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Human rights situations that require the Council's attention

Written statement* submitted by the 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.

[24 August 2012]

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

Alarming increase in repression and attacks against civil society in the Gulf region**

The Cairo Institute for Human Rights Studies and partners¹ would like to bring to the attention of the UN Human Rights Council the harsh crackdowns on human rights defenders and civil society currently taking place in Bahrain, Saudi Arabia, Oman and the United Arab Emirates.

Bahrain

The continuing crackdown against independent human rights organizations and advocates began in March 2010 and escalated dramatically following the mass uprisings in February 2012.

On 14 August 2012, the High Criminal Court of Appeal postponed the final verdict on the appeal of 13 prominent human rights advocates and political opponents to 4 September, prolonging the already year-long illegal imprisonment of the activists, on politically motivated charges related to their activism. The 13 activists, who include prominent rights defenders Abdulhadi Al-Khawaja and Dr. AbdulJalil Al Singance, originally received between two years to life imprisonment sentences by a military tribunal in June 2011. The recommendation issued by the Bahrain Independent Commission of Inquiry, established by the King in June 2011, that all political prisoners be released, remains outstanding.

On 16 August, prominent defender Nabeel Rajab, was sentenced to three years in prison in three cases relating to his human rights work after being abducted from his home by masked men in plain clothes. There are currently five legal proceedings against him in addition to other forms of persecution such as travel bans, tear gas attacks on his house, and harassment of his family.

On 2 August, human rights activist and blogger Zainab Al-Khawaja was again arrested while protesting alone on Al Qadam roundabout. Zainab had already sustained a leg injury when security forces shot her with tear gas canisters at close range on 27 June. On August 14, Zainab's case was adjourned until 28 August, and her detention maintained. There are a total of 13 cases against Zeinab open with the Public Prosecution and in court.

Saudi Arabia

Almost all domestic democratic initiatives calling for the realization of fundamental rights and freedoms have been subjected to extreme repression in Saudi Arabia.

On 10 April 2012, Mohamed Saleh al-Bjady, co-founder of the Saudi Civil & Political Rights Association (ACPRA), was sentenced to 4 years of imprisonment by the Special Criminal Court in Riyadh, established to try terrorism and security-related offences, followed by a five-year travel ban, on charges of participating in establishing an unlicensed human rights organization, harming the image of the state in the media, calling on the families of political detainees to protest, contesting the independence of the judiciary and possessing banned publications. He is in detention since 21 March 2011. The whereabouts of another ACPRA activist Saleh Al Ashwan arrested on 7 July, remain unknown since he was moved to an undisclosed location said to belong to the secret police.

^{**} Al Karama, Gulf Center for Human Rights (GCHR), NGOs without consultative status, also share the views expressed in this statement.

¹ This Written Intervention is supported by and was created with the assistance of Alkarama and the Gulf Centre for Human Rights (GCHR).

On 18 June, Dr. Mohamed Fahad Al Qahtani, prominent rights defender and co-founder of ACPRA, was accused of 11 politically motivated charges before the Riyadh Criminal Court. Amongst his accusations is using ‘false’ facts and information “as evidence to the mechanisms of the Human Rights Council of the United Nations”. Dr. Al-Qahtani’s trial of is due to resume on 1 September 2012; if found guilty, Dr. Al Qahtani could serve up to 5 years in prison and face a heavy fine.

On 11 June, Dr. Abdullah al-Hamid, another ACPRA’s founder, appeared before the Riyadh Criminal Court on a list of 8 charges, including “using internet to prepare, storage and dispatch materials prejudice public order” and “participating in establishing a rights organization without authorization.” Like Dr. Al Qahtani, Mr. Al Hamid’s trial is scheduled to resume on 1 September 2012.

On 12 June, writer and human rights defender, Mukhlif Al-Shammari appeared for the fourth time before the Special Criminal Court in Jeddah on charges such as “defaming the reputation of the kingdom in international media outlets”, “communication with suspicious organizations”, and “accusing government institutions of corruption”. His next hearing is scheduled for 11 September 2012.

