muhammad AL QAHTANI. He is serving a [10-year prison sentence](#) as reprisals for his peaceful human rights activism. While he was expected to be released after serving his sentence by the end of November 2022, he nevertheless remains in detention.

Harassed and subjected to physical and psychological violence repeatedly during his detention, AL QAHTANI [announced a hunger strike](#) in December 2020 to protest against the authorities' refusal to let him contact his family and receive books and medicine. In November 2022, AL QAHTANI's wife called for the disclosure of her husband's fate who has been cut off from all contact with the outside world. Detained in the Al-Ha'ir prison in Riyadh, AL QAHTANI had been transferred to a wing of the prison where inmates suffering from psychological disorders are kept. In May 2022, it was reported that he was physically assaulted by one of them.

Following a request for Opinion sent by Alkarama, the WGAD issued in 2015 [Opinion No. 2015/38](#) regarding the case of nine Saudi activists, including Muhammad AL QAHTANI, confirming the arbitrary nature of their detention, and calling for their immediate release.

AL QAHTANI was also awarded the Right Livelihood Award 2018 along with two other Saudi human rights defenders, Abdullah AL HAMID and Waleed ABU AL KHAIR, "for their luminous efforts and courage, guided by the principles of universal human rights".

Right to liberty and security of persons: enforced disappearances, summary executions, torture, arbitrary detention

Violations to the rights to liberty and security by the Mabahith in Saudi Arabia

In Saudi Arabia violations committed by the General Directorate of Investigations of the Ministry of Interior (known as the "Mabahith") continue unabated, particularly against political opponents and their families. On 14 September 2022, Alkarama [submitted](#) to the WGAD the situation of Aida AL GHAMDI and her son, Adel AL GHAMDI. Both were arrested, without a judicial warrant, on 26 March 2018 by Mabahith agents in plain clothes, as they were driving in a neighbourhood of Jeddah.

At the same time as their arrest, another son of Aida AL GHAMDI, Sultan AL GHAMDI, was arrested in Dammam. He was immediately transferred to Riyadh to the premises of the Mabahith

where he was forced to record a video in which he denounced his brother Abdellah AL GHAMDI, a political opponent of the regime, who had taken refuge in the United Kingdom.

Under the promise of releasing his brother and mother, Sultan AL GHAMDI was forced to declare that his entire family disapproved of Abdellah and had no connection with him. Although the video recording of his statements was published by the intelligence services on social media (Facebook and Twitter), the authorities refused to release the mother and her other son.

A few days after the victims' arrest in Jeddah, a Mabahith agent called Aida AL GHAMDI's daughter and threatened that if even one other family member remained in contact with Abdellah or responded to his calls, her mother and brother would be sentenced to death and executed.

After their arrest, Aida and Adel AL GHAMDI were held incommunicado in an unknown location for three months. Afterwards, Aida AL GHAMDI was allowed to make a brief phone call to her family to inform them that she was in Dhahban prison in Jeddah. The family was told that both victims had been tortured in front of each other. From the first months of detention in Dhahban, the victims' family tried to appoint several lawyers for them, but all refused, fearing reprisals due to the

political nature of the case. It was only during a visit to Dammam prison that the family of the two victims learned that a secret trial had taken place without their presence and without the presence of a lawyer and that Aida AL GHAMDI had been sentenced to 14 years in prison and her son Adel AL GHAMDI to five years in prison. In view of the severe violations suffered by both mother and son as well as the entire family, Alkarama [addressed](#) the WGAD requesting that the experts recognise the arbitrary nature of their detention and urge the Saudi authorities to release them.

The absence of protection for fundamental guarantees of individuals deprived of their freedom in Saudi Arabia puts at heightened risk non-Saudi nationals who may be victims of persecution in their home countries and who travel to the Kingdom for their pilgrimage. Since the Kingdom does not respect the non-refoulement principle, which forbids the deportation of individuals in countries where they might be at risk of torture, the safety of pilgrims from persecuted minorities across the world is not ensured by the Saudi authorities.

The cases of [Waili AIMOUDOULA and Ruze NUERMAIMAITI](#), Uyghurs of Muslim faith and human rights activists, strikingly illustrate this absence of protection. The two men had travelled from Istanbul, where they live with

their families, to Saudi Arabia in February 2020 to perform the “Umrah” (Islamic pilgrimage to Mecca) but could not return to Istanbul due to the COVID-19 pandemic. However, on 20 November 2020 they were arrested in Mecca by the Saudi police who raided their house without providing any reasons for their arrests.

On 3 January 2022, the Saudi authorities finally informed them that they would be extradited to China without providing them any explanation and despite the risks of [torture and internment in camps](#) if returned to China. Alkarama therefore called on the UN Special Rapporteur on Torture (SRT) to urgently intervene with the Saudi authorities to [urge them](#) to respect their commitments under the Convention against Torture and to refrain from extraditing the two victims. On 3 March 2022, several UN experts sent an [allegation letter](#) to the Saudi authorities expressing their urgent concern at the deportation of the two pilgrims to China requesting the Kingdom to halt their deportation.

The practice of torture in the UAE brought before the UN Committee against Torture (CAT)

This year, Alkarama raised several issues including the issue of torture, ill-treatment and secret detention before the CAT. On 12 July 2022, Alkarama

[briefed](#) the members of the Committee on its main concerns during a meeting held at the Office of the High Commissioner for Human Rights (OHCHR) in Geneva. This meeting took place ahead of the first review of the UAE by the CAT since [its ratification](#) of the Convention in 2012.

During the briefing, Alkarama drew the Committee’s attention to violations of Article 3 of the Convention through the particular case of Amjad Mohammad Nour Aldeen AL NASSER, a Syrian citizen who is at risk of imminent forced removal to Syria and for whom Alkarama submitted [an urgent appeal](#) to the UN Special procedures on 22 June 2022. Alkarama invited the experts to call on the State party to respect its commitments under article 3 of the Convention by refraining from returning Al Nasser to Syria, but also to establish a legal procedure in its judicial system to challenge extradition or forced removal.

Prior to the briefing, Alkarama had submitted [its alternative report](#), in which it had drawn the attention of the experts on the systematic use of torture against political opponents and the complete impunity of perpetrators. It also raised its concerns over the particularly restrictive anti-terrorism law and the admission of confessions extracted under torture by the UAE’s courts. Lastly, Alkarama also highlighted the numerous violations committed by

UAE-backed forces in Yemen, including against the civilian population.

After the review, held in Geneva between 13 July and 14 July 2022, the CAT [issued](#) its concluding observations and recommendations to the UAE. In its concluding observations, the CAT first noted the shortcomings of the UAE legislative system regarding the prohibition of torture as expressed by Alkarama in its [report](#). The Committee noted the lack of compliance between the definition of the prohibition in domestic law with the one in the Convention.

Furthermore, the CAT experts noted that procedural safeguards are in practice ignored by the country's authorities and recommended that the UAE ensure that all fundamental safeguards are respected from the outset of police custody. In its [report](#) to the Committee, Alkarama had reported several cases of defenders arrested under the pretext of terrorism and subjected to torture in order to extract confessions that were later used to condemn them. In its concluding observations, the Committee also expressed its preoccupation "over reports of convictions based solely on confessions obtained through torture".

Alkarama had raised the issues posed by the 2014 [Counter-Terrorism Act](#) which provides an extremely broad, vague and non-exhaustive list of acts of

"terrorism" which includes acts falling under fundamental rights and freedoms.

Alkarama also highlighted the use of "Munasaha" centres to extend indefinitely the detention of prisoners of conscience, recalling that indefinite detention and forced "counselling" amounted to torture.

Lastly, the experts conveyed Alkarama's concern about "reports of grave human rights violations" carried out by the regular armed forces of the UAE in Yemen or by non-state actors whose actions are attributable to the UAE, and in detention centres under the jurisdiction of the UAE.

After the review, Alkarama started a monitoring program to follow up on the effective implementation of the Committee's recommendations, or lack thereof and will report again to the UN experts in 2023.

FOCUS ON

MUNASAHA CENTERS IN THE GULF: INDEFINITE ARBITRATION DETENTION OF POLITICAL OPPONENTS IN THE NAME OF COUNTER-TERRORISM

This year, Alkarama highlighted the issue of Munasaha centres which have been set up in **Saudi Arabia** and the **United Arab Emirates (UAE)** in the past years. These “counselling” centres have been put in place officially to rehabilitate through “therapy” individuals convicted for “terrorist crimes”. However, in practice these centres have been used as a mean to keep in indefinite detention peaceful opponents and human rights defenders after they served lengthy and arbitrary prison sentences. Alkarama therefore documented this practice in these two countries to the UN human rights experts.

In the **UAE**, it was Federal Decree-Law No. 28 of 2019 which officially established these centres under the name of “National Center for Counseling” (“Munasaha”). One of these



Design of The Emirates Centre for Human Rights's campaign against Munasaha centers in the UAE

centres is situated in the Al Razeen Prison, where Emirati prisoners of conscience, activists and human rights defenders are held. These centres have been repeatedly denounced by human rights defenders as another way to keep detention prisoners of conscience who have served their sentences.

This practice, that essentially amounts to forced “treatment” and thus a form of torture, represents yet another gradation in the repression of dissenting thoughts under the guise of counterterrorism and counter extremism. Article 1 of the law defines counselling as « [a] set of reform and rehabilitation programs prepared based on scientific, religious, psychological and social foundations, and aimed at directing and guiding and reforming those who are dangerous terrorists or convert to terrorist, extremist or deviant ideology ». It is, therefore, expected of political detainees and prisoners of conscience held in these centres that they change their opinions which are considered by the authorities as a threat to the State’s security – or otherwise remain in detention indefinitely. The case of prominent lawyer and human rights activist Mohamed Al-Roken illustrate this practice. Al-Roken's 10-year prison sentence ended on 17 July 2022, but the UAE authorities decided to extend his detention without giving reasons, in a “Munasaha” center.

In his case, this decision essentially means that after having served his ten years arbitrary sentence, he is now subjected to indefinite detention and would only be released if he would convincingly demonstrate that he renounced to his “deviant ideology”.

However, Alkarama [raised the attention of UN experts](#) on the fact that Mohamed AL-ROKEN was sentenced for opposing his government crackdown on peaceful dissenting opinion and for criticising, as a lawyer, the arbitrariness of criminal laws and institutions that enabled such a crackdown. In this context, it highlighted that what the UAE authorities referred to as a “deviant ideology” referred to nothing less than Al-Roken’s advocacy for human rights and the rule of law in the UAE as a lawyer and human rights defender.

Later, in August 2022, Alkarama [submitted](#) the cases of Ahmed Ghaith AL SUWAIDI, Ahmed AL ZAABI, Ali AL HAMMADI, Ibrahim AL MARZOOQI, Hassan AL JABIRI, Husain AL JABIRI, Shaheen ALHOSANI, Sultan Bin Kayed AL QASIMI, Abdulsalam Darwish AL MARZOOQI, Khalid Mohammed ALYAMMAHI to the WGAD regarding their continued detention in the Munasaha centres despite having served their lengthy and arbitrary sentences.

All were arrested in the course of 2012 as part of a massive crackdown by the UAE authorities on all human rights and political activists in the country in the context of the “Arab Spring”. Some had signed a petition calling for political reform and a modicum of democracy, while others, members of the previously tolerated “Al Islah” movement, had called for respect for the civil and political rights of their fellow citizens. All were sentenced to between 7- and 15-years’ imprisonment in the “UAE 94” trial before the Abu Dhabi State Security Court on 4 March 2013. In total, 69 of the defendants were convicted following a trial unanimously described as unfair.

Alkarama submitted their cases to the WGAD in 2013, which adopted [Opinion No. 60/2013](#) qualifying their detention as arbitrary, a decision which has never been implemented by the authorities. Worse still, after having served their ten-year sentence in inhumane conditions, the authorities refused to release them and transferred them to the “Munasaha” centre in Al-Razeen prison, presumably believing that their beliefs still represent a threat to the security of the state and that they, thus, need to be “rehabilitated”. Alkarama has therefore submitted a new request for an Opinion to the WGAD to call on the Emirati authorities to release the ten victims and to recognise the arbitrary nature of their detention in the Munasaha centres.

Other human rights defenders detained in Munasaha centres in the UAE include blogger [Osama AL NAJJAR](#), who had been sentenced in October 2014 to three years imprisonment for having publicly and peacefully denounced on social media the arbitrariness of his father’s trial (one of the defendants in the [UAE 94 trial](#)). In 2017, he was transferred to the Al Razeen Prison Munasaha centre, where he remains arbitrarily detained even though he had completed his three-year prison sentence on 17 March 2017.

Alkarama highlighted that the purpose of these centres was to evaluate the “dangerousness” of detainees who have served their sentences by determining whether they are still in the same state of mind as before their arrest, in which case they must be “rehabilitated” –, i.e., subjected to intensive religious re-education sessions by pro-government imams. These imams try to convince prisoners of conscience to “distance themselves from politics”, recognise their past mistakes and publicly and unconditionally submit to the royal authority.

These centres have been repeatedly denounced by human rights activists as a backdoor way to permanently silence any peaceful opposition or anyone who expresses opinions in favour of human rights and the rule of law, ideas considered “deviant” by the royal authority.

In Saudi Arabia, the use of Munasaha centres against peaceful political opponents and human rights defenders has also been highlighted by Alkarama. On 2 August 2022, Alkarama [submitted](#) the cases of Mr Abdulkarim AL KHODR and Mr Jaber Suleiman AL AMRI to the WGAD regarding their detention in Munasaha centres after having served their prison sentences. Dr Abdulkarim AL KHODR, Professor of Comparative Law and founding member of the Saudi Association for Civil and Political Rights (ACPRA), has shown an exceptional commitment to human rights and constitutional and judicial reform in his country. The WGAD, seized by Alkarama in 2013, considered his detention as arbitrary and issued Opinion [No. 46/2013](#) calling on the Saudi authorities to release him.

Jaber AL AMRI was arrested on 12 April 2014 by Mabahith agents for posting a video on Youtube in which he called for the release of his unjustly imprisoned brother. After being held for several months in secret, he was finally sentenced in May 2015 to seven years in prison. Alkarama had also submitted his case to the WGAD on 13 February 2017, following which Opinion [No. 63/2017](#) was adopted by the UN experts describing his detention as arbitrary and calling for his release.

However, both Opinions were never implemented by the Saudi authorities, reflecting their unwillingness to

cooperate with UN mechanisms. On 2 August 2022, Alkarama submitted a new request for an Opinion to the WGAD calling on it to, once again, intervene with the authorities to release the two victims and recognize the arbitrary nature of their detention in the Munasaha centres.

