



# General Assembly

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## Human Rights Council

### Thirteenth session

Agenda item 3

**Promotion and protection of all human rights,  
civil, political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by the Cairo Institute for Human Rights Studies, 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.

[15 February 2010]

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

## **Repression of human rights defenders in Morocco, Syrian Arab Republic (Syria), and Tunisia<sup>1</sup>**

The Cairo Institute for Human Rights Studies is deeply concerned about ongoing violations towards human rights defenders in Morocco, Syria, and Tunisia.

During 2009 authorities escalated their attacks on human rights defenders in most countries in the Arab region. Among these countries, human rights defenders in Morocco, Syria, and Tunisia faced much harassment, including detention, unfair trials, and smear campaigns.

There are many examples that demonstrate the repressive attitude of the authorities and government towards human rights defenders in these countries. One must acknowledge that Morocco witnessed several developments this year which suggest an improvement in its observation of human rights such as women's political participation and the establishment of the "equity and reconciliation commission" that took place in 2004. However, we cannot overlook that the relative improvements to Morocco's human rights record were threatened by the continuing repression of political activists. In Morocco, many abuses of Sahrawi defenders take place, as they are being detained and exposed to unfair trials, and also face hard conditions in prison. In Syria, human rights defenders are routinely accused of "undermining the prestige of the state," "weakening national sentiment," and "disseminating false news that may weaken the nation's morale". In Tunisia, human rights defenders are under siege as they can hardly do any activity without the authorities' interference.

The Cairo Institute for Human Rights Studies is deeply concerned about the deterioration of the situation of human rights defenders in Morocco.

In January 2010, the Moroccan authorities refused to deliver the passports of Sahrawi human rights defender Al-Ghalia Al-Degami, the vice president of "The Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State" (ASVDH) and Mustapha Al-Dada, member of the same association.<sup>2</sup>

In June 2009, Shekeib El-Khayari, the president of the "Association for Human Rights in the Rif." was sentenced to three years in prison. He was charged with insulting state institutions after he accused senior officials of involvement in a drug-smuggling network. During his trial additional charges were leveled at him for opening a bank account abroad through which he received 225 Euros from a Spanish paper for an article he had written. The trial is viewed as politically motivated given El-Khayari and his organization's defense of migrants and Amazigh cultural rights, as well as El-Khayari's statements on corruption.<sup>3</sup>

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<sup>1</sup> This written statement is based on the main findings of CIHRS Annual Report for 2009 entitled "Bastion of Impunity, Mirage of Reform." For detailed information on the cases mentioned in the statement see generally <http://www.cihrs.org/Images/ArticleFiles/Original/485.pdf>

<sup>2</sup> Arab Network for Human Rights Information, Moroccan authorities refused to extradite passports for Sahrawi human rights defenders, January, 23, 2009, available at <http://www.anhri.net/morocco/makal/2010/pr0123.shtml>

<sup>3</sup> Amnesty International, Morocco/Western Sahara: Free Activist Convicted for Speaking Out Against Corruption, June, 26, 2009, available at <http://www.amnesty.org/en/region/moroccowestern-sahara>

Members of the "Moroccan Association for Human Rights" face particular pressure, at times including detention or referrals to trial, because its members are active in social, political, and trade union protests.<sup>4</sup> An example of these cases includes Mustafa Abdel Dayem, who was arrested after peaceful demonstrations. He was convicted and sentenced to three years in prison on charges of denigrating the country's flag, helping to organize an armed gathering, and participating in the destruction of public property. Another example is Yahya Mohammed el Hafed, who was sentenced to 15 years in prison following protests against the "Moroccan Administration of the Western Sahara" that turned violent and led to the death of a policeman. He was convicted despite the fact that he denied being involved in the protest and trial evidence showed no proof of his participation.

The Cairo Institute for Human Rights Studies is concerned about the unfair trials that human rights defenders face in Syria.

In July 2009 prominent lawyer Muhannad Al-Hassani, president of the "Syrian human rights organization, Sawasiyah" was arrested for his advocacy role, particularly his monitoring of the trials of political activists in exceptional state security courts. Al-Hassani was referred to trial on charges of "undermining the prestige of the state," "weakening national sentiment" and "disseminating false news that may weaken the nation's morale."<sup>5</sup> In addition to this, the Bar Association filed a disciplinary charge against Al-Hassani. Accordingly, Al-Hassani was referred to the disciplinary committee on charges of heading an unlicensed organization without the consent of the Bar Association, engaging in activities insulting to Syria, and attending and recording sessions at the State Security Court. As a result the Bar Association dismissed Al-Hassani.