On 4 June, Waleed Abu AlKhair, human rights lawyer and head of Monitor of Human Rights in Saudi Arabia (MHRSA), appeared before the District Court in Jeddah on charges which include contempt of judicial authority, accusing a judge of corruption, and an attempt to discredit the Kingdom by giving misleading information to foreign human rights organizations. The next hearing is scheduled for 29 August 2012.

Additionally, activist Raef Badawi remains in detention since his arrest on 17 June on charges of creating a liberal network and mistreatment of his parents. Also, Fadel Al Manasif, founding member of Adala Centre for Human Rights, remains in detention after his trial was adjourned in May 9, without the date of his next hearing being known.

Oman

Since the end of May 2012, Omani authorities have cracked down on the majority of rights defenders and democracy advocates in the sultanate.

On 9 July, Hamud al-Rashidi, a demonstrator, Hamad al-Khorousi, Mahmoud al-Rawahi, and Ali al-Meqbali, all online activists, were sentenced to sentences between 6 months and one year for “defaming the Sultan” as well as violating provisions of Oman’s information crimes law. On July 16, Mohammed al-Badi, Mohammed al-Habsi, Abdullah al-Siyani, Talib al-Abry, Abdullah al-Arimi, and Mona Hardan were sentenced to one year in prison for “defaming the Sultan”. Hardan, al-Abry, and al-Badi were sentenced to six additional months in prison for violating provisions of Oman’s information crimes law. All defendants were released on bail pending appeal sessions, scheduled for September 15 and 10 respectively.

On 6 August, eight activists were sentenced to one year in prison and fines for defaming the Sultan by publishing offensive writings and violating cyber information laws. Only one female activist was acquitted of all charges against her. On 8 August, the Muscat Court of First Instance sentenced another 11 activists to one year in prison and fines, in addition to bail, on charges of illegal gathering with intention to cause a riot and disturbing traffic. Another protester was sentenced to one year in prison and a fine for defaming the Sultan.

United Arab Emirates

Following a series of arrests in recent months, a total of 51 human rights defenders and activists in the UAE have been arrested, many arbitrarily detained and held incommunicado, with fears that additional arrests might follow.

The 51 detained advocates and activists, some of whom are members of the Reform and Social Guidance Association (Al-Islah), are well known for their repeated calls for democratic reform. Most of them were arrested following a statement made by the Public Prosecutor in Abu Dhabi on 15 July 2012, announcing that a group of people would be investigated for plotting “crimes against state security”, “opposing the UAE constitution and ruling system”, and having ties to “foreign organizations and agendas”.

Three prominent human rights lawyers are among those detained, Dr Mohamed Abdullah Al-Roken; Dr Mohamed Al-Mansoori, the deputy chairman of Al-Islah and a former president of the Jurists’ Association; and Salem Al-Shehhi, who was acting as Dr Al-Roken’s lawyer. On 13 August some of the 51 human rights defenders and activists announced a hunger strike protesting their arbitrary arrest and illegal detention.

In another worrying development, the security forces moved six citizens from the group of activists collectively known as the “UAE7” – whose citizenship has been revoked - from the Al-Shahama prison to an unknown location. The seventh member of the group, Ahmed Abdulkhaleq was forced to go into exile or face indefinite detention.

Generally, human rights defenders in the UAE have been subjected to harassment, travel bans, restrictions on freedom of expression and freedom of assembly, arbitrary detention, revocation of nationality, deportation, and illegal imprisonment. Human rights organizations are not permitted to work in the UAE.

Recommendations for the United Nations

- The member states of the UN Human Rights Council (HRC) should strongly denounce and call for a halt to the ongoing crackdown against human rights defenders and civil society actors within Saudi Arabia, Oman, Bahrain, and the UAE under all appropriate agenda items of the 21st Session of the HRC.
- Relevant mandate holders of the Special Procedures of the HRC, including the Special Rapporteur on Human Rights Defenders, Freedom of Expression and Freedom of Assembly and Association should immediately request official visits to these countries to assess the human rights situation within the country, and should begin to more strongly prioritize these situation of human rights in the Gulf.
- The Office of the High Commissioner of Human Rights should prioritize the situations included in this briefing, and begin to assess and condition its cooperation with these governments on an improvement of the situation of human rights defenders and civil society in these countries and on concrete measures by these countries to end the current crackdown described above.