In its communications, Alkarama stressed that while “Munasaha” means “counselling”, in practice these centres have a very different purpose. Similarly, to the UAE, in Saudi Arabia Munasaha centres aim to force opponents to an absolute allegiance to the royal authority. Given the doctrine adopted by the Saudi monarchy, any criticism or opposition to official policy is also seen as “sinful” and prosecuted under counter-terrorism laws. Under this pretext, Munasaha centres keep political opponents and human rights defenders in arbitrary and indefinite detention after having served their sentence until they renounce expressing their dissenting ideas and express public and unconditional support for the Crown.

Alkarama therefore [requested](#) the WGAD to denounce the use of these Munasaha centres, and to call on Saudi Arabia to release all prisoners of conscience who continue to be unjustly imprisoned.

FOCUS ON YEMEN

A WORSENING HUMAN RIGHTS AND HUMANITARIAN SITUATION IN AN ENDURING CLIMATE OF IMPUNITY

This year again, the human rights and humanitarian situation in Yemen remains a crucial part of Alkarama's work.

Alkarama is following with concern the persistent climate of impunity for international crimes committed in the country, after more than seven years of war. In the past years, many individual complaints were filed with the relevant United Nations human rights mechanisms. Furthermore, in the context of Yemen's third [Universal Periodic Review](#) (UPR), Alkarama highlighted in its [shadow report](#) issues such as the lack of impartiality and effectiveness of the National Commission of Inquiry established in 2015 to investigate violations committed by all parties to the conflict, as well as the lack of cooperation of local



UNOCHA-Giles Clarke_A boy stands in the damaged interior of a building in Yemen.

authorities with UN human rights mechanisms.

Alkarama brought forward a set of recommendations to strengthen Yemen's compliance with its obligations under international humanitarian and human rights law. It highlighted violations committed against the civilian population by various parties to the ongoing conflict, and violations of international humanitarian law committed by US and UAE forces in their counter-terrorism operations. Moreover, concern was raised on the systematic use of arbitrary detention, enforced disappearance and torture, against journalists, human rights defenders, and politicians.

Furthermore, airstrikes of the Saudi-led coalition continue to cause civilian deaths. On 28 January 2022, The United Nations High Commissioner for Human Rights (OHCHR) [stated](#) that the Saudi-led coalition had launched three consecutive airstrikes on 21 January 2022 hitting a detention centre run by the Houthi group in the northern city of Sa'ada, killing around 91 people and injuring at least 236. The High Commissioner added that since the beginning of 2022 and up to 26 January, the coalition has carried out 1,403 airstrikes.

Early February 2022, Alkarama [shared](#) the concern of the OHCHR regarding

the devastating effects of the escalation of the conflict in Yemen. Human rights and international humanitarian law violations by all parties to the conflict are even more alarming and continue to disproportionately affect civilians. The OHCHR recently declared that in 2021, the United Nations recorded that the Saudi-led coalition carried out about 600 monthly airstrikes, hitting all parts of Yemen.

During the same year, Houthi rebels carried out 340 missiles and drone attacks on the territory of the Kingdom of Saudi Arabia. While the Houthi group continues to carry out indiscriminate attacks on civilian neighbourhoods and populated settlements across many Yemeni cities, dozens of civilians have been victims of the mines they massively dispersed across the country.

By early January 2022, Alkarama had documented three separate deadly attacks by the Houthi movement against civilians. The first one in Taiz killed a woman, and seriously wounded another, when a shell fell on a remote house in Bilad Al-Wafi located in the Jabal Habashi, west of Taiz. The second attack in Ma'rib, home to the largest concentration of internally displaced persons, killed three civilians and injured nine others, while the third one targeted a house in the village of Al-Baghil, south of Al-Hodeidah. The latter killed and injured three civilians from

the same family, including a girl who had her legs amputated because of her injuries.

Civil Society denounce an enduring climate of impunity

In a January 2022 [report](#), the Security Council's Panel of Experts on Yemen warned that impunity has become the rule rather than the exception with regard to human rights violations and violations of international humanitarian law in Yemen. The report also highlighted the numerous violations committed by the parties to the conflict in Yemen.

On 6 September 2022 along with other civil society organisations, Alkarama [urged](#) the United Nations member states to work toward the establishment of an independent international criminal investigative mechanism on Yemen. The civil society organisations recalled that little to no progress has been made by parties to the conflict to address ongoing and widespread violations of international human rights and humanitarian law or remedy [the harms they have inflicted on civilians during the conflict](#).

Before its untimely dissolution in 2021, the UN Group of Eminent Experts (GEE), established by the UN Human Rights Council (HRC) in 2017, recommended that UN member states

[refer the situation in Yemen to the International Criminal Court \(ICC\)](#), [support the establishment of a criminal accountability focused investigative mechanism](#), and [stressed the need to ensure victims' right to reparation](#). In late 2021, HRC members [narrowly rejected the resolution](#) that would have renewed the GEE's mandate after Saudi Arabia, backed by the UAE, lobbied HRC members to vote against its renewal. After its mandate ended in October 2021, members of the GEE [called on the international community](#) to take specific initiatives at the international level in pursuit of accountability.

The [call](#) published by civil society in September 2022 highlighted that continued impunity will only increase the likelihood that more children will starve, more rights defenders and journalists will be imprisoned or executed, more homes and schools will be bombed, and the cycle of violence and suffering will continue. In this context, it recalled that an independent international criminal accountability mechanism for Yemen can play a critical role to deter violence, protect civilians and promote a genuine and lasting peace. Lastly, they called on all UN state members to ensure the establishment of such a mechanism at the UN level.

Enforced disappearance in Yemen: a major concern for human rights and humanitarian organisations

Enforced disappearance remains a major concern for Alkarama and other civil society groups. In support to local organisations, Alkarama issued on 31 August 2022 – at the occasion of the International Day of the Victims of Enforced Disappearances – a common [call](#) to warn against the widespread use of enforced disappearance by actors of the conflict in complete impunity. The joint statement calls for the urgent intervention of all parties to the conflict in Yemen to ensure the release of those arbitrarily and secretly detained, and the respect of their rights to dignity, safety, and security.

Furthermore, the organisations urged UN member states to support efforts to end impunity, by supporting the establishment of an international investigative body in charge of collecting, consolidating, preserving and analysing evidence, preparing cases and identifying victims of serious violations and crimes, including arbitrary detention and enforced disappearance in Yemen.

All parties were also called upon to ensure that detainees have the right to a fair trial and access to the outside world. In addition, the organisations called on the parties to ensure that places of detention have adequate

sanitary facilities and that detainees have access to necessary health care.

The organisations also called for the publication of official lists of all detainees who died in detention centres and prisons, including the informal detention sites listed in UN reports. Furthermore, death certificates must be issued to the relatives of detainees who died in custody, adding that such certificates must be based on comprehensive forensic examinations. Access to these documents must be facilitated for families.

Alkarama continued to document these violations including in April 2022 with the [continued enforced disappearance](#) of prominent Yemeni politician and Islah's leader Mohammed QAHTAN for more than seven years now.

Mohammed QAHTAN was kidnapped by Houthi gunmen shortly after their takeover in September 2014. Early morning on 4 April 2015, more than a dozen men from the Houthi-Saleh Coalition dressed in civilian clothes and military uniforms stormed into the house of the 57-year-old politician in Sana'a and arrested him, before taking him to an unknown location. Before his abduction, QAHTAN had already been put under house arrest by the Houthi-Saleh Coalition on charges of "belonging to the Islah opposition party".

Since then, Alkarama keeps following his case including by sending an [urgent appeal](#) to the United Nations Working Group on Arbitrary Detention ([WGAD](#)) as well as two urgent appeals to the UN Working Group on Enforced or Involuntary Disappearances ([WGEID](#)) on his behalf.

For the past years, the Houthi group controlling Sana'a have refused to allow QAHTAN's family to communicate with him or be informed of his fate, in violation of [UN Security Council Resolutions](#) demanding the safe release of all political prisoners, and all individuals arbitrarily detained.

As exemplified by the case of Mohamed QAHTAN, enforced disappearance remains a particularly heinous international crime since it puts not only the victim but also their families in a state of complete uncertainty and under the complete mercy of their captors. The severity of this violation has also been seen in the [tragic death](#) under torture of Yemeni aid worker Yasser JUNAID, who died while secretly held in a Houthi-held prison. Mohammed JUNAID, who lived in Hodeidah Province in western Yemen served, in addition to his humanitarian relief activities, as a school principal in Hodeidah Governorate.

Alkarama had submitted a [complaint](#) to the WGEID after his abduction by members of the Houthi militia in

February 2017 from his home in the village of Al-Sayeda in Hodeidah, western Yemen, by a Houthi collaborator named Abdul Rahman HALISI. According to the information collected by Alkarama, he was then handed over to the security supervisor in the Houthi-controlled area, known as "Abu Yassin". The latter then proceeded to take him, on 20 February 2017, to an unknown destination, and it had become impossible since then to know the fate of the humanitarian worker or his place of detention.

It was with complete dismay that Alkarama learnt that on 12 July 2022, the Houthi group informed the family of Yasser Mohammed JUNAID, then aged 45, had died and that his body was in a hospital. Alkarama informed the WGEID of his death and its circumstances to ensure accountability of the perpetrators of this extrajudicial killing.

FOCUS ON THE USA

INDEFINITE DETENTIONS IN GUANTANAMO MUST END

Twenty years after 9/11, the Guantánamo Bay detention facility continues to hold detainees in disregard of fundamental human rights. Despite [promises made by US governments to close the facility](#), reiterated requests for its closure including by [successive High Commissioner for Human Rights](#) and independent United Nations (UN) experts over the years have gone unheeded.

The case of Mustafa Faraj Mohammad Masud AL JADID AL UZAYBI (also known as “Abu Faraj AL LIBI”), who was tortured in CIA black sites and detained in Guantánamo Bay for the past seventeen years without any hope of release, stands as a striking example of what UN experts have [called](#) a ‘Kafkaesque situation where the rule of law was meaningless and the coercive and brutal power of the State ascendant’. On 29 November 2022, Alkarama [submitted](#) a complaint on his behalf to WGAD asking the experts to



“High-value detainee” Abu Faraj al-Libi, photographed at Guantánamo in recent years, and in a “wanted” poster prior to his capture in Pakistan in 2005.

recognise the arbitrariness of his detention and the particularly cruel and inhumane treatment he has been, and still is, subjected to.

AL UZAYBI was arrested on 2 May 2005 in Pakistan, by Pakistani special forces who rendered him to US forces, after which he was kept in black sites in Afghanistan and Romania where he was subjected to torture to the point of losing his hearing.

After his extrajudicial rendition, and for a year-and-a-half, he remained unaccounted for as he was taken by the CIA from one “black site” to another including in Afghanistan and Romania. While detained in these black sites, AL UZAYBI was subjected to [torture](#) inflicted by CIA agents in the form of “enhanced interrogation techniques” including: “(1) dietary manipulation, (2) nudity, (3) attention grasp, (4) walling, (5) facial hold, (6) facial slap or insult slap, (7) abdominal slap, (8) cramped confinement, (9) wall standing (10) stress positions (11) water dousing, and (12) sleep deprivation (more than 48 hours).

On 4 September 2006, he was taken to the Guantánamo Bay detention camp where he remains held since then, without any charges nor trial. Since his transfer to Guantánamo as a “High-Value Detainee”, he has not been able to meaningfully challenge the legality of his detention and has been denied

appropriate medical care and rehabilitation. Almost 20 years after his arrest, the US authorities have never produced a single witness or incriminating material evidence to support AL UZAYBI’s continued detention.

Today, he is characterised by US military medical personnel as “the most severely impaired and incapacitated detainee at Guantánamo Naval Base”, because of the torture and mistreatment inflicted on him by US forces for the past nearly two decades. However, and despite a psychiatric assessment by a US military psychiatrist that he does not pose any threat, his request to be transferred to a safe country to reunite with his family and receive appropriate health care have repeatedly been denied.

The complaint sent by Alkarama to the WGAD therefore stood as one of the last remedies at his disposal. While AL UZAYBI is currently held under the jurisdiction of the US government, Alkarama submitted the complaint against the US as well as Pakistan and Romania, also jointly responsible for the arbitrary arrest, enforced disappearance and the torture of AL UZAYBI.

Furthermore, Alkarama highlighted that, while the detention of AL UZAYBI was in any case illegal under international law, it was also baseless

according to the US doctrine of continued law-of-war detention. This ground has been invoked to justify the continuous detention of ‘enemy combatants’ without trial, under the Authorization for Use of Military Force (‘AUMF’) passed by Congress in response to the attacks of 11 September 2001. Such detentions were based on the sole rationale that ‘enemy combatants’, like AL UZAYBI, could be detained without charges to prevent their return to the battlefield, and until the ‘end of hostilities’.

However, this does no longer apply since former President Trump decision to withdraw US troops from Afghanistan and to sign an [agreement](#) with the Taliban putting an end to hostilities. His successor in the White House, President Joe Biden [proclaimed](#) on 31 August 2021 that ‘[I] ast night in Kabul, the United States ended 20 years of war in Afghanistan’. Thus, Alkarama emphasised that even under the restrictive US doctrine of continued law-of-war detention, and even more under IHRL standards, the indefinite detention of AL UZAYBI was manifestly baseless.

In spite of this, the Periodic Review Board (PRB) – an administrative panel in charge of reviewing the continuous detention of “enemy combatants” held in Guantánamo – decided after the last review of his detention that “continued law of war detention of the detainee

remains necessary to protect against a continuing significant threat to the security of the United States”. Today, AL UZAYBI’s situation amounts to indefinite detention, which in itself constitutes a form of torture.

In its submission Alkarama requested the UN independent experts to recognise the arbitrary detention of AL UZAYBI and to urge the State to take the steps necessary to release him and ensure his transfer to a third country in which his safety is ensured and to provide him an enforceable right to compensation for damages resulting from the various violations.

Alkarama requested the WGAD to call on the US to take concrete measures to end indefinite detention in Guantánamo Bay and rehabilitate detainees like AL UZAYBI by allowing them to return to their families and get appropriate health care.

For years, the issue of Guantánamo detainees has been at [the top of Alkarama's work](#), through various legal support and advocacy initiatives. Alkarama has organised or participated in numerous field actions alongside the families of the detainees and non-governmental organisations, in order to highlight the suffering of the detainees and [their families](#).

In October 2020, [UN human rights experts condemned the UAE](#) for the

arbitrary detention and continued ill-treatment of Yemeni detainees returning from Guantánamo, showing that even after their release, these detainees still suffer from persecution and harassment from countries in the Arab region. In the past years, Alkarama documented such measures of persecution against former Guantánamo detainees in countries including [Yemen](#), [Kuwait](#) and [Algeria](#).

