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### UNIVERSAL PERIODIC REVIEW

**Written statement<sup>\*</sup> submitted by Cairo Institute For Human Rights Studies (CIHRS)  
a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2009]

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<sup>\*</sup> This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Human Rights Situation in the Arab Region: Ongoing Repression of Public Liberties and Freedoms<sup>1</sup>**

**The Cairo Institute for Human Rights Studies in collaboration with 14 Arab NGOs<sup>2</sup> would like to express their concern over the deterioration of the human rights situation in the Arab region.**

1. The extent and nature of the grave human rights violations committed in the Arab region at present can be attributed to a serious lack of political will amongst the ruling regimes to respect and protect human rights. The official discourse in some Arab countries that tends to justify these violations on existing harsh economic conditions has largely proven to be invalid. Some of the richest Arab states, Libya as an example, have proven to be the perpetrators of some of the gravest human rights violations in the region. Nor do cultural constraints related to Islamic *Shari'a* adequately explain this region's persistent resistance to human rights reform. In 2008, Morocco declared that it will withdraw its reservations on The Convention on the Elimination of All Forms of Discrimination,<sup>3</sup> Saudi Arabia decided to finally change the heads of its religious police and the Chairman of the Judicial Council – known for their negative human rights record and vocal opposition to reforms – and Egypt granted licenses to more than one independent newspaper. Though limited in their effects, these acts represent examples of how political will can overcome tenets of cultural and economic relativism and fear of political turbulence. This political will was almost completely absent during 2008 in almost all states of the Arab region. In fact, governments throughout the region have consistently demonstrated a highly hostile attitude toward human rights, characterized by efforts to actively undermine human rights standards and the work of human rights defenders, on both a domestic and international level.
2. As such, in 2008 torture, and cruel and degrading treatment of prisoners and detainees remained widespread throughout the Arab region, particularly in Bahrain, Syria and Egypt, where dozens of deaths in detentions have been attributed to torture and/or due to poor prison conditions. The excessive use of force by Syrian authorities to repress demonstrations by prisoners resulted in the death of approximately 25 inmates. In Saudi Arabia, security forces set fire to 25 Yemeni immigrants who lacked identification

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<sup>1</sup> This written statement is based on the main findings of CIHRS Annual Report for 2008 entitled "From Exporting Terrorism to Exporting Repression, Human Rights in the Arab Region." For detailed information on the cases mentioned in the statement *see generally* <http://www.cihrs.org/Images/ArticleFiles/Original/382.pdf>.

<sup>2</sup> The views expressed in this Written Statement are also shared by the Egyptian Initiative for Personal Rights (EIPR), the Egyptian Organization for Human Rights (EOHR), Human Rights First Society in Saudi Arabia, the Moroccan Association for Human Rights, the Bahrain Youth Society for Human Rights (BYSHR), Palestinian Human Rights Organization in Lebanon (PHRO), Damascus Center for Human Rights (Syria), Bahrain Center for Human Rights (BCHR), Center for Egyptian Women Legal Aid (CEWLA), Tunisian League for Human Rights (LTDH), Yemen Observatory for Human Rights (YOHR), the Conseil National pour les Libertés en Tunisie (CNLT), the Egyptian Organization for Human Rights (EOHR) and the Khartoum Center for Human Rights and Environmental Development also share the views expressed in this intervention.

<sup>3</sup> *See How did Arab governments commemorate the 60th anniversary of the Universal Declaration of Human Rights?* Press release, CIHRS available at <http://www.cihrs.org/English/NewsSystem/Articles/616>.

documents, leaving 18 of them with severe burns. In all Arab countries, with very few exceptions related to non political detainees, torture continues to go unpunished.

3. No serious efforts were made throughout 2008 to resolve the question of the rights of minorities and religious groups in the region, as they continue to be the target of systematic and severe discrimination in most Arab states.<sup>4</sup>
4. The failure to implement the right of political participation and to create methods for the peaceful rotation of power between different political groups strongly demonstrates this lack of political will for reform in the region. There are serious doubts that free elections can be held in countries that face chronic political crises, such as Lebanon or Sudan. Algerian authorities pushed through a constitutional amendment that allows the Algerian president to run for re-election for unlimited terms. The upcoming elections in Algeria and Tunisia are expected to turn into political “plebiscites.” In Egypt, authorities used all means, legal and illegal, to disqualify most opposition candidates from running in local elections and to prevent them from submitting their candidacy forms. In most countries in the region the possibility to peacefully challenge the central government’s power does not exist.

**The CIHRS and its partner organizations would like to express their concern over the suppression and repression directed at existing public and political freedoms in Arab countries.**

1. In 2008, throughout the Arab region, reformists, human rights activists, defenders and NGOs came increasingly under attack by ruling regimes that enacted ever more repressive measures and policies towards public and political freedoms – a pattern that would appear to be further intensifying in 2009. Moreover, legal provisions imposing limitations on freedom of expression under the pretext of combating “defamation” of religion were used commonly to harass and prosecute many artists, thinkers and poets in the Arab region.
2. A growing tendency in some Arab countries to use excessive force to confront various forms of social action has also been demonstrated. The repression of advocates of the general strike in Egypt and accompanying protests in *Mahalla al-Kubra* on April 6, 2008, led to two deaths and the arrest of hundreds, some of whom were referred to an Emergency State Security Court. The incidents that occurred at the mining basin area in *Gafsa* City in Tunisia also constitute a flagrant example of the state using violent repressive measures against a social protest movement. Tunisian authorities raided neighborhoods and homes, and used live ammunition to quell demonstrators. Show trials were organized for 107 trade unionists, local residents, and their sympathizers, and there were reports that detainees were tortured and sexually harassed.<sup>5</sup> In Morocco, security forces carried out repressive violent attacks against demonstrators during the events of

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<sup>4</sup> For further information on this issue see CIHRS’ additional Written Statement to the 10<sup>th</sup> Session of the HRC dealing with minority rights within the Arab region.

