



General Assembly

Distr.
GENERAL

A/HRC/10/NGO/57
25 February 2009

ENGLISH ONLY

HUMAN RIGHTS COUNCIL
Tenth 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 (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.

[13 February 2009]

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

Status of Human Rights Defenders in Syria, Tunisia, Bahrain, Sudan, Yemen and Egypt

1. The Cairo Institute for Human Rights Studies (CIHRS) urges the UN special Rapporteur on human rights defenders and the Special Rapporteur on the independence of judges and lawyers to take action to ensure the protection of human rights defenders, and the reform of judicial systems within Syria, Tunisia, Bahrain, Sudan, Yemen, and Egypt.

2. Government authorities in the aforementioned states systematically restrict the activities and freedom of human rights advocates and organizations by issuing laws and carrying out repressive actions that are inconsistent with international standards of freedom of association, expression and other basic rights. Non-independent judicial authorities rubber stamp such laws and decisions, and often carry out unfair trials against human rights defenders that result in the imprisonments of these advocates. There has been an increase in the use of the security apparatus to arrest, torture or, in some countries, summarily execute rights defenders..

3. In Syria, Nabil Maatouk, a member of the Syrian Human Rights Monitor, and one of his friends were killed by a security patrol while standing in front of his house on October 14, 2008. According to official sources, the security patrol shot them by mistake while chasing smugglers. However, according to Syrian human rights organizations, the incident is likely an act of willful killing. On October 29, 2008, the Damascus First Criminal Court sentenced twelve activists to two and a half years in prison each. The activists were arrested in late 2007 and early 2008 for participating in meetings of the National Council, a coalition of political forces that adopted the Damascus Declaration for National Democratic Change. Furthermore, a military court sentenced rights activist Mohammad Badie Dak al-Bab, a member of the National Organization for Human Rights in Syria, to six months in prison on charges of disseminating false news abroad that undermines the state's dignity. He was released in September 2008 after serving his sentence. The security authorities also canceled two seminars scheduled by the Syrian Center for Media and Freedom of Expression in May 2008, and the head of the center, Mazen Darwish, appeared before a military court that sentenced him to five days in prison on charges of libeling a public administration.

4. In Tunisia, in February 2009, the criminal division of the Gafsa Appeals Court handed down unfair sentences to 38 defendants, among them several trade unionists and rights activists who had supported the protests seen in the mining basin area last year. The defendants received prison sentences of one to ten years. The trial itself was characterized by several grave rights violations: confessions were extracted from the defendants under torture, and although the court ascertained this fact, it abstained from sending them to a forensic physician. The court also refused to hear witnesses for the defendants. . During the siege and closure of the new independent Radio Kalima (Word) in January 2009, security forces assaulted rights activist Zouhir Makhlouf when he attempted to enter the National Council for Freedoms, located in the same building that houses Kalima. Several rights activists were also prevented from reaching the station's headquarters to show their solidarity with its journalists.

The Tunisian authorities have repeatedly attempted to smear the reputation of the editor-in-chief of Kalima and rights activist, Sihem Bensedrine, in the government-owned media in Tunisia and several other Arabic newspapers. Bensedrine was banned from traveling to the Austrian capital on August 19, 2008, and her movements were placed under strict surveillance. She and her husband, the rights activist Omar Mestiri, were detained for several hours and beaten in March 2008. Rights activists Samia Ebbo and Fatma Kassila were also subjected to police assault on February 18, 2008. On January 23, 2008, Tunisian authorities denied entry to Tunisia to Amin Abd al-Hamid, the coordinator of the North African Human Rights Coordination Committee, and forced him to return to Morocco on the same plane that brought him to Tunisia. The Tunisian authorities continue to impose a siege on the headquarters of the Tunisian Human Rights League and deny entry to all but members of the managing board, who are unable to organize general meetings or seminars. The authorities do not grant rights organizations legal permits and some are even denied official registration on the grounds that their names suggest the existence of political prisoners in Tunisia, the existence of which the Tunisian government denies.