THE MAGHREB

In the Maghreb, Alkarama documented serious violations, including against the right to life and security of the person, as well as the right to freedom of expression, peaceful assembly, and association.

In Algeria authorities have been increasingly using the counter-terrorism legal framework to crackdown on peaceful dissent, by prosecuting peaceful demonstrators and political opponents for non-violent acts such as obstructing traffic during demonstrations, occupying public squares or criticising the military.

Since 25 July 2021, a political crisis has been unfolding in Tunisia when President Kaïs Saïed dismissed the Prime Minister, suspended the Parliament for 30 days and took over all executive and legislative functions. This executive takeover has led to many violations, including against the judiciary, as well as to harassment of journalists. To legitimise the situation, a constitutional referendum was held in July 2022 followed by parliamentary

elections in December 2022 with an all-time high abstention rate of 90%.

In Morocco, the absence of guarantees of impartiality and independence of the judiciary continues to lead to numerous unfair political trials, mainly in reprisals for acts falling under freedom of expression and peaceful assembly as well as freedom of the press.

Alkarama's concerns in Mauritania remain the same with systematic violations of the right to peaceful assembly through an excessive use of force and arrests of demonstrators, judicial persecution of human rights defenders and peaceful political activists, as well as poor conditions of detention in prisons and a lack of independent and effective preventive and complaint mechanism for acts of torture and ill-treatment.

The situation in Libya remains marked by persistent violations of international humanitarian law with civilians being targeted by airstrikes as well as human rights abuses, including arbitrary

arrests, torture, and secret detentions in a climate of complete impunity.

***State of public freedoms:
right of association,
peaceful assembly,
expression and media,
human rights defenders***

This year, Alkarama continued to document cases of growing human rights violations in North Africa with arbitrary arrests and detentions of human rights defenders, journalists, political opponents, and peaceful demonstrators as persistent patterns across the region.

A severely deteriorated situation in Tunisia following the presidential takeover of July 2021

Alkarama [expressed its concerns](#) regarding the human rights situation in Tunisia, which has deteriorated significantly since the suspension and subsequent dissolution of Parliament by President Kaïs SAÏED.

Since then, an increasing number of criminal proceedings have been brought against bloggers or social media users for peacefully expressing dissenting views or criticism of the executive. Many have been investigated or charged and, for the most part, convicted on charges such as defamation, contempt of state

institutions and “harming” others through telecommunication networks.

Furthermore, the authorities have used military trials against civilians for publicly criticising the president. This was the [case](#) of journalist and political analyst Salah ATTIA. Alkarama and the Association of Victims of Torture in Tunisia (AVTT) submitted a complaint on his behalf on 17 August 2022 before the [UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#). Arrested on 11 June 2022 by agents in civilian clothes, Salah ATTIA was sentenced on 16 August 2022 to three months’ imprisonment by the Permanent Military Court of Tunis for “undermining the security of the State and the morale of the army”.

The journalist was arrested after having revealed that the Tunisian army had refused to follow presidential orders to carry out a raid at the offices of the Tunisian General Labour Union and for having refused to reveal to the authorities the sources of his information. In its urgent appeal, Alkarama [stated](#) that this conviction constituted a form of severe reprisals and a direct threat to press freedom in Tunisia, reflecting the will of President Kaïs SAÏED to muzzle all forms of peaceful expression of dissent.

The use of counterterrorism laws and discourse against peaceful opposition in Algeria

In September 2022, Alkarama [raised](#) the issue of the illegal listing of individuals and entities as “terrorists” by the Algerian government after the latter proceeded to the unlawful listing of 16 individuals, in spite of [calls](#) by independent UN experts to refrain from doing so.

This listing came after the High Security Council (HSC) announced on 18 May 2021, in a press release issued by the state press agency, that it considered two peaceful political opposition movements [RACHAD](#) and [MAK](#) (Movement for the Self-Determination of Kabylia) as “terrorists”. Alkarama had then [raised](#) its concerns with UN experts highlighting that Article 87 bis of the Penal Code, defined “terrorism” as “working or inciting, by any means whatsoever, to gain access to power or to change the system of governance through unconstitutional means”.

Consequently, in their September 2021 [communication](#), several UN independent experts had stressed that the inclusion of the phrase “unconstitutional means” in the definition of terrorism undermined the exercise of the freedoms of association and peaceful assembly, particularly “given the current socio-political

context in Algeria”. In practice and given that the main demand of the Hirak movement is precisely a change in governance from a military state to a civilian and democratic one, all Algerians who publicly call for the end of the military control over Algerian institutions political power can be prosecuted for terrorism.

Alkarama also stressed that these lists were effectively used as alternative sentences pronounced by the executive, outside of any judicial procedure, against exiled opponents to restrict their rights and request their extraditions. While some States such as France, Italy and Switzerland have refused to follow up on Algeria’s extradition requests against peaceful opponents, other States, such as Spain, participated directly in the internationalisation of this repressive policy. Alkarama seized the UN procedures after the Spanish government cooperated with the Algerian authorities by illegally rendering whistle-blowers Mohamed BENHALIMA and [Mohamed ABDELLAH](#).

[Mohammed ABDELLAH](#) was a former sergeant in the National Gendarmerie assigned to aerial surveillance and responsible for filming suspicious activities at the country’s eastern border for many years. During his service, he uncovered systemic corruption within the Algerian military, witnessing massive military-covered

smuggling activities and drug trafficking at the borders. As he reported this to his superiors, he was ordered to “keep quiet” or face sanctions and detention. Forced to flee his country to speak the truth, he left for Spain, where he continued to denounce the corruption of the military authorities openly on social networks and in the independent media.

After sentencing him in absentia in May 2019 to 20 years’ imprisonment by the Blida military court for “undermining state security and the reputation of the army”, the Algerian authorities issued an international warrant against him. Spain, which was then negotiating with the Algerian authorities for its natural gas supply, responded favourably, denying ABDELLAH’s Spanish lawyers the opportunity to challenge the decision and ignoring calls from NGOs not to proceed with the manifestly illegal expulsion of the conscientious objector.

Upon his arrival, he was handed over to the Algerian intelligence services and severely tortured before being taken to the military prison in Blida, where he is currently held in solitary confinement. On 18 January 2022, Alkarama [addressed](#) the UN Special Rapporteur on Torture to call on the Spanish authorities to open an independent, diligent and impartial investigation into ABDELLAH’s illegal expulsion and its consequences.

Alkarama also asked the UN expert to urge the Algerian authorities to release the former officer and to stop all measures of reprisals against him and his relatives.

Right to liberty and security of persons: enforced disappearances, summary executions, torture, arbitrary detention

Alkarama has documented cases of arbitrary arrests, prolonged and indefinite solitary confinement and conditions of detentions that violate the prohibition of torture and ill-treatment as well as a resurgence of enforced disappearance and torture, particularly in Algeria, Tunisia and Libya.

Enforced disappearance against peaceful activists in Algeria: a return to past practices facilitated by an entrenched culture of impunity

With the ever-growing repression against peaceful demonstrators, activists, and political opponents in Algeria since the Hirak, Alkarama has documented a worrying resurgence of the practice of enforced disappearance by state security forces. On 1 November 2022, Alkarama [submitted](#) to the Working Group on Enforced or Involuntary Disappearances ([WGEID](#)) the case of young activist Abdelhamid BOUZIZA, who remained forcibly

disappeared for many days following his abduction by the Brigade of Research and Investigation and the National Gendarmerie on 19 October 2022. The 25-year-old peaceful activist and social media blogger regularly published posts denouncing the situation of political detainees in the country, advocating peacefully for them through social media. After his arrest, neither his family nor lawyers who went to inquire about him at the Tlemcen and Algiers's courts could find any trace of his arrest or any prosecution file on him.

Alkarama thus expressed its deep concern regarding the repetition by the current government of the practice of enforced disappearances which resulted in the 1990s in the disappearance of up to twenty thousand victims.

For more than the past ten years, the WGEID has been calling on the Algerian government to allow its visit to the country. Despite an initial approval, these visits keep being postponed or cancelled, demonstrating the regime's lack of willingness to cooperate with international mechanisms on this issue.

Meanwhile, [the United Nations Human Rights Committee](#) (HR Committee) keeps finding the Algerian authorities responsible for the disappearance and execution of victims of the civil war. This year, the HR Committee issued two

decisions regarding victims of enforced disappearance, namely [Boubekeur FERGANI](#) and [Tawfik DJAOU](#). The victims are among thousands of Algerians abducted between 1992 and 1998 by the police and military in Algeria, and whose families have been denied information about their fate and whereabouts, to this day.

History professor and father of five, Boubekeur FERGANI was abducted from his home in Constantine (northeast of the country), on the night of 22 June 1995, by a dozen agents in civilian and military clothing accompanied by a hooded informant. Since that night, his family has never seen him again. On the same night, a large-scale operation in the city launched by the army targeted many real or perceived militants and sympathisers of the Islamic Salvation Front (FIS). Many were summarily executed by the military who threw the victims' corpses in the streets of Constantine and its surroundings the following morning. The victim's wife, Mrs BOUTARSA, who searched in vain for him among the corpses, kept asking for the truth about the fate of her husband since, only to face denial and reprisals from the authorities. During its 135th session, which took place in Geneva from 27 June to 27 July 2022, the Committee [concluded](#) to the responsibility of the Algerian State for the enforced disappearance of

Boubekeur FERGANI. The Committee ruled on the case following a communication from Alkarama dated 26 May 2016.

The [case](#) of Tawfik DJAOU was the subject of an HR Committee's [decision](#) dated 25 November 2022. The UN experts clearly established once again the responsibility of the Algerian state for the violations suffered by the victim who has been missing since his abduction in Constantine by agents of the Department of Intelligence and Security (DRS) in 1997. Tawfik DJAOU, then 35 years old, was abducted by the DRS in reprisals following the refusal of his father Mohamed DJAOU, a veteran of the National Liberation Army (ALN), to lead an armed militia in Constantine. These militias were known for committing abuses including summary execution, torture and enforced disappearance against civilians under the pretext of "counter-terrorism". Following his son's abduction, Mohamed DJAOU relentlessly tried to obtain information about his fate and whereabouts from the security and military forces which kept denying his arrest. A few months later they learned from other detainees that Tawfik had been detained in military barracks and severely tortured.

[Alkarama submitted a complaint](#) to the HR Committee concerning the disappearance of the victim at the request of his father, Mohamed DJAOU

unfortunately deceased shortly before the decision was issued, without having seen the results of his struggle for truth and justice for his son and other victims of enforced disappearance in Algeria.

Today, and despite repeated recommendations by the HR Committee to investigate on these disappearances, the authorities keep refusing to shed light on the circumstances of these crimes and to bring their perpetrators to justice. Since 2006, the authorities have used the Charter for Peace and National Reconciliation, which establishes widespread impunity for perpetrators of severe violations such as torture, enforced disappearances and summary executions. The HR Committee recalled that the State cannot invoke this Charter which was found to be incompatible with the International Covenant on Civil and Political Rights (ICCPR) as it imposed a blanket amnesty for state and affiliated forces who committed crimes against humanity.

The HR Committee, therefore, urged the Algerian authorities to "conduct a prompt and thorough investigation that is effective, impartial, independent and transparent" into the disappearance of Boubekeur FERGANI and Tawfik DJAOU and to provide the families with detailed information about the results of its investigation. The HR Committee also requested that the State to release the victims if they were still being held,

to return their remains to their families in the event of their deaths, and to prosecute those responsible for the violations committed while providing the families with adequate reparation.

Alkarama continues to follow up on decisions issued by UN Committees and [highlighted](#) in its reports the constant refusal of the Algerian authorities to cooperate in good faith with the UN human rights mechanisms. This lack of cooperation was highlighted in the [compliance report of the States parties](#) to the human rights treaty bodies, in which Algeria's cooperation with the treaty bodies was graded by UN experts as one of the lowest among all UN member states.

This absence of accountability has in turn fostered impunity among state and affiliated forces for these gross violations facilitating their reoccurrence against today's peaceful protesters and other Hirak activists.

An increased use of arbitrary detention and torture as reprisals against peaceful opponents and their families in Algeria

Reprisals against political opponents and other peaceful activists in Algeria also target relatives of political opponents abroad as illustrated by the arrest of Abderrahmane ZITOUT.

The victim is the brother of Mohamed Larbi ZITOUT, a former Algerian diplomat exiled in London since he revealed the exactions committed by state security forces during the civil war (1993–2000).

Mohamed Larbi ZITOUT had been recently listed as a “terrorist” by the Algerian government because of his involvement in the [Rachad Movement](#), a peaceful political opposition movement, of which he is a co-founder.

It is in this context that his brother, Abderrahmane was arrested on 30 March 2022 by a dozen armed police officers in plain clothes who took him to an unknown location. He disappeared following his arrest until 4 April 2022, when his family learned that he was in the prison of El Harrach (Algiers).

He later reported having spent the first five days of his detention at the central police station in Algiers, where he was questioned at length about his ties with his brother, his political beliefs and whether his brother provided financially for his parents.

While he had no political activities, he was still charged with carrying out “subversive activities”, being a member of a “terrorist group” and “publishing false news”, in reprisals for his brother's activism.

On 30 September 2022, Alkarama [submitted](#) his case to the UN Working Group on Arbitrary Detention ([WGAD](#)) indicating that Abderrahmane ZITOUT had been arrested for the sole reason that he was the brother of a political opponent in exile.

Alkarama therefore called on the WGAD to recognise the arbitrary nature of the deprivation of liberty of Abderrahmane ZITOUT, to urge Algeria to release him immediately, and put an end to acts of reprisal against relatives of exiled political dissidents.

Algeria condemned again for violations to the right to life, liberty and security of Saharawi refugees and rights activists

Sahraoui refugees and rights activists are also regularly subjected to violations of their right to life, liberty and security as reprisals by both the Algerian authorities and the Polisario front, on the territory and with the acquiescence of the Algerian state. This is the case of El Fadel BREICA, a refugee rights defender who had frequently denounced the violations committed by the Polisario in Tindouf's camps. He was arrested by Polisario agents on 18 June 2019 while visiting his family in Algeria. Severely beaten during lengthy interrogations, he went on hunger strike on 15 July 2019 after which he was hospitalised. He was taken back to prison and placed in isolation in

reprisals after he refused the request of a Polisario representative to end his hunger strike.

Following his arrest Alkarama submitted his case to the WGAD which in turn issued [Opinion No. 7/2020](#) considering the detention of the Sahraoui activist arbitrary and requesting the Algerian authorities, responsible for the violations committed by the Polisario on its territory, to release him. In view of the refusal of both the Algerian authorities and the Polisario to implement the UN decision, Alkarama [addressed](#) the WGAD again on 8 June 2022, in the context of its follow-up procedure.