In October 14, 2009, the authorities detained the prominent human rights defender Hitham Al-Maleh, aged 78. He participated in establishing the "Syrian Association for Human Rights" in 2001 and remained its Director until 2006. His whereabouts remained unknown for about a week before the military persecutor ordered a warrant of arrest on October 21. Al-Maleh was referred to a military trial on charges of "disseminating false news that may weaken the nation's morale and insulting the President and judiciary of Syria." Some sources declared the measures that targeted Al-Maleh to be the result of defending Mohanad Al-Hasani in addition to giving some television interviews criticizing the Syrian authorities' behavior in suppressing freedom of expression and the conditions of public freedoms in the country.<sup>6</sup>

In September 2009, a joint team from the General Intelligence Office and the Damascus police closed and sealed the offices of the Syrian Center for Media and Freedom of Expression, one of the most active Syrian organizations in the field of press freedom, and

<sup>4</sup> See the sections on freedom of expression, the Western Sahara issue, and the freedom of peaceful assembly, CIHRS Annual Report for 2009 entitled "Bastion of Impunity, Mirage of Reform." <http://www.cihrs.org/Images/ArticleFiles/Original/485.pdf>

<sup>5</sup> CIHRS, Mohanad Al-Hasani's Detention: An attempt to Hush Syrian Regime Victims, July, 30, 2009, available at <http://www.cihrs.org/English/NewsSystem/Articles/2512>

<sup>6</sup> CIHRS, Campaigns against human rights defenders must stop, October, 19, 2009, available at [www.anhri.net/egypt/cihrs/2009/pr1019.shtml](http://www.anhri.net/egypt/cihrs/2009/pr1019.shtml)  
Syrian Observatory for Human Rights, The military persecutor ordered a warrant arrest against Syrian human rights defender Hitham Al-Maleh, October, 21, 2009, available at <http://www.anhri.net/syria/shro/2009/pr1021.shtml>

confiscated all office contents. Mazen Darwish, a well-known journalist and advocate who runs the center, was not given any legal warrant in advance.<sup>7</sup>

The Cairo Institute for Human Rights Studies is concerned about the smear campaigns against human rights defenders in Tunisia.

In December 2009, smear campaigns were launched against Kamel Jendoubi, the President of the "Euro-Mediterranean Human Rights Network"; Sihem Bensedrine, the spokeswoman for the "National Council for Liberties"; Mokhtar Trifi, the President of the "Tunisian League for the Defense of Human Rights"; and Khamis Chamari, the former Secretary-General of the "Tunisian League for the Defense of Human Rights" and a founding member of the "October 18 Movement for Rights and Freedoms". These campaigns were led and directed by the pro-government Tunisian press. The campaigns have gone so far as to accuse human rights defenders in Tunisia of collaborating and spying for Israel. Containing various incitements to murder, the campaigns are preparing public opinion to disregard any potential assassinations of these activists, already branded as "traitors."<sup>8</sup>

Lotfi Amdouni, a member of the Tunisian branch of Amnesty International (AI) and the International Association for the Assistance of Political Prisoners, was twice barred from leaving his house in July 2009 by state security officers, who camped outside his house to prevent him and others from attending the annual general meeting of AI's Tunisian branch.<sup>9</sup>

In June, three human rights defenders, Radhia Nasraoui, Abdelraouf Ayadi, and Abdelwahed Maatar, were assaulted by security personnel upon their return from Geneva, where they had been participating in a conference for Tunisian exiles. The three were subjected to a full personal search at the Tunisian airport.<sup>10</sup>

The Cairo Institute for Human Rights Studies calls on the governments of Morocco, Syria, and Tunisia to carry out the following steps as required by international legal standards, and urges the United Nations Human Rights Council and all UN member states to call upon these governments to:

- End harassments that target human rights defenders, including smear campaigns, unfair trials, etc.
- End the policy of arbitrary detention and enforced disappearance that targets human rights defenders.
- Maintain an environment where freedom of expression is granted by laws and comply with international standards.

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<sup>7</sup> Syrian Center for Media and Freedom of Expression (SCM), Syria: Closure of the Syrian centre for Media and Freedom of Expression, September, 15, 2009, available at <http://www.fidh.org/TheObservatory-for-the-Protection,6971>

<sup>8</sup> CIHRS, Grave developments in Tunisia threaten the lives of human rights defenders, January, 1, 2010, available at <http://www.cihrs.org/English/NewsSystem/Articles/2528.aspx>

<sup>9</sup> CIHRS Annual Report for 2009 entitled "Bastion of Impunity, Mirage of Reform." <http://www.cihrs.org/Images/ArticleFiles/Original/485.pdf>

<sup>10</sup> Id.