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**IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251
OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”**

**Written statement* submitted by the Arab Center for the Independence of the
Judiciary and the Legal Profession (ACIJLP), 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.

[16 June 2006]

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

**The Conditions of Justice and Human Rights in Some Arab Countries
(Republic of Tunisia, Republic of Sudan, Republic of Syria, Republic of Iraq, Arab
Republic of Egypt)**

The Arab Republic of Egypt

The demands of Egypt's Judiciary with relation to the promulgation of the Judiciary Authority Law have still not been met. The Emergency Law was extended for a further two years. Many individuals remain subject to detention without a charge or trial. Some of the detainees are members of the Muslim Brotherhoods or other political streams. Torture is still committed in prisons and detention places.

- Violations related to the Judiciary crisis

Violations against the judges' rights

Judges in Egypt were subject to many violations, represented mainly in withdrawing the immunity of many of the judges who objected to election rigging. Some of the mentioned judges were referred to investigation and even to disciplinary trial, in addition to assaulting Judge Mahmoud Hamza in front of the Judges' Club in Cairo.

Freedom of _Expression and Peaceful Demonstration

Freedom of the press and of journalists is still restricted. Police used excessive force against journalists while they covered the judges' disciplinary trial. Police also used excessive force against those who demonstrated in solidarity with the judges referred to disciplinary trial, detaining –to date- many of the demonstrators without charges.

The Emergency Law

The Emergency Law has been enforced since it was imposed in 1981. It was extended this year for two more years till 2008.

The Republic of Tunisia

Many Tunisian judges and lawyers were subject to further violations this year. The police physically and verbally assaulted lawyers. Activities in the field of human rights are still subject to many restrictions, in addition to imposing more restrictions on the freedom of _expression.

Violations against the Independence of the Judiciary

Judges in Tunisia are still subject to many of the violations they were subject to last year when members of the Tunisian Judges' Association were prevented from entering their office. Pressures continued on the judges in an attempt to silence and terrorize them after the Association called for more independence of the Judiciary. Their right to _expression is still subject to more restrictions.

Assaults against Tunisian Lawyers

A sector of the lawyers was subject to many violations. During the recent period there were high rates of physical and verbal assaults against lawyers after the lawyers headed to the parliament to invite parliament representatives to adopt lawyers' demands prior to passing the new law organizing the legal profession and establishing the Higher Institute of Law.

Violations reached a point where the police attacked the headquarters of the National Association, assaulting its employees.

The Right to Peaceful Demonstration

Many human rights activists were subject to police assaults while they participated in an objection gathering at the Justice Palace organized by the National Association of Lawyers in Tunisia on 23 May 2006. This action is part of the restrictions imposed on defenders of human rights. The mentioned restrictions started in 2005 as many human rights defenders and their families were subject to physical violence. Their activities were greatly restricted

The Syrian Republic

The Emergency Law is still enforced and tens of individuals were arrested for political reasons. Human rights' defenders are still subject to many violations with the spread of torture and abuse in Syrian prisons.

Imprisonment for Political Reasons

Since early 2006 the Syrian authorities conduct major detention campaigns against political opposition figures in what represents a systematic violation of the freedoms and human rights. The said detentions are performed outside the framework of the Judiciary. The Syrian authorities during the past few months detained many politicians, including the Communist Labor Party leader Fateh Hamous and party member Yasser Melhem in May 2006. Most of the detainees were referred to military and Supreme State Security courts, courts which lack independence and neutrality.

Violations against Human Rights Defenders

Despite the increasing activity of human rights defenders in Syria recently, they are still subject to many violations represented mainly in detention and harassment. The most recent violation was represented in the detention of writer and journalist Michelle Kilo, Mohamed Marei and Ghaleb Amer the administrator at the Arab Organization for Human Rights in Syria. Many human rights defenders were prevented from traveling outside the country.