During the 134th session held in Geneva from February 28 to March 25, 2022, the HR Committee has, once again, [concluded](#) that the Algerian authorities are responsible for the violations committed by Polisario agents against another Saharawi refugee in the Tindouf camps, M'Rabih ADDA. On 2 June 2022, the Committee issued [a decision](#) in favour of the victim, for whom Alkarama had filed [a complaint](#) on 12 June 2015.

M'Rabih ADDA is a refugee rights activist who was arrested in Tindouf by agents of the Algerian intelligence services (DRS), on 25 July 2014. He was arrested following a sit-in protest held in front of the Office of the High Commissioner for Refugees ([UNHCR](#)) denouncing violations committed by

the Polisario Front in the Tindouf camps. Peaceful protesters demanded effective rights to freedom of expression and movement as well as dignified living conditions in Tindouf refugee camps.

The evening of his arrest, after being tortured, he was handed over by the DRS to Polisario agents who took him to the “Errachid” detention facilities, known by refugees as a Polisario-held torture centre. Secretly detained for 14 days, he was interrogated about his political activities and severely tortured. After more than two months of severe abuse, exhausted, he finally read under duress a “confession” filmed by Polisario agents, committing himself to cease all political activity. Finally released, the victim had to flee to Mauritania where part of his family lives.

Algeria has regularly been condemned by both the UN Special Procedures and the HR Committee for the abuses committed by the Polisario which has been given de facto authority over Saharawi refugees established in Tindouf, Algeria. As a result, Saharawi refugees are left without any legal remedy for the violations committed by the Polisario front on Algerian territory and with the knowledge and approval of the Algerian authorities.

In a previous case submitted by Alkarama, in which one of the founders

of the Polisario Front, [Ahmed Khalil Mahmoud BRAIH](#), was abducted in the centre of Algiers by the DRS, the HR Committee also concluded to the responsibility of the Algerian government for his disappearance.

According to his relatives, Ahmed Khalil Mahmoud BRAIH was also particularly critical of human rights violations committed with impunity by the Polisario leadership in the refugee camps in the Tindouf region. To date, his family has not been given any information about his fate and whereabouts by the Algerian authorities and the Polisario front.

Survivor of torture and arbitrary detention in Morocco obtains justice before the Committee against torture

An important decision concerning **Morocco** was issued by the CAT during its July 2022 session. The Committee initially [seized](#) by Alkarama on 30 October 2018, recognised the responsibility of the Moroccan State for the torture inflicted by its agents against Mohamed HAJIB. The CAT also recognised the arbitrariness of the detention and conviction to ten-years imprisonment of HAJIB, since they were based solely on confessions extracted under torture.

Arrested in Pakistan, M. HAJIB, a German and Moroccan national, was

A detained there for six months before being released, cleared of all suspicion. He then went to Frankfurt on 17 February 2010 where he was forced by German Police to go to Morocco without further delay. HAJIB was arrested on the night of 17 to 18 February 2010 at Casablanca airport as soon as he got off the plane by agents of the Directorate of Territorial Surveillance (DST) before being immediately transferred to the police station of El Maarif. He was tortured there during his 12-day detention, at the end of which he was forced to sign a police statement that he was not even allowed to read. On 24 June 2010, HAJIB appeared in court and was sentenced to 10 years imprisonment for an alleged participation in terrorist acts following a summary and unfair trial.

On 28 February 2012, the WGAD, seized by Alkarama, had issued an [Opinion](#) qualifying his detention as arbitrary due to the torture and serious violations of fair trial against him. Following his release, HAJIB once again mandated Alkarama to bring his case before the UN Committee against Torture, which recognised that the ill-treatment he had been subjected to throughout his detention constituted torture. The Committee urged Morocco to undertake a thorough investigation into the torture suffered while guaranteeing HAJIB appropriate reparation.

The resurgence of arbitrary detention and police brutality in Tunisia brought to the attention of UN experts

Cases documented by Alkarama this year in Tunisia show a worrying resurgence of practices such as arbitrary detention, police brutality and torture in the context of the ongoing political crisis.

On 6 January 2022, the Association of Victims of Torture in Tunisia (AVTT), Free Voice, AFD International and Alkarama [submitted](#) to the UN Special Rapporteur on Torture the case of Nouredine BHIRI, a lawyer and former Minister of Justice and Fathi BELDI, a former adviser to the Ministry of the Interior. Both men were subjected to serious ill-treatment and torture by members of the security services during their brutal and arbitrary arrest on 31 December 2021.

Nouredine BHIRI was driving with his wife, Saïda AKREMI, a lawyer at the bar of Tunis when several cars belonging to state security services blocked them and proceeded to violently hit the couple before taking Nouredine BHIRI to an unknown location. His wife later learned that he had been taken to the intensive unit care of the Bizerte hospital. On the same day, Fathi BELDI was also violently arrested by several members of the security services in

civilian clothes, in front of his home. He was severely beaten in front of his family for several long minutes before being taken to an unknown place in an armoured SUV.

The [complaint](#) sent to the Special Rapporteur on Torture by Alkarama and the co-signing organisations highlighted their concerns about the deliberate use of brutal and manifestly disproportionate force against the victims. It also highlighted that the agents stated that they were acting upon “instructions received” from higher authorities – i.e. from the Ministry of Interior, which constitutes aggravating circumstances.

The families of the two men learned that the Ministry of the Interior had decided to place them under house arrest on the night of 31 December 2021, in a notice published in the Ministry of the Interior’s website. The announcement merely announced the administrative decision “to place two people under house arrest”, without mentioning their names. Therefore, on 12 January 2022, Alkarama and the other co-signing Tunisian organisations, [seized](#) the WGAD to challenge the deprivation of liberty of the two political figures, calling on the experts to call upon the Tunisian state to end their arbitrary house arrest without further delay.

Consequently, several UN experts sent an [allegation letter](#) to the Tunisian authorities, expressing their “deepest concerns” about the arrest of the two politicians, the circumstances and modalities of their arrests, the ill-treatment inflicted on them and their detention, apparently without any legal procedure. The experts stressed that “the declaration of a state of emergency does not allow for any derogation from certain absolute rights, including the right to life, freedom from torture or other ill-treatment, arbitrary detention or enforced disappearance”.

Simultaneously, on the evening of 7 March 2022, and after 67 days of arbitrary deprivation of liberty, the Tunisian authorities [ended](#) the house arrest of Nouredine BHIRI and Fathi BELDI. They still must obtain justice and reparation for the severe violations suffered by themselves and their families. Since then, Alkarama repeatedly raised its concerns, including with the UN Human Right Council, on this recurrence of practices that most Tunisians thought belonged to the past.

FOCUS ON THE UPR

ALKARAMA'S CONCERNS AND RECOMMENDATIONS BEFORE THE HUMAN RIGHTS COUNCIL

This year, Alkarama participated in [the Universal Periodic Review \(UPR\)](#), of [Algeria](#), [Morocco](#) and [Tunisia](#) by [submitting](#), in March 2022, for each country, a report highlighting the main issues and issuing recommendations. The UPR process conducted by UN Member States within the [United Nations Human Rights Council \(HRC\)](#) in Geneva, consists of a peer review of the human rights achievements of all UN Member States. The UPRs are closely followed by Alkarama, which focuses on the most serious violations, including those against the right to life and security of the person, as well as the right to freedom of expression, peaceful assembly, and association.

This review, which takes place every four years, allows civil society to express its concerns to UN member



UN Photo-Elma Okic-The United Nations Human Rights Council in Geneva.

states, which in turn can make recommendations to the state under review, which either accepts or rejects them. The three north African countries had their previous, and third, periodic review [in May 2017](#). Their fourth review took place between 8 and 11 November 2022 in Geneva and provided Alkarama with an opportunity to evaluate whether previous recommendations have been effectively implemented.

A worsening human rights situation in the Maghreb: Alkarama's concerns before the UN Human Rights Council

In its reports, Alkarama noted with regret that the recommendations accepted by the three countries during previous UPRs to improve the situation of human rights and fundamental freedoms are far from having been implemented. On the contrary, human rights violations have continued in recent years, reaching peaks in the repression of peaceful popular protest movements.

Thus, in the run-up to the periodic review, Alkarama drew the attention of UN member states to the worsening human rights situation and the lack of implementation of recommendations from previous cycles in all three countries. Alkarama recalled that arbitrary arrests and detentions of human rights defenders, journalists,

political opponents and peaceful demonstrators remain major issues common to all three countries.

In **Algeria**, Alkarama has [documented](#) numerous cases of arbitrary detention, particularly in the context of the repression of the peaceful Hirak demonstrations. Many demonstrators were arbitrarily arrested and then sentenced to heavy penalties for exercising their rights to freedom of expression and peaceful assembly. These criminal proceedings have been brought against them on the basis of increasingly repressive anti-terrorism legislation. Since its last review, several UN human rights mechanisms [have expressed strong criticism](#) of the alarming human rights situation in Algeria, particularly since the beginning of the Hirak.

Alkarama highlighted that while public [calls](#) of the OHCHR to put an end to the repression remain unanswered, the Algerian authorities keep refusing to cooperate in good faith with the UN Committees and Special Procedures, particularly in the context of individual complaints.

Alkarama recalled in its contribution the recommendations accepted during [previous UPR reviews](#) by Algeria and noted a significant failure in the implementation of these recommendations. Indeed, out of the 206 recommendations that Algeria has

received, none has been implemented to date. For example, in 2008, Algeria agreed to ratify [the International Convention for the Protection of All Persons from Enforced Disappearance \(ICPPED\)](#). However, fourteen years later, no steps have been taken in this direction.

Concerning **Morocco**, Alkarama highlighted in its [report](#) to the Human Rights Council that the expression of political opinions contrary to the official ideology – particularly on “sensitive” topics such as Western Sahara or the control of the Monarchy over political power – often trigger judicial harassment or prosecutions. Despite the recommendations made in previous periodic reviews, numerous journalists were arrested or prosecuted in 2021, under various pretexts, including “undermining territorial integrity” solely for posting comments on social media related to the status of Western Sahara. [Morocco’s ranking of 136th in the world](#) – 133rd in 2020 – for press freedom in 2021 highlights the regression of freedom of expression in the country. Moroccan legislation contains numerous restrictions on freedom of association, assembly and peaceful demonstrations. On this basis, many peaceful demonstrations have been banned or violently repressed by the police with complete impunity. Finally, regarding the rights to life,

liberty and security, Alkarama expressed its deep concern about the persistence of arbitrary arrests, torture and ill-treatment in detention.

The crackdown on the peaceful Hirak movement in the Rif (north of the country) was followed by the arrest of several journalists, protesters, and activists. While some were granted a royal pardon or released, others were prosecuted for offences such as “undermining state security” and were sentenced to lengthy prison terms after unfair trials and coerced self-incriminations.

In its [report on Tunisia](#), Alkarama expressed its fears about the consequences of the political crisis unfolding since the suspension and subsequent dissolution of Parliament by President Kaïs SAÏED. In violation of the Constitution, Kaïs SAÏED announced that he would assume the totality of executive, legislative, and judicial powers with the help of a head of government and ministers whom he would personally appoint. Alkarama underlined in its report to the HRC that the future of the transitional justice process, implemented in 2012 to address human rights violations committed under the former regime, has been jeopardised by the restrictive measures taken by the executive following these events.

The takeover was followed by a series of restrictions on individual and collective freedoms, arrests and [house arrests](#) of deputies and senior officials, including magistrates and politicians. The number of dismissals by presidential order has increased since July 2021 affecting many senior members of the government and of the judiciary.

An increasing number of criminal proceedings have been brought against bloggers or social media users for peacefully expressing dissenting views or criticism of the executive. Many have been investigated or charged and, for the most part, convicted on charges such as defamation, contempt of state institutions and “harming” the reputation of others through telecommunication networks. In addition, numerous peaceful demonstrations against social injustices have been violently repressed by the Tunisian security forces. Meanwhile the extension of the state of emergency by the government has led to further restrictions on civil liberties including the right to freedom of peaceful assembly and association.

Alkarama also expressed particular concern over attacks carried out against the independence of the judiciary in the form of unilateral decisions of the president, who now controls disciplinary action over members of the judiciary.

More precisely, Alkarama stressed the dangerousness of the President’s decision to dissolve by decree the Supreme Council of the Magistracy (CSM), the independent body responsible for the appointment of magistrates.

On 13 February 2022, the President signed a decree law creating a “provisional” Supreme Council of the Magistracy with the power to dismiss judges and prohibit them from going on strike. He appointed the members of this “provisional” body, allowing him to take over the control over the judiciary, despite concerns expressed by most of the political parties on this issue. On 9 June 2022, the [United Nations Special Rapporteur on the independence of judges and lawyers](#) sent an [allegation letter](#) to the Tunisian authorities raising concerns over these measures, adding that they were taking place in a context where the separation of powers was “under threat”.

Improving human rights in the Maghreb: Alkarama’s recommendations

For each country, Alkarama reiterated the recommendations that it considered most important, but which remain unimplemented to date. Furthermore, it recalled many recommendations rejected by States

during previous reviews, but which are essential to the improvement of the human rights situation.

Regarding Algeria, Alkarama recalled the importance of recommendations such as amending the articles of the Penal Code that punish the exercise of freedom of peaceful expression with prison sentences, reforming its counter-terrorism legislation, ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, and effectively prohibiting arbitrary arrests and detentions by limiting the duration of police custody to 48 hours and ensuring immediate access to a lawyer.

Concerning Morocco, reiterated recommendations included the following: to cease the prosecution of journalists and release all those detained for exercising their rights to freedom of expression, peaceful assembly and association, to revise the provisions of the Penal Code on terrorism and ensure that acts protected under the right to freedom of expression, peaceful assembly and association, cannot be prosecuted under the anti-terrorism law.

Lastly, concerning Tunisia, Alkarama highlighted recommendations including to ensure accountability of perpetrators of all acts of torture committed in the context of the fight against terrorism,

to investigate impartially on complaints of torture, and adopt measures to ensure due protection and respect for the right to information, freedom of expression and freedom of the press.

***Ensuring state accountability:
Alkarama's monitoring of the
implementation of UPR
recommendations***

Following this review, Alkarama will monitor the implementation of accepted recommendations in cooperation with independent civil society organisations. Alkarama called on civil society to join forces in ensuring that the fulfilment of their crucial monitoring role in the implementation of UPR recommendations by their respective governments.

Alkarama recalled that this monitoring role ensures the accountability of States and raises public awareness of the international human rights commitments made by governments. This role is even more important regarding the three states' recurrent failures to meet their international human rights obligations.