5. In Bahrain on January 26, 2009, the security apparatus arrested Hasan Mushaima, the secretary-general of the Movement for Civil and Democratic Freedoms (Haqq); Abduljalil Alsingace, the head of the movement's human rights division; and Mohammad Habib al-Muqdad, a social activist. After being placed in solitary confinement, the Public Prosecutor questioned them for nine hours. It was said that their activities, which involve criticism of government policy and programs and human rights violations, are tantamount to inciting hatred of the regime and advocating its overthrow. Mushaima and al-Muqdad were detained pending an investigation, and Alsingace was released on bail and prohibited from travel. During widespread protests in Bahrain in December 2007, the security apparatus launched a fierce campaign against activists that ended with the arrest and torture of several before their referral to court. On July 13, 2008, the Bahraini judiciary issued prison sentences to 11 human rights and civil society activists ranging from one to seven years. In a further serious incident, Ali Jasim Makki, a human rights defender, was killed while taking part in a peaceful protest to mark Martyrs' Day on December 17, 2007.

6. In Sudan, the government is pursuing a policy of repression, intimidation, and threat against human rights defenders and humanitarian aid workers in Darfur and elsewhere in Sudan with the objective of preventing them from carrying out humanitarian work for victims of the armed conflict. The Sudanese regime continues its campaigns to intimidate and smear those who advocate for the ICC. In November 2008 the Sudanese security apparatus arrested three Sudanese human rights activists—Amir Suleiman, Othman Humaida, and Abd al-Moniem al-Gak—on charges of spying for the ICC. The activists were subjected to physical and psychological torture before the authorities released them. Organizations working with refugees in Darfur—starting with the Sudanese Organization Against Torture and the Amal Center for the Rehabilitation of Victims of Torture—face severe restrictions and harassment.

7. In Yemen, activists have been repressed while undertaking solidarity activities with victims of human rights abuses or because of their efforts to expose abuses in Saadah or support the peaceful campaign to end the war there. On January 26, 2009, the Yemeni appeals court for state security and terrorism cases upheld a six-year prison sentence issued by a primary court against journalist Abdel Karim Mohammad al-Khaiwani, the editor-in-chief of the opposition Shura Net

website. Rights organizations believe that the sentence was punishment for al-Khaiwani's active role in exposing abuses in Saadah and discussing official corruption. In May 2008, security forces raided the home of activist Ali al-Dailami, the executive director of the Yemeni Organization for the Defense Democratic Rights and Freedoms, and brutally beat his brother Hasan al-Dailami, tying him up and pushing him down a flight of stairs before taking him into detention. Tawakkul Karman, the chairwoman of Women Journalists Without Constraints, also received anonymous death threats, and several activists were forcibly disappeared before they released under the presidential amnesty.

8. In Egypt, human rights defenders are subjected to the restrictions of the NGO law, which imposes various forms of government hegemony and guardianship over civic society work. The administrative body, while implementing the repressive measures allowed by the law, acts as political cover for the security apparatus to impose its will in licensing NGOs, registering objections regarding an NGO founder, approving foreign grants, or making the decision to dissolve a certain NGO. In August 2008, the Khalifa First Instance Criminal Court sentenced Dr. Saad El-Din Ibrahim, the director of Ibn Khaldoun Center for Development Studies, in absentia to two years in prison with labor and set bail at EGP 10,000. He was convicted of damaging Egypt's reputation and harming the national interest. The ruling was based on a report issued by the Foreign Ministry that highlighted articles published by Ibrahim in US and international newspapers about repressive domestic conditions in Egypt. In the articles, Ibrahim called on the US administration to make the aid it provides the Egyptian government conditional on Egypt's progress towards democratic reform. In June 2008, the Egyptian Initiative for Personal Rights was prevented, at the request of the Egyptian government, from participating in the meeting of the UN General Assembly on combating HIV/AIDS. Likewise, the Egyptian government, as a co-president of the Union for the Mediterranean, vetoed the participation of representatives of civil society from northern and southern countries of the Mediterranean in the preparatory meeting for the Istanbul Summit on Gender in Brussels in October 2008.

In 2007, for the first time, the Egyptian government closed two rights organizations, the Center for Trade Union and Worker Services (CTUWS) and the Association for Human Rights Legal Aid (AHRLA). On March 30, 2008, the Administrative Court issued a ruling requiring the Ministry of Social Solidarity to register the CTUWS, but the ministry delayed implementing the ruling for three months. On October 26, the same court overturned the ministry's decree dissolving AHRLA, but that ruling has not yet been implemented.