<sup>5</sup> For updates on the *Gafsa* basin incident, see *Without Accountability...The Tunisian Government Continues to Suppress Human Rights*, CIHRS Press Release, available at <http://www.cihrs.org/English/NewsSystem/Articles/997>.

*Sidi Ifni*, where they raided the homes and terrorized the families of known protestors, and physically and sexually harassed protestors. Moreover, the Sudanese authorities responded to protests from residents of the northern part of the country, who were organized against the construction of two dams on the Nile, with arrest campaigns and by firing at one demonstration in the *Kajbar* region, killing four people.

3. In most Arab countries, repression and censorship – by employing the judicial system – of the free flow of information, opinions, and ideas is on the rise, both through specific publication bans, as in Egypt, and through the suspension of newspapers or the revocation of their licenses, as in Yemen and Sudan. Journalists, writers, artists, media figures, and bloggers throughout the region face acts of severe suppression including arbitrary arrest and detention. Blocking websites has become a widely used policy, particularly in Tunisia, Syria, Bahrain, and Saudi Arabia, and bloggers have become a target for arbitrary arrest under the Emergency Law in Egypt.
4. In Algeria, under the pretext of the legal provisions of the Charter for Peace and National Reconciliation, human rights activists and journalists faced trials and prison terms, especially those involved in examining grave violations perpetrated during the 1990s and the early 2000s.
5. In Bahrain, excessive use of force against peaceful protests led to the death of one rights activist. Several human rights and civil society activists were arbitrarily arrested, tortured and referred to unfair trials.
6. In Libya independent human rights organizations don't exist and in Saudi Arabian and Syria, human rights organizations still work with no official authorization. Also in 2008 Egyptian organizations came under security pressures aimed at preventing them from carrying out some of their activities.<sup>6</sup> Furthermore, censorship on written publications and violations to freedom of expression found their pretext in combating “defamation of religion.” State pressure on writers and intellectuals increased in 2008, either from religious institutions including the Islamic Research Council of *Al-Azhar*, the government's security agencies and/or Egyptian courts. These violations included confiscations of books and publications, overturning a decision to grant an award of arts to a secular poet claiming that he marred the deity in one of his poems and ordering a fine against the editor-in-chief of an independent newspaper after being sued by the Grand Imam of *Al-Azhar* for libel and slander.
7. In Morocco, members of rights organizations, mainly working in the Western Sahara region, were put on trial and faced arbitrary measures on the grounds that they undermine “sacrosanct principles” and on the grounds of threatening the territorial integrity of the Kingdom. Furthermore, several journalists, newspaper editors and bloggers were sentenced to prison in publication cases.
8. In Saudi Arabia, arbitrary arrests leading to lengthy detention periods continued to be used as tools to harass and repress reformists under laws that criminalize all means of

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<sup>6</sup> For further information on this issue see CIHRS' additional Written Statement to the 10<sup>th</sup> Session of the HRC dealing with human rights defenders within the Arab region.

peaceful demonstrations. Almost 400,000 internet sites within Saudi Arabia were blocked with the pretense of protecting Islamic moral values.

9. In Sudan, journalists and activists were arbitrary arrested, detained and tortured because of their criticism of regime policies and for publishing information about the situation in Darfur and cooperating with the International Criminal Court or recognizing its jurisdiction in any way.
10. In Syria, prominent members of the Damascus Declaration for Democratic and National Change were harassed and subjected to unfair trials. Authorities continued their long-standing policy of denying legal standing to human rights organizations and instituting travel bans for prominent activists and figures from human rights organizations. Many advocates of democracy and human rights still languish in prison, serving sentences issued years before.
11. In Tunisia, authorities tightened the siege on the Tunisian League for the Defense of Human Rights while refusing to recognize many other similar associations. Physical harassment was instituted as a tool of suppression against many activists as some faced various forms of harassment, assault and pressure, including actual raids on some activists' homes.
12. In Yemen, many human rights activists were detained or forcefully disappeared for weeks or months on end. Several journalists and activists received threats, including death threats, as a result of their continued efforts to expose possible war crimes committed in the Sa'dah province.
13. Almost all Arab regimes use an arsenal of laws to attack and suppress human rights defenders and reformists. These regimes have used these sets of restrictive regulations as a pretext in their fight against fundamentalism and terrorism. However, such a discourse is patently false, as practice demonstrates that human rights activists and secular intelligentsia are the main victims of these oppressive policies. The many and varied forms of calls for reform, and the ever-increasing amounts of democratic and human rights activists brutally suppressed by governments is, perhaps, the strongest proof that the largest obstacle to the exercise of political and civil rights in these countries remains a severe lack of political will among ruling elites to allow for such rights.

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