FOCUS ON LIBYA

FIGHTING IMPUNITY FOR VIOLATIONS OF HUMAN RIGHTS AND HUMANITARIAN LAWS

The absence of accountability mechanisms in Libya continues to provide a breeding ground for human rights and humanitarian violations. Alkarama continues to submit cases and complaints to the UN experts to promote accountability and protect victims of arbitrary detention and enforced disappearance from all sides of the conflict.

This action yielded positive results this year with the [release](#) of political activist and former Deputy Minister for War Victims and Missing Persons, Dr Abdul Rahman Mohamed Arjili GHOMA, in February 2022, after six years of arbitrary incommunicado detention.

Abdul Rahman GHOMA was abducted by armed men in the Libyan capital Tripoli on 8 June 2016 while he was on



ICC-At a landfill site in Tarhunah, Libya, over 50 bodies have been identified across a number of mass graves. ICC Prosecutor Karim Khan visited the site as part of his official visit

his way to work. On 12 June 2017, Alkarama [submitted](#) an urgent appeal to the WGEID, asking the experts to immediately intervene with the Libyan authorities and urge them to inform his family of his fate and release him. In September 2017, his wife was finally allowed to speak to him by phone. He told her that he had been detained for 15 months in an unknown location before being transferred to Mitiga airbase. Knowing that he had leukaemia, his family feared for his life.

During his time as Deputy Minister for War Victims and Missing Persons, Abdul Rahman GHOMA denounced serious human rights violations, including enforced disappearances, committed by certain armed groups. His family therefore feared that his abduction was a form of reprisal for his positions.

Other victims of prolonged incommunicado and arbitrary detention remain deprived of their liberty in conditions that put their lives at risk. This is the case of Mustafa Talib Younis Abdelkhaleq AL DARSI, a preacher considered "deviant" by the Deterrence Forces (RADAA), who abducted him on 6 January 2016. The OHCHR has previously highlighted that the increasing violations committed by the RADAA forces are aimed at silencing any opposing voice that does not conform to their ideology.

In January 2018, he was transferred to

the unofficial detention centre at Mitiga International Airport, which is controlled by RADAA forces. AL DARSI remains detained there, unaware of the nature of the charges against him and without having been brought before a judicial authority, despite a request to that effect from the Tripoli Prosecutor General.

In August 2022, Alkarama [received](#) reliable information that his health had seriously deteriorated and therefore called on the Libyan government to urgently implement the WGAD [Opinion](#) calling for his immediate release and compensation. In addition, Alkarama insisted on reiterating its calls on the UN-backed Government of National Accord (GNA) to put an end to the widespread practice of enforced disappearances and arbitrary detention by the RADAA Deterrence Forces.

Widespread practice of enforced disappearance and arbitrary detention, amounting to crimes against humanity

Enforced disappearances remain a recurring violation that Alkarama continues to document with the WGEID. On 21 March 2022, Alkarama [alerted](#) the WGEID on the situation of Osama Muhammad Saleh Al Ghafir AL OBEID, a colonel in the Libyan army, who was captured by General Khalifa

HAFTAR's militias in the eastern region of Sirt on 7 December 2016.

After his capture, his family tried in vain to obtain information about his fate and whereabouts from the Benghazi authorities, who refused to acknowledge his detention. However, shortly after his capture, he appeared on a [television programme](#) on Al-Hadath TV, which is controlled by General HAFTAR. He showed signs of ill-treatment and appeared to be speaking under duress. He then disappeared again, and his family received information that he had been secretly detained and tortured by General Khalifa HAFTAR and his forces. Therefore, Alkarama [sent](#) an urgent appeal to the WGEID requesting its urgent intervention to shed light on the fate of Colonel AL OBEID and to ensure his right to liberty and security.

Later, on 23 September 2022, Alkarama addressed the WGAD, asking the experts to recognise his detention as arbitrary and to demand his immediate release and compensation. In its [complaint](#), Alkarama shed light on the total impunity with which General Khalifa HAFTAR's militias continue to secretly detain hundreds of people. Alkarama has received numerous testimonies of arbitrary arrests and abductions by these militias, some of whom remain in a situation of enforced disappearance to this day. Survivors' testimonies reported a systematic use

of torture and other ill-treatment in detention centres, including severe beatings, electric shocks, mock executions, flogging and waterboarding.

Alkarama therefore stressed the importance of bringing all these militias, without exception, under the effective control of the legitimate government and the judiciary, in order to put an end to the climate of impunity that prevails in the country.

Other cases submitted to the UN experts have resulted in decisions such as [Opinion No. 62/2021](#) issued by the WGAD on 17 November 2021 concerning the deprivation of liberty of Libyan citizens Abdelhakim Imbarak Muhammad ALI and Sulaiman Muhammad Salim SULAIMAN. The UN experts considered that the two men had been arbitrarily detained in the Mitiga detention centre since their arrest by RADAA forces in 2016.

Alkarama [submitted](#) their case to the WGAD on 11 August 2021, arguing that both the arrest and continued detention of the two men are arbitrary, as they were abducted by RADAA forces and have since been held without charge or trial. The families of both men have tried in vain to visit them and secure their release, and both have been subjected to reprisals and threats of reprisals by RADAA forces.

In their [Opinion](#), the UN experts

recalled that the right of persons deprived of their liberty to an independent judicial review is an essential fundamental guarantee which was denied to the two victims in this case. The experts also echoed the recommendation of the UN High Commissioner for Human Rights that the Government urgently address the proliferation of armed groups and the situation of their detainees by taking control of all detention facilities and providing detainees with all procedural guarantees in accordance with Libyan law and international standards. At the same time, the experts recognised the full responsibility of the Libyan government for the actions of RADAA forces under international law and recalled that “in certain circumstances, widespread or systematic imprisonment or other severe deprivation of liberty in violation of the rules of international law may constitute crimes against humanity”.

An urgent need to end impunity of HAFTAR’s militias for widespread enforced disappearance, torture, and summary executions

On 6 June 2022, the WGAD issued [Opinion No. 11/2022](#) regarding the deprivation of liberty of [Omar Al Mukhtar Ahmed AL DAGUEL](#) following a complaint submitted by Alkarama in September 2021.

AL DAGUEL was [abducted](#) on 13 July 2016 by several heavily armed militiamen affiliated to General Khalifa HAFTAR who broke into his home in Benghazi and forcibly took him to an unknown location. After a month of enforced disappearance, he was transferred to Al Kouifya prison, where his mother and sister were allowed to visit him for the first time.

AL DAGUEL told them that he had been arrested for having denounced human rights abuses committed by militias affiliated to HAFTAR while he was a student. Since his arrest to date, AL DAGUEL has never been brought before a competent judicial authority.

In its [Opinion No. 11/2022](#), issued following the complaint filed by Alkarama on behalf of the victim, the Working Group noted the arbitrary nature of AL DAGUEL’s deprivation of liberty and called and called upon the forces responsible for his detention to release him immediately.

This decision is an important step towards further legal action to end the impunity of all armed forces and militias associated with General HAFTAR. While stressing the gravity of the human rights violations committed against the victim, the experts sought to establish the international legal responsibility of both the Libyan government and the armed forces under the command of General HAFTAR.

Alkarama, for his part, called on the Benghazi Prosecutor General to implement the UN experts' [Opinion](#) as soon as possible.

Violations committed by HAFTAR forces remain the [focus](#) of Alkarama's efforts to establish the individual international criminal responsibility of the commander and his forces. In November 2022, the Prosecutor of the International Criminal Court (ICC), Karim KHAN, confirmed in a [briefing](#) to the UN Security Council that he had received evidence of violations committed by HAFTAR's forces. These violations are extremely serious and include extrajudicial killings, abductions, sexual violence, kidnapping, mutilation of corpses, enforced disappearances, hostage-taking and looting, as well as indiscriminate aerial bombardments, use of mines, military trials of civilians and destruction of property.

The ICC Prosecutor also informed the Security Council of his visit to sites in Tarhuna where mass graves, in which more than 250 bodies were found after having been “thrown without (burial) ceremonies”. He stressed that the international community cannot allow “a feeling that impunity is inevitable to spread”.

Alkarama had [shed light](#) on crimes committed by the forces of General Haftar, who enjoys the support of

several Arab and European governments, including Egypt, Saudi Arabia, the United Arab Emirates, France and Russia. Alkarama expressed its concern after several field commanders of Haftar's forces, wanted for international crimes, were assassinated in what appears to be part of an internal purge. More specifically, Alkarama expressed its fear that these executions may have been ordered by General HAFTAR to neutralise those responsible for carrying out his illegal orders.

This may well be the case of [Mahmoud AL WERFALLI](#), one of General HAFTAR's top commanders, accused by the ICC of personally executing more than 40 prisoners. On 24 March 2021, AL WERFALLI was [murdered](#) under mysterious circumstances. On 27 July 2021, another HAFTAR militia leader, also accused of war crimes, Muhammad AL KANI, and one of his companions were shot dead in Benghazi by a militia led by one of HAFTAR's sons. AL-KANI was one of HAFTAR's commanders wanted by the ICC and accused by Libyan prosecutors of mass killings in Tarhuna, south-east of Tripoli.

In this context, Alkarama [wrote](#) to several UN bodies, including the Fact-Finding Mission on Libya established by the Human Rights Council, to investigate these assassinations and clarify their circumstances.

THE MASHREQ

This year Alkarama used both individual case documentation and reporting to UN experts and treaty bodies to highlight the human rights situation in **Iraq** and Lebanon. In particular, the situation in places of detention in these countries and the practices of enforced disappearance, torture and arbitrary detention were at the centre of Alkarama's work. It also continued to monitor other priority issues, including the rights of Palestinians under Israeli occupation.

On 31 January 2022, Alkarama submitted its [shadow report](#) to the [UN Human Rights Committee](#) (HR Committee) in the context of the 6th review of **Iraq** which took place during [the 134th session](#) (28 February - 25 March 2022). Alkarama drew the Committee's attention to the serious human rights violations in the country and made a number of recommendations.

In **Jordan**, issues raised by Alkarama in recent years include violations committed by the General Intelligence Directorate in the context of counterterrorism and judicial harassment or persecution of dissenting

voices. These remain problematic, with repeated arrests of peaceful demonstrators and activists on charges such as "spreading false news" or "inciting strife" [documented](#) to the UN experts.

After more than a decade of war atrocities, civilians in Syria still face the consequences of the conflict with no tangible prospect of accountability. In September, the [UN Independent International Commission of Inquiry on the Syrian Arab Republic warned](#) of the consequences for civilians of a new escalation of the conflict, as resources dwindle and international attention wanes.

***State of public freedoms:
right of association,
peaceful assembly,
expression and media,
human rights defenders***

Attacks on public freedoms in the region are particularly critical in Iraq, where they have taken the form of violent repression of all forms of peaceful criticism of the government. In Lebanon and Palestine, human rights

defenders and lawyers continue to face intimidation and reprisals for their peaceful activism, particularly in the form of judicial persecution and harassment.

The violent suppression of peaceful criticism in Iraq

In its [report](#) on the human rights situation in Iraq submitted to the HR Committee in January 2022, Alkarama highlighted the government's continued use of the anti-terrorism law to suppress peaceful criticism. This crackdown escalated with the repression of anti-government protests in October 2019, which drew hundreds of thousands of people to the streets in various Iraqi cities. Since then, a growing number of activists and journalists known for their dissent have been killed or injured by government-backed militias and security forces, who have also carried out numerous abductions.

In its August 2022 [conclusions](#) following the review, the HR Committee expressed its "concern about reports that freedom of expression and peaceful assembly were violated in the context of the demonstrations of 2019 and 2020, including through repression of the coverage of the demonstrations by closing down media outlets and slowing down Internet speed, as well as the use of excessive force against

protestors by security forces, resulting in injuries and deaths, and alleged enforced disappearances". The Committee recommended that the Iraqi State should "take all necessary measures to ensure that journalists and media workers are free to carry out their work without fear of violence or reprisals" and "conduct prompt and impartial investigations into allegations of threats or violence against journalists and protestors".

The Iraqi government is requested to implement the recommendations within the time limit set by the Committee. In order to report to the UN experts on the progress, or lack thereof, in the human rights situation in the country, Alkarama closely monitors the implementation of these recommendations by the government.

Palestinian human rights defenders facing increasing pressure and retaliations

Israel's continued occupation of Palestinian territory and discrimination against Palestinians was denounced again this year by the United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and in Israel ([COI – OPT/Israel](#)) in a [report](#) released in June. The UN experts described the occupation and the treatment of Palestinians by Israel as

“unlawful” under international law and “key root causes of the recurrent tensions, instability and protraction of conflict in the region”.

Over the past few years, Alkarama has continuously [monitored](#) the worrying progression of Israeli pressure on Palestinian access to homes and property, including the demolition of homes and the expansion of illegal Israeli settlements.

While UN experts have repeatedly [stressed](#) the absolute right of Palestinians to exercise their right to self-determination against the occupation, human rights defenders who denounce this situation continue to be targeted by the Israeli authorities. In a [communication](#) sent to the Israeli authorities in March 2022, several UN experts requested clarifications regarding allegations of excessive use of force, arbitrary detention and “collective punishment” against villagers in the Occupied Palestinian Territory protesting against home demolitions, as well as discrimination against Palestinians in access to housing and water.

In November 2022, UN experts also denounced in a [press release](#) the use by Israel of its “counter-terrorism legislation and military orders to halt, restrict and criminalise legitimate human rights and humanitarian work, and as a means of controlling and

repressing the Palestinian population”.

Right to life, liberty and security of persons: enforced disappearances, summary executions, torture, arbitrary detention

Throughout the Mashreq region, particularly in countries such as Lebanon, and to an even greater extent in war-torn countries such as Iraq and Syria, the right to life, liberty and security of persons is subject to multiple and widespread violations. Furthermore, in the Palestinian Occupied Territories and other Palestinian territories, extrajudicial killings and other violations of the right to life, liberty, and security of Palestinians remain as persistent as the Israeli occupation itself.

Palestine – Israel: a record year of Israeli violence in the occupied West Bank

On 15 December 2022, several UN experts [condemned](#) the unprecedented level of attacks by Israeli forces and settlers against Palestinians all across the occupied territories. They stated that during the year 2022 at least 150 Palestinians have been killed in the occupied West Bank by Israeli forces, including 33 children. Furthermore, the UN experts [denounced](#) Israeli settlers’ unpunished violence, stressing that

“armed and masked Israeli settlers are attacking Palestinians in their homes, attacking children on their way to school, destroying property and burning olive groves, and terrorising entire communities with complete impunity”.