Conditions in Prisons and Treatment of Prisoners

Syrian prisons lack any of the international criteria related to health care and services. Many prisoners suffer from the lack of nutrition due to the large number of prisoners. Corruption and bribery spread among prison administration supervisors, in addition to the spread of continuous and systematic torture in prisons and many of the detention places affiliated with security or military intelligence. There was information about subjecting Mr. Aref Dalila, Journalist Ali al-Abdallah, Nizar Ristinawy and Riyad Darar to torture using electricity and other brutal means.

Violations against Judges and Lawyers

After a seven-month detention period, the two judges Mahmoud Soliman and Ali al-Agha were released. The two Syrian judges were subject to many violations during their arrest, including humiliating beating and abuse. They were arrested on claims that they had received bribes. The violations also reached lawyers. Syrian lawyer Sabry Mirza was tried on charges of "disseminating false news on his website "Akhbar al-Sharq". Syria's Justice

Minister in March 2006 prohibited judges from making any announcements to the media without obtaining his prior approval.

The Republic of Sudan

Serious human rights violations are still committed in Sudan on part of government forces and the forces fighting the government in Darfur. Strong restrictions continue against human rights defenders. Although the National Unity government repealed the state of emergency, the west Sudan region –Darfur– was not included.

Detention and Torture

The Sudanese government performed arbitrary arrests against many politicians, many of whom are detained and isolated from the outside world without charge or trial. Those under detention include the following:

Babakr Mohamed Abdallah Atim, a lawyer from Darfu who has been detained to date for over 16 months without a specific charge or a fair trial.

Modathar Soliman Othman Bahr Eddin, a 17-year old student from Zalingy, Darfur.

In addition to many prisoners of conscience who are still detained and are always subjected to different forms of torture using electricity, hanging them naked, etc.

Assaults against Human Rights Defenders

Human rights defenders in Sudan are still subject to many violations. Human rights activist Dr. Madwi Ibrahim Adam was arrested in Khartoum on the eve of traveling to Ireland to receive the "Front Line Defenders" award from the President of Ireland. He was later released without pressing any charges against him.

War Crimes and Crimes against Humanity

War crimes and crimes against humanity continue on part of government and fighting faction forces in the Darfur region despite the agreement signed between the Sudanese government and the People's Army to Liberate Sudan on 9 January 2005. The enforcement of the agreement is still very slow. Moreover, 1.86 million immigrants in Darful and 200,000 refugees in Chad will be obliged to spend one more year in camps.

The Republic of Iraq

Serious human rights violations continue in Iraq on part of the American forces and the Iraqi police. Many individuals are detained in prisons without charges or trial, in addition to the spread of large-scale killing on part of specific police teams. The trial of former president Saddam Hussein is still on-going.

The Right to Life

The so-called "Maghawir" teams, within the framework of the War on Terror, killed 17 and arrested 65 persons. In what seems like organized operations, the so-called "death squads" kill tens and throw their bodies on public roads in what is said to be a liquidation movement committed on part of Shiite elements against Sunnis in Iraq, a serious violation against the right to life.

Detention without Charges or Trial

Thousands are still detained on part of the US and UK forces without charges or trial in the detention centers of Abu-Ghraib, Baghdad and the Bouka camp in Om Qasr near Basra. Detainees are subject to various forms of torture and abuse, in addition to the absence of trials. Detainees include the al-Jazeera cameraman who was detained for 75 days without a specific charge after filming in Samarra. The cameraman was tortured by the multi-national forces.

Saddam Hussein's Trial

The trial included many serious violations. The government's intervention with the independence of the judges in charge of trying Saddam Hussein and seven other defendants threatens the justice of this trial. Demands to dismiss the head of court Rezkar Amin, leading to his resignation, was an attack against the independence of the Judiciary. Excluding Judge Al-Himashi from the trial reflected a court that is subject to continuous political intervention. The murder of one of the defense lawyers represents an obstacle to providing a sound environment for the trial.

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