Settler impunity is compounded by the impunity of Israeli forces, with what UN experts called “disturbing evidence of Israeli forces frequently facilitating, supporting and participating in settler attacks, makes it difficult to discern between Israeli settler and State violence”. Despite a UN Security Council [resolution](#) adopted in 2016 precisely to end settlement activity, the year 2022 saw a further increase in the number of Israeli settler attacks in the occupied West Bank and entrenched impunity for the perpetrators.

Denouncing the widespread and systematic practice of enforced disappearance, torture, arbitrary detention, and summary executions in Iraq before UN treaty bodies

This year, Alkarama submitted reports to the HR Committee and the Committee against Torture (CAT) as part of their periodic review of Iraq.

In its [report](#) to the HR Committee in January 2022, Alkarama highlighted violations of the right to life as well as the systematic practice of torture,

enforced disappearances and arbitrary detention among its main concerns. In particular, Alkarama condemned the numerous death sentences handed down after unfair trials, often on the basis of the 2005 Anti-Terror Law. These death sentences are regularly carried out in the form of mass executions, which have been unanimously condemned by UN experts, NGOs and human rights defenders. Alkarama’s report also highlighted the numerous extrajudicial executions of civilians carried out by the Iraqi army and government-backed militias in the context of the fight against ISIS.

The systematic use of torture was documented in Alkarama’s [report](#) to CAT. Despite Iraq’s ratification of the UN [Convention against Torture](#) (UNCAT), gaps in national legislation regarding the definition and criminalisation of the crime of torture, as well as the entrenched culture of impunity, create a breeding ground for violations.

Alkarama also highlighted the fact that arbitrary arrests often lead to enforced disappearances, arbitrary detention, unfair trials and, in some cases, death sentences. These practices not only amount to violations of the victims’ rights to life and liberty, but also constitute a form of torture, cruel and inhuman treatment of both the victims and their families.

In May 2022, the CAT [adopted](#) its Concluding Observations and recommendations, in which it expressed concern about the lack of basic legal safeguards from the outset of detention and called on the authorities to ensure respect for these rights on a non-discriminatory basis. The CAT members also expressed concern about “reports indicating that persons in detention, including in facilities under the authority of the security forces and in facilities under the jurisdiction of the courts, are subjected to ill-treatment, torture and other cruel, inhuman or degrading treatment”.

In its [report](#) to the CAT, Alkarama also mentioned the existence of unofficial places of detention indicating that it had received numerous testimonies from the families of victims of illegal and incommunicado detention in places of detention kept secret by the authorities. The Committee [urged](#), “the State party to ensure, as a matter of priority, that the national legislation is applied effectively throughout the country and immediately close all unofficial places of detention”.

The HR Committee [published](#) its Concluding Observations and recommendations echoing Alkarama’s concerns on “unacceptable conditions of detention, such as overcrowding and lack of access to medical services for detainees, as well as denial of

procedural guarantees such as access to counsel and contact with family”. The experts also called on the authorities to ensure that “detainees are held only at official detention facilities and any secret facilities are either closed or put under government control”.

A crucial need for more monitoring of the human rights and humanitarian situation in Syria

Enforced disappearances remain a major problem in Syria, with violations committed by all parties to the conflict. Many victims remain unaccounted for, including those previously detained by ISI in areas now under the control of the Syrian government. On 12 May 2022, several UN experts sent a [communication](#) to the Syrian authorities concerning “the lack of measures taken to conduct a thorough and comprehensive search for persons forcibly disappeared by ISIL in Syria, as well as the lack of investigations in accordance with international standards into mass graves in areas now controlled by the Syrian Government”. According to the UN, the fate and whereabouts of more than 8,143 people held by ISIS remain unknown.

In September 2022, the [Independent International Commission of Inquiry on the Syrian Arab Republic](#) [called](#) on the international community to not “look away” as civilians in Syria are facing “increasing suffering and hardships

brought on by the deadly consequences of over a decade of war”.

The situation of refugees and displaced persons in displacement camps such as Al Hol has been [denounced](#) by UN human rights chief Volker TÜRK as being trapped in “desperate circumstances”. In November 2002, TÜRK condemned the brutal killing of two girls who had been raped and were later found with stab wounds in a sewage ditch in the Al-Hol camp.

According to the UN, at least 53,000 people are being held in Al-Hol, more than half of them are children, while thousands more remain in other camps in north-eastern Syria. In this regard, TÜRK [recalled](#) that “like children everywhere, every child has the right to grow up in an environment protective of their dignity and best interests, without exposure to pain, suffering and violence”.

FOCUS ON IRAQ

MORE THAN A DECADE OF ADVOCACY AGAINST THE PRACTICE OF ENFORCED DISAPPEARANCE AND THE IMPUNITY OF ITS PERPETRATORS

For more than a decade, and especially since the 2003 US invasion of Iraq and the ensuing conflict, Alkarama has made the issue of enforced disappearance a focus of its legal advocacy. These efforts aim firstly to clarify the fate and whereabouts of the victims by filing complaints with the UN Committee on Enforced Disappearances ([CED](#)), which is responsible for monitoring the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance ([ICPPED](#)), ratified by Iraq on 23 November 2010. Alkarama also regularly draws the attention of various UN experts to the systematic nature of the practice of enforced disappearance in Iraq and the unacceptable impunity enjoyed by the various perpetrators.



A mother of victims of enforced disappearances, Um Ahmed, holds pictures of her missing sons in the northern Iraqi city of Mosul, 10 May 2022.

Alkarama's efforts to clarify the fates and whereabouts of victims of enforced disappearances in Iraq

Following Alkarama's complaints to the CED, the UN body urged the Iraqi authorities to search for and locate the victims in good faith and called on them to investigate their disappearances in accordance with their treaty obligations. To date, Alkarama has submitted more than 200 cases of enforced disappearance to the CED, which represents only a small proportion of the actual number of enforced disappearances in the country. On 21 January 2002, the CED [urged](#) the Iraqi authorities to shed light on the fate of Walid AL JANABI and Mohammad Tareq Thanoon AL ELOW, who both disappeared after being arrested.

Walid AL JANABI was [abducted](#) from his home in Latifiya (south of Baghdad) by several members of the Iraqi army on 6 June 2015. His relatives' continued attempts to locate him since his abduction have been unsuccessful. Mohammad Tareq Thanoon AL ELOW disappeared while fleeing his town of Tal Afar (north-west Iraq) during clashes between ISIS and the Iraqi army. He was arrested at a Kurdish militia checkpoint ("Peshmergas") and taken to an unofficial detention centre along with hundreds of civilians.

His family has not heard from him since 28 August 2019, when AL ELOW called his relatives for the first and last time.

The CED, which [regularly calls the State party to cooperate in clarifying the fate of missing persons](#), stressed that no circumstances can be invoked to justify an enforced disappearance and that it is the responsibility of the State to investigate all cases of enforced disappearance on its territory, including those committed by militias.

In another [case](#), on 17 October 2022, CED called on the Iraqi authorities to clarify the fate of Iraqi citizen Amer AL KARTANI, who has been missing since he was abducted from his home by members of the Iraqi Intelligence Police on the night of 21 May 2014. Since his abduction, the victim's family has not been informed of his whereabouts, despite constant requests to all relevant authorities, including the Ministry of Interior. In November 2017, on behalf of the victim's family, Al Wissam Association and Alkarama submitted an urgent appeal to the CED to clarify the fate of AL-KARTANI.

Some of the cases brought to the CED by Alkarama concern victims who went missing after being abducted and later executed by US forces. Since the US invasion, the already widespread practice of enforced disappearance has worsened.

On 18 October 2002, the CED [urged](#) the Iraqi authorities to investigate and clarify the fate of the Yemeni citizen Saleh Musa Ahmed Mohammed AL BAYDANI.

AL BAYDANI, who was only 17 years old at the time of his disappearance, had travelled to Iraq to work and support his family in Yemen. On 12 August 2009, he was arrested in the Tal Afar district of Nineveh province (north-west Iraq) by US forces who, following the invasion of Iraq in 2003, suspected all Arabs of non-Iraqi origin of fighting against the occupation forces.

AL BAYDANI was held secretly in Abu Ghraib prison for ten months after his arrest, before being transferred to the Iraqi army. He was subjected to severe torture from the time of his arrest and was later sentenced to death by an Iraqi court after a summary and unfair trial on charges of "association with a terrorist group" - despite the fact that international law prohibits the death penalty for defendants arrested as minors. Following an urgent appeal to the Special Rapporteur on extrajudicial, summary or arbitrary executions ([SR SUMMEX](#)), AL BAYDANI's execution was suspended. He remained in regular contact with his family until the end of June 2014, when his relatives stopped receiving phone calls from him for no apparent reason, prompting Alkarama to bring his case to the CED.

After several years of silence, the Iraqi authorities informed the CED that AL BAYDANI had been "executed by court order" and buried in the absence of his family, and stated that his relatives had not claimed his body. Alkarama asked the CED to keep the case open because, contrary to the Iraqi state's claims, AL BAYDANI's family had never received any official information about his execution and burial. The CED confirmed that AL BAYDANI's case will not be considered closed until his family has been duly and officially informed of his fate and whereabouts and has been provided with a death certificate.

Alkarama continues to submit new complaints to the CED, including on behalf of victims who disappeared several years ago, in the hope of discovering their fate or finding them alive. This was the [case](#) of three Iraqi brothers, Aqil Khalil Hamid IBRAHIM, Emad Khalil Hamid IBRAHIM and Falah Khalil Hamid IBRAHIM, who were arrested by the military at their home on 31 January 2014. After their arrest they were taken to an unknown location and have been missing since. As the family lost hope of finding any of the three brothers alive, they learned that one of them, Falah, had been seen in a detention centre of the 23rd Brigade of the Iraqi army, which had severely tortured him. On 24 February 2002, Alkarama [addressed](#) the CED and

asked the experts to urge the authorities to reveal the fate and whereabouts of Falah IBRAHIM and his brothers.

Denouncing the widespread impunity for enforced disappearances to UN human rights mechanisms

Since the beginning of its work documenting the practice of enforced disappearance in Iraq and its consequences for the victims, their families and Iraqi society as a whole, Alkarama has insisted on the absolute necessity of putting an end to the entrenched impunity of the various perpetrators.

In January 2022, Alkarama submitted its [shadow report](#) to the Human Rights Committee ([HR Committee](#)), underlining the widespread practice of enforced disappearance by all parties to the conflict since the 2003 US invasion of Iraq and the enduring impunity of their authors. In their [conclusions](#) published following the review, the experts of the HR Committee called upon the Iraqi authorities to “ensure the swift adoption of the bill on the protection of persons from enforced disappearance, and take all necessary measures to ensure the cessation of this practice”.

Then, on 13 March 2022, Alkarama submitted its [report](#) to the UN

Committee against torture ([CAT](#)) highlighting the suffering of victims of enforced disappearance and their families, a suffering which amounts to torture for both those missing and their relatives. In their [conclusions](#) following the review, the members of the CAT highlighted issues raised by Alkarama including the practice of “enforced disappearance committed by Iraqi forces and affiliated armed actors during the military operations and the counter-terrorism campaigns” and in the context of the October 2019 demonstrations as well as the lack of investigations and prosecutions against perpetrators.

On 30 August 2022, Alkarama [highlighted](#) the issue of impunity during a symposium organised by the Association of Muslim Scholars in Iraq on the occasion of the International Day of the Victims of Enforced Disappearance to shed light on the situation in Iraq, which has the highest number of enforced disappearances in the world. According to several human rights and media sources, up to eleven thousand complaints of enforced disappearance have been reported as of mid-2002.

Alkarama recalled that “the Iraqi authorities are unwilling to hold accountable those involved in the crimes of enforced disappearance”. Alkarama also stressed the importance of international human rights

organisations in exposing the practice of enforced disappearance in Iraq and the challenges they face in their work, including reprisals. In addition, the lack of cooperation in good faith on the part of the authorities in responding to the cases submitted to the CED - an issue also raised by the UN experts themselves - was also denounced.

The importance of uncovering the practice of enforced disappearance is crucial to protect victims, ensure accountability and avoid the repetition of such crimes in the future. In this regard, Alkarama has been actively cooperating with the CED since the beginning of its advocacy work. The Committee [visited](#) Iraq in November 2022 after it was established that the government refused to comply with its obligations under the ICPPED, a behaviour which has constantly been denounced by Alkarama and Iraqi NGOs.

After their visit, the members of the CED issued a [statement](#) in which they recalled that as of November 2022, the CED “registered 555 individual cases of disappeared persons and has requested the State party to adopt immediate measures to search for them and to investigate their alleged enforced disappearance”.

In addition, the CED highlighted issues raised by Alkarama in its previous reports to the UN on the subject,

including the enforced disappearance of many victims following their arrest and detention without any judicial process or protection under the law, as well as the persistence of secret places of detention.

Importantly, the UN experts also recognised the widespread impunity of both state and pro-state militias responsible for many disappearances with the acquiescence of the official authorities. Finally, the CED echoed Alkarama's concerns about the practice of reprisals and intimidation against human rights defenders who actively participate in the search for the victims.

FOCUS ON LEBANON

MORE THAN A DECADE DOCUMENTING AND DENOUNCING TORTURE, ILL-TREATMENT AND INHUMANE DETENTION CONDITIONS

For more than a decade, Alkarama has been documenting and denouncing torture, ill-treatment and inhumane prison conditions in Lebanon to the UN Committee against Torture ([CAT](#)). Since the CAT opened a confidential inquiry into the systematic use of torture in the country in 2008, following a submission by Alkarama, this work has led to positive results. In 2016, a law was passed to establish a national preventive mechanism, as provided for by the Optional Protocol to the Convention against Torture ([OPCAT](#)).

Under the OPCAT, States parties agree to establish a National Preventive Mechanism (NPM) to prevent torture and ill-treatment by monitoring places of detention and receiving complaints from persons deprived of their liberty.



A detainee in Roumieh, the oldest and largest of Lebanon's overcrowded prisons (credit unknown)

However, the situation of detainees in Lebanon remains problematic more than a decade after the country acceded to OPCAT.

In recent years, Alkarama has documented deaths in custody, such as that of the young Palestinian man, Yasser Al-Hassan, who died in his cell in Roumieh prison due to medical negligence after 15 years of detention and ill-treatment. Al-Hassan was arrested in the context of events in the [Nahr al-Bared camp](#), which saw widespread human rights violations, systematic use of torture, arbitrary arrests and unfair trials.

This year, Alkarama continued to denounce the failure of the Lebanese authorities to comply with their international obligations under the UN Convention against Torture (UNCAT) and its Optional Protocol. Furthermore, with the current political and economic crisis in Lebanon, structural problems such as inhumane detention conditions are becoming even more apparent, particularly in prisons such as Roumieh.

Calling on Lebanese authorities to effectively combat torture

On 26 June 2022, on the occasion of the International Day in Support of Victims of Torture, Alkarama, together with human rights NGOs and the Tripoli Bar Association, issued a joint statement

[calling](#) on the Lebanese authorities to comply with their international obligations under the Convention against Torture and its Optional Protocol, which Lebanon has ratified.

The statement highlighted the shortcomings of Lebanese legislation and the failure of the State party to make the necessary corrections. The Lebanese authorities were urged to “effectively protect all persons on its territory, including those in detention, from torture and cruel, inhuman and degrading treatment or punishment” and to “investigate all allegations of torture and ill-treatment” and, if found guilty, to convict the perpetrators.

Civil society participants pointed out that the National Preventive Mechanism had not yet begun to carry out its tasks of monitoring places of detention and acting as an independent complaint mechanism for victims of violations. Meanwhile, Lebanese and international NGOs have documented “repeated failures by the security forces and the judiciary to enforce the Anti-Torture Law and provisions of the Criminal Procedure Code aimed at protecting the rights of detainees”.

This entrenched impunity is also reinforced by a worrying practice of reprisals and intimidation against human rights defenders and lawyers who defend victims of torture and document cases.

These include Mohamed SABLOUH, a lawyer registered with the Tripoli Bar Association who represents victims of torture and arbitrary detention. SABLOUH has been threatened and harassed by both the General Security Directorate and the Military Prosecution in reprisal for his work. In September 2021, the Military Prosecution attempted to have him disbarred and charged him with “spreading false information” after he filed a complaint on behalf of a client for acts of torture and other ill-treatment under the Anti-Torture Law.

The civil society organisations, joined by Alkarama, therefore called on Lebanon to respect its international obligations under the Convention against Torture by bringing its legislation into line with the Convention and conducting prompt and impartial investigations into all allegations of torture.

Shedding light on the structural issue of overcrowding and inhumane conditions of detention

In addition to the practice of torture and ill-treatment in detention, inhumane prison conditions and overcrowding remain key issues raised by Alkarama with UN human rights mechanisms. Since their first visits to the country, UN experts have repeatedly identified overcrowding as a

major problem and described detention conditions in Lebanese prisons, particularly in Roumieh, as “appalling”. These are still ongoing problems, exacerbated by the effects of the financial and political crisis currently affecting the country.

In its latest concluding observations, the CAT [expressed](#) its concerns “about the high number of persons held in pre-trial detention, many of them in prolonged pre-trial detention”. The experts [recommended](#) that Lebanon “improve conditions of detention and alleviate the overcrowding of penitentiary institutions and other detention facilities, including through the application of non-custodial measures”.

However, and to date, the authorities have continuously failed to take any tangible steps to address overcrowding and implement the CAT’s recommendations. After their last visit to Lebanon, in May 2022, the SPT members also [expressed their concern](#), “about the prolonged pre-trial detention, overcrowding and deplorable living conditions in places of deprivation of liberty”.

In this context, civil society has regularly documented deaths in custody as a result of torture, ill-treatment and denial of adequate care and food. None of these deaths in custody have resulted in an impartial,

effective and thorough investigation, in violation of the country's international obligations under the UNCAT.

On 26 December 2022, Alkarama [joined](#) several Lebanese civil society organisations in seizing the UN Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment ([SPT](#)) and relevant UN Special Procedure mandate holders with a call for urgent action concerning the situation in Roumieh prison and other Lebanese detention centres.

The organisations stressed that one of the main contributors to the situation is the extreme overcrowding in detention centres across the country, mainly due to the overuse of pre-trial detention. According to a [declaration](#) of Lebanon's Prime Minister, at least 79% of individuals deprived of their liberty in the country are still awaiting trial. In the infamous Roumieh prison, the overcrowding rate is reaching unprecedented levels with up to 300%.

The co-signing organisations also highlighted that this situation could have been addressed by the authorities if they had the political will to do so. Lebanon's National Preventive Mechanism (NPM) created in 2016 and established in 2018 is still not operational due to an absence of funding, a lack of actual means but also a lack of willingness from its members

to effectively carry out their mission.

Alkarama and the Lebanese organisations highlighted that this absence of accountability could not be explained, nor justified, by a lack of means. Rather, they affirmed that it was clearly the result of the government's continued unwillingness to address the known causes of the current dire situation.

While civil society organisations have long documented the recurrent practice of torture and an entrenched culture of violence, humiliation and ill-treatment in detention, no significant step has been taken by the authorities to address these violations.

Calling for effective accountability mechanisms

In their December 2022 [submission](#) to the UN, Alkarama and the co-signing NGOs stressed that while Lebanese law provided that prison oversight shall be ensured by the Ministry of Justice's Prison Department, detention centres remained under the authority and control of the General Directorate of Security Forces.

As a result, and in the absence of an operational NPM, detainees are effectively left with no choice but to submit their complaints about acts of torture or ill-treatment to the same authorities that perpetrated or allowed

such acts to take place. The submission highlights that none of the recommendations made by CAT to transfer the management of the prison to the Ministry of Justice have been implemented.

With no place of detention in Lebanon subject to effective independent judicial control, effective redress for victims of torture and ill-treatment remains illusory. Predictably, human rights lawyers, civil society organisations and victims of torture and ill-treatment in detention alike continue to face a complete lack of transparency and accountability mechanisms of the prison authorities. In their submission, the civil society organisations condemned the authorities' failure to bring about any improvement, be it in terms of prevention, repression, or rehabilitation, since the accession of Lebanon to the Optional Protocol in 2008.

They concluded that such failure to act has put the prison population in Lebanon in a situation that can only be described as another humanitarian emergency in which their most fundamental guarantees in detention remain virtually inexistent.

Lastly, the co-signing NGOs called on the SPT to sanction the Lebanese authorities' lack of willingness to address these issues by adding Lebanon to the public list of states which have

failed for too long to establish an effective NPM, in contravention with their obligations under article 17 of the OPCAT.

THE NILE

This year, Alkarama's work on the Nile region mainly focused on **Egypt** and **Sudan**, two countries in which violent crackdowns against civil societies by military powers remain of major concern. The situation of human rights defenders and political opponents in **Djibouti** is also problematic, with the country appearing again in the 2022 report of the annual report on reprisals by the UN Secretary-General on cooperation with the United Nations, its representatives, and mechanisms in the field of human rights. President Ismail Omar Guelleh who has been in power for the past 23 years keeps muzzling of all forms of political opposition and severely restricting civil society space.

While the UN Framework Convention on Climate Change (UNFCCC) Conference of Parties (COP27) was held in Sharm el-Sheikh in November 2022 among governmental restrictions on civil society's participation, several UN experts [called](#) on **Egypt** to ensure the safety and full NGO participation at the UN conference. UN Experts [highlighted](#)

that this event had shed light on “years of persistent and sustained crackdowns on civil society and human rights defenders using security as a pretext to undermine the legitimate rights of civil society to participate in public affairs in Egypt”. They [stated](#) that “arrests and detention, NGO asset freezes and dissolutions and travel restrictions against human rights defenders have created a climate of fear for Egyptian civil society organisations to engage visibly at the COP27”. UN experts' fears of governmental persecutions against civil society [expressed](#) in the lead-up to the COP27 have proved to be [justified](#) as “climate activists and civil society have been subjected to intimidation, harassment and surveillance during the summit in Sharm-el-Sheikh”.

The situation in Sudan remains a central preoccupation this year again for Alkarama. These preoccupations were echoed by previous United Nations High Commissioner for Human Rights, Michelle BACHELET, during an [oral update](#) on 7 March 2022 during which

she expressed her deep trouble at “the sharp reversal of human rights achievements following the military coup in Sudan”. She added that since the October 2021 coup, the country had “again plunged (...) into profound crisis”, eroding two previous years of progress towards institutional and legal reform and causing widespread human rights violations in complete impunity.

A few months later, the successor of Michelle BACHELET as UN High Commissioner for Human Rights, Volker TÜRK, decided to dedicate [his first official visit](#) to Sudan in November 2022. He stated that the country was in a pivotal moment in its history and aimed with his visit to “bring a strong message: human rights have to be at the core of the transition”. As political negotiations continued, he urged, “all those involved to set aside entrenched positions, power games, and their personal interests, and to focus on the common interests of the Sudanese people”.

***State of public freedoms:
right of association,
peaceful assembly,
expression and media,
human rights defenders***

While the situation of public freedoms and human rights defenders remains concerning in the whole Nile region, the brutality of the violence with which authorities in Egypt and Sudan have

repressed their civil societies kept Alkarama’s attention.

A continuing human rights crisis in Egypt

While on 3 January 2022, political activist Ramy SHAATH was [released](#) after two years and six months in arbitrary pre-trial detention, it is still estimated that at least 65,000 people have been, or are still, arbitrarily detained in Egypt for political reasons. The activist was arrested on 5 July 2019, by Egyptian security authorities on charges of “terrorism” and inciting, “unrest against the state”. In April 2020, SHAATH’s name was placed on the Egyptian list of “terrorist entities and individuals”, a decision which was [strongly criticised by UN experts](#). The use of counter-terrorism measures against civil society activists, lawyers, journalists, and human rights defenders has been repeatedly denounced by UN experts calling on Egypt to stop this practice. However, Egyptian authorities continue to abduct, arbitrarily detain, and subject to torture and ill-treatment of peaceful activists and political opponents.

While the resumption of Egypt’s Presidential Pardon Committee led to the release of some political detainees, many of them remain in detention, either in long pre-trial detention or serving lengthy sentences pronounced

following blatantly unfair trials. On [8 November 2022](#), UN Human Rights High Commissioner Volker TÜRK called upon Egypt to release prominent blogger and activist Alaa ABDEL FATTAH who was on a seven-month hunger strike. He also [urged](#) the authorities to “fulfil their human rights obligations and immediately release all persons who have been arbitrarily detained, including those in pre-trial detention, as well as individuals who have been unfairly convicted” and to “revise all laws that restrict civic space and curtail the rights to freedom of expression, assembly and association”.

Increased crackdown on human rights activists and opponents in Sudan since the October 2021 military takeover

Like in Egypt, a military takeover in Sudan has led to a violent crackdown on civil society. On 24 June 2022, several UN experts [sent a letter](#) to the Sudanese authorities concerning “allegations of arbitrary detention, enforced disappearance, torture and ill-treatment of hundreds of peaceful protesters, human rights defenders and people with a perceived affiliation with the opposition to the military coup of 25 October 2021”.

Alkarama’s work helped in yielding positive outcomes for victims of human rights violations in Sudan this year. On 19 April 2022, four political detainees

were released from arbitrary detention following court decisions to acquit them of all charges against them, after Alkarama had [submitted](#) their cases to the UN human rights mechanisms. Victims included Former Foreign Minister Ibrahim Ahmed Abdul Aziz GHANDOUR, Leader of the Rule of Law and Development Party, Mohammed Ali Abdullah AL-JAZOULI, and human rights activist Djuma Aris Fadlallah HAMDI, who were all three released on 7 April 2022, as well as brigadier general Gamaledeen AL SHAHEED, who was freed later on 14 April. The families of the detainees thanked Alkarama for their solidarity and for having defended their relatives.

Gamaledeen AL SHAHEED had been arbitrarily detained since he was arrested on 29 June 2020 by members of the military intelligence. On 10 March 2022, [Alkarama addressed](#) the UN Working Group on Arbitrary Detention ([WGAD](#)) and he was later transferred to Al-Huda prison on the outskirts of Omdurman (Khartoum) on 18 December 2020. He then appeared for the first time before a judicial authority that informed him that he was being tried on charges of “undermining the constitutional order”, charges that were dropped as he was released in April 2022.

Alkarama [submitted](#) complaints to the WGAD on 4 February 2022 on behalf of Ibrahim Ahmed Abdelaziz GHANDOUR

and Mohamed Ali Abdalla AL JAZOULI, both arbitrarily arrested in mid-2020 by military security services. Both were taken to military detention centres, denied their fundamental rights and held incommunicado. They were later charged with “undermining the constitutional order” and were later acquitted on 7 April 2022.

The case of Djuma Aris Fadlallah HAMDI was [submitted by Alkarama](#) to the WGAD on 4 January 2022. The human rights activist was brutally abducted from his workplace in Khartoum on 5 July 2020 by members of Sudanese security forces dressed in civilian clothes. Djuma HAMDI was then held incommunicado for three months. He was later transferred to Cooper Prison in the city of Bahri, Khartoum, known for detaining political prisoners and human rights activists and was released on 7 April 2022.

UN experts and Alkarama have [denounced](#) the deterioration of the human rights situation in Sudan since the October 2021 military takeover. The country has been going through a severe political crisis, fuelled by the armed forces’ crackdown on peaceful protests calling for the immediate lifting of the state of emergency and its restrictions. These include new restrictions on individual and collective freedoms and waves of arbitrary arrests of politicians and [civil society activists](#).

In March 2022, Alkarama supported the call of the [UN expert on the situation of human rights in Sudan](#), Adama DIANG, to end the excessive use of force against peaceful protesters, lift the state of emergency in the country, release all remaining protesters and activists as well as investigate promptly and impartially all allegations of human rights violations.

Right to life, liberty, and security of persons: enforced disappearances, summary executions, torture, arbitrary detention

This year, Alkarama’s work continued to focus on severe violations to the right to life, liberty and security with a particular emphasis on Egypt, where enforced disappearances and torture continue unabated, more than nine years after the military coup that saw Field Marshal AL SISI seize and concentrate power.

Torture and enforced disappearance continue unabated in Egypt

Alkarama remains deeply concerned about the persistence of enforced disappearance in Egypt, which is used as a tool to persecute all political opponents and human rights activists in the country.

On 3 March 2022, Alkarama [addressed](#) the Working Group on Enforced Disappearances ([WGEID](#)) regarding the situation of Omar Maher Abdel Zaher EL DESOUKY, an Egyptian engineer who was abducted by security forces at Cairo airport on 20 December 2021 while on his way to Sweden. Twenty-six-year-old Omar EL DESOUKY was arrested without any explanation and was then taken by the police to an unknown destination. His family tried in vain to locate him as all the authorities they contacted kept denying his arrest and refusing to provide any information on his fate and whereabouts. Alkarama, therefore, sent an urgent appeal to the WGEID requesting its urgent intervention with the Egyptian authorities to clarify the fate of Omar EL DESOUKY and release him immediately.

Later, on 25 April 2022, Alkarama [seized](#) again the WGEID concerning the situation of Karim Yaser Abdalnabi ABDULAZIM, an Egyptian arrested by security forces in the governorate of Al Sharqiyah (north-east, Egypt) on 12 April 2022. He was arrested at his workplace, a supermarket, by security forces without any mandate or reasons, and was forced into one of the vehicles before being taken to an unknown place. His family has not heard from him since and has tried to contact the Al Sharqiyah authorities, which refused to acknowledge his arrest and detention.

Alkarama therefore requested the WGEID to urgently intervene with the Egyptian authorities to clarify the fate of Karim ABDULAZIM, to release him, and in any case to place him under the protection of the law.

Systematic and Widespread Use of Arbitrary Detention Against Political Opponents in Egypt

It has been estimated by NGOs that in the past ten years at least 60,000 individuals are or have been victims of arbitrary detention in Egypt for political reasons. Illustrative of this practice of systematic arbitrary deprivation on liberty to crackdown on opposition is the situation of former deceased Egyptian president MORSI staff who [continue](#) to be detained since the 2013 military takeover, in spite of a UN decision requesting the authorities to release them. On 7 June 2022, Alkarama requested the WGAD to call on the Egyptian authorities to release the staff members of former Egyptian president Dr Mohamed MORSI. Among them were Dr Ahmed Abdel ATTY, Dr Essam AL-HADDAD, Mr Khaled EL-KAZAZ, Mr Asaad EL-SHEIKHA, Ayman ALI and Mr Abdel Majid MASHALI who remain in detention after [urgent appeals](#) were submitted and an [opinion](#) issued by WGAD on 13 November 2013 confirming the arbitrary nature of their detention. They were placed in solitary confinement, completely cut off from

the outside world, in cruel and inhumane conditions. They were held for a long period without any contact with their families and lawyers before being formally charged and transferred to the high security prison complex of Tora in the suburbs of Cairo. Today, they are still arbitrarily detained in Tora, in inhumane conditions. Alkarama therefore, once again, [turned](#) to the WGAD, in the context of its follow-up procedure, to ensure that the UN decision is implemented and that the victims are released.

Most of the enforced disappearances documented by Alkarama turned into arbitrary detention and prosecutions based on declarations made by the victims under torture while secretly detained. For example, on 22 June 2022, Alkarama [submitted](#) the case of Abdelrahman Ali Mohammed Ali ELSAYAR and Hossam Ali Mohamed Hegazy HAMZA to the WGAD, both of whom were abducted by the Egyptian security forces, subjected to enforced disappearance and torture before being sentenced to long prison terms following unfair trials.

Abdelrahman Ali Mohammed Ali ELSAYAR, an engineering student, was abducted on 20 September 2016 at around noon in Aswan by security forces who accused him of wanting to “leave the country illegally”. Following his arrest, his family unsuccessfully inquired about his fate and

whereabouts with the authorities for three months until they were told that he appeared before the military court in Cairo. He testified that he was severely beaten and electrocuted during his interrogations and was forced to sign self-incriminating statements. On 9 March 2020, after nearly four years in pre-trial detention, he was sentenced to 10 years’ imprisonment by the Cairo military court on charges of participating in the planning and attempted assassination of the Egyptian deputy general. No material evidence was presented by the prosecution, which relied on a confession extracted under torture from another co-defendant. Although ELSAYAR denied any involvement in the acts attributed to him during his trial, the judge in charge of his case replied that even if he knew he was innocent, he should be sentenced because it was a “political” case. He is currently being held in Tora prison.

Hossam Ali Mohamed Hegazy HAMZA was arrested by security forces in a hospital in Cairo where he had been transferred by demonstrators on 14 August 2013 after having been shot by security forces in Rabaa al-Adawiya Square in Cairo. Despite his condition, he disappeared for two weeks during which he had been taken by the security forces to their premises and subjected to torture. He was later brought, without a lawyer, before the State Security Prosecutor’s Office and

charged with “joining a group whose aim is to call for the disruption of the provisions of the constitution and laws” and “preventing the institutions of the state from functioning”. On 8 September 2018, after an unfair trial, he was sentenced to 15 years in prison in the “Rabaa Square dispersal” case. During his detention and despite his condition, HAMZA has not received any medical care and has instead been beaten and subjected to ill-treatment and torture. He is currently being held in Tora prison.

Conditions of detention synonymous with torture

On 16 February 2022, Alkarama [addressed](#) the [UN Special Rapporteur on Torture](#) regarding the case of the former governor of Qalyubia, Dr Hossam ABOUELEZZ, who was been held in solitary confinement since his abduction by security forces on 17 September 2013. This university professor was notified on 20 September 2013 by the State Security Prosecutor’s Office that several charges among them “premeditated murder” in Rabaa sit-in dispersal case, one of the most important political [mass trials after the coup](#).

Dr ABOUELEZZ has now been [held](#) for eight years in Tora high security prison in solitary confinement in a small cell deprived of natural light and denied

communication with the outside world. His family who is not allowed to call him has been denied their numerous requests to the authorities to visit him or communicate with him by telephone. It is in these circumstances that Alkarama addressed the UN Special Rapporteur on Torture to call on the Egyptian authorities to release Dr ABOUELEZZ and to provide him with urgent medical care and at the very least to provide him unrestricted access to his family and lawyer.

Alkarama has [regularly drawn the attention](#) of the United Nations special procedures to the human rights situation in Egypt and in particular to the cruel and inhumane conditions of detention of political prisoners. In particular, the so-called [Scorpion](#) prison is known to be a place where detainees are severely beaten by prison staff, isolated in cramped disciplinary cells, deprived of their families and lawyers visits. No medical care is provided despite detainees’ alarming state of health. Alkarama [recalled](#) repeatedly that these inhumane conditions of detention clearly amounted to torture and violated all fundamental international standards on the treatment of persons deprived of their liberty.

FOCUS ON SUDAN

ACCOUNTABILITY IS KEY TO ENSURE A PEACEFUL TRANSITION

Several visits were carried out in **Sudan** this year, the first ones by the [UN expert on the situation of human rights in Sudan](#), Adama DIANG in February and then again in June 2022, and then another visit by UN High Commissioner for Human Rights, Volker TÜRK, who decided to dedicate [his first official visit](#) to the country in November 2022.

After Diang's first [visit](#) to the country in February 2022, Alkarama [echoed](#) the UN expert's calls to end the repression of demonstrators and release political detainees. The UN expert reiterated his concerns about "the security force's repeated use of excessive force and live ammunition against protesters since the 25 October 2021, coup". He also noted that "so far at least 82 people have been killed as a result, more than 2,000 injured and others, mostly women, subjected to acts of sexual violence".



A child protester carries the flag of Sudan on a street in Khartoum. UN News/Abdelmonem Makki

Alkarama [joined](#) the UN expert's call to ensure accountability, especially in light of the negative consequences on human rights of the state of emergency. Alkarama highlighted the need to ensure prompt and impartial investigation on the numerous cases of attacks on medical facilities and health workers, harassment of media and journalists, arbitrary arrests and detentions of protesters and human rights activists, as well as the use of torture and other ill-treatment in detention. Throughout the year, Alkarama also continued to monitor cases of political detainees, documenting them to the attention of United Nations special procedures.

Following its second visit to the country in June 2022, [UN expert on the situation of human rights in Sudan](#), Adama DIANG expressed "serious concerns about the continued use of excessive force by the Sudanese authorities against peaceful protesters, and called for those responsible to be held to account and justice to be served". He urged the authorities to ensure immediate accountability for past and ongoing human rights violations three years after the June 2019 crackdown on peaceful protests in Khartoum during which more than 100 demonstrators were killed by security forces.

Following his [visit](#) to Sudan on 13–16 November 2022, UN High commissioner Volker TÜRK reiterated the concerns

expressed by UN expert Adama DIANG [highlighting](#) that "since the military takeover at least 119 people have been killed and more than 8,050 sustained injuries – many life-changing." He echoed Alkarama's concerns over impunity in the country by stating that it is "crucial that serious violations of human rights are prosecuted, and perpetrators brought to justice – regardless of their affiliations." As "impunity breeds further violence", "it must be addressed head on".

In March 2022, a [report](#) was published by the UN Secretary General on the activities of the United Nations Integrated Transition Assistance Mission in the Sudan ([UNITAMS](#)). The report highlighted violations against civil society and peaceful demonstrators, including allegations of rape and gang rape of women and girls, as well as allegations of sexual harassment by security forces during the protests. Furthermore, it confirmed that "the emergency decree imposed at the time of the coup, on 24 December 2021, gave extended law enforcement powers to the security forces, including intelligence services".

As stressed by Alkarama's previous [reports](#), security laws in Sudan have been constantly used to arbitrarily detain peaceful opponents and ensure the immunity of the security forces responsible for secret detention and torture.

As [highlighted](#) by Alkarama in these reports, justice and accountability for past and current crimes committed by security forces remain key to ensure an effective and peaceful transition.

In October 2022, several UN human rights experts [demanded](#) “effective accountability for the year-long brutal crackdown on peaceful protests against the October 2021 military coup in Sudan” and called for an “independent accountability and transitional justice mechanism with a mandate to address human rights violations committed during protests”. According to [UN figures](#), joint security forces have been responsible for the killing of at least 117 protesters and an “estimated 7,700 protesters, including thousands of children, seriously injured”.

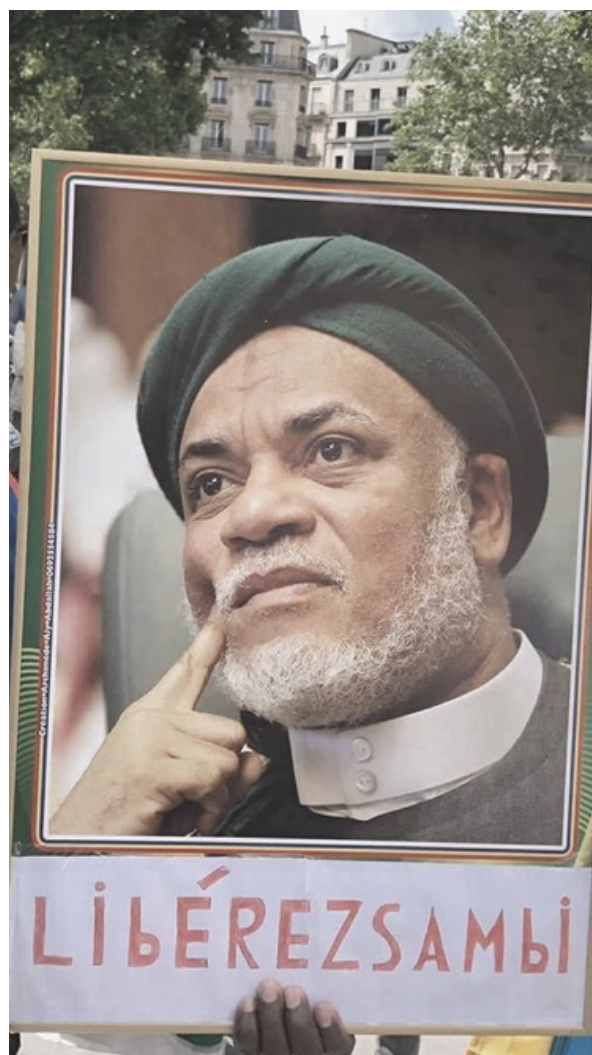
FOCUS ON COMOROS

DENOUNCING POLITICAL TRIALS THROUGH THE CASE OF FORMER PRESIDENT SAMBI

This year, Alkarama continued to represent former Comorian president Ahmed Abdallah Mohamed SAMBI, who was in office from 2006 to 2011. He was sentenced to life imprisonment in December 2022, after an unfair trial which had been followed by Alkarama.

Sambi's deprivation of liberty started a day after Friday 18 May 2018, when he participated in the weekly prayer at the Moroni Mosque. At the end of the religious service, a group of political supporters gathered around him, chanting slogans against the incumbent president, Azali ASSOUMANI.

The next day, on 19 May 2018, SAMBI was placed under house arrest, under the pretext that he was causing trouble to public order. The measure based on an administrative decision was issued by the Ministry of Interior declaring that his house arrest was "necessary" to



A banner at a protest in Paris calling for the release of President Mohamed Sambi, who has been arbitrarily detained since 18 May 2018.

maintain public order. This executive order against the former president was part of a broader context of political opposition by the former president against the reforms initiated by current President ASSOUMANI.

Submitting that such a measure constitutes an arbitrary deprivation of Sambi's liberty, Alkarama [sent an urgent appeal](#) to the WGAD on 29 May 2018. Alkarama argued that Mr SAMBI's deprivation of liberty was politically motivated and aimed at limiting his freedom of movement and speech in the capital in as a political opponent.

Sambi will only be brought before the investigating judge, Ali HASSAN, a nephew of President ASSOUMANI, on 20 August 2018. The judge ordered his remand in custody on charges of corruption.

In a [decision](#) dated 19 November 2018, the WGAD considered the arrest and placement under house arrest of former President Sambi as arbitrary calling for his immediate release and reparation. However, the Working Group's opinion has never been implemented. On the contrary, the [situation](#) of SAMBI, who has been cut off from all contact with the outside world, has deteriorated significantly. On 24 March 2021, Alkarama [sent](#) another urgent appeal to the WGAD to request SAMBI's release as his health deteriorated and as

he was denied access to proper health care. Alkarama recalled that the former president's pre-trial detention was in breach of both international and Comorian law. The Comorian Criminal Procedure Code limits the period of pre-trial detention to eight months, whereas SAMBI's exceeded four years. Furthermore, Alkarama stressed that the former head of state was detained without prior investigation on the mere basis of a report on the Economic Citizenship Programme, written by Dhoiher DHOULKAMAL, Comorian Minister of Foreign Affairs. Nevertheless, all requests for release made by his lawyers were systematically rejected by the investigating judge without any legal grounds.

On 22 February 2022, Alkarama [again](#) referred the case to the UN experts as part of its follow-up procedure and on 24 October 2022, the experts sent a communication to the Comorian Government stating that SAMBI's pre-trial detention for more than four years was a violation of his right to a fair trial. They also expressed their concerns about his deteriorating health and his isolation under house arrest for more than four years. They reminded the Comorian authorities that pre-trial detention should be used exceptionally, for the shortest possible period of time and only in cases where there was evidence of serious harm.

However, on 7 December 2022, and despite all the irregularities of the process, SAMBI was [sentenced](#) by the State Security Court to life in prison on charges of “high treason”. The court decided to confiscate his property and deprive him of his political and civil rights, that is, “the right to vote and to hold public office”. SAMBI appeared briefly on the first day of his trial after a long period of arbitrary detention. During his hearing he denounced the conduct of his trial, refusing to recognise the jurisdiction of this court on the grounds of its illegality.

In light of these events, Alkarama [requested](#) the WGAD to issue another opinion concerning the summary and unfair trial of the former president and the arbitrary character of his detention, requesting again his immediate release.