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Human rights situations that require the Council's attention

Written statement* submitted by the Conseil International pour le soutien à des procès équitables et aux Droits de l'Homme, 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.

[26 August 2016]

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

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Act Now! Put an end to human rights violations in the Middle East

Rights abuses extend across the Middle East- a region where rule of law has become idle word with little to no applicability in real life. Throughout the Middle East there are many reminders of repression characterized by notorious prisons where political detainees languish, death sentences of prisoners of conscience, censored newspapers and exiled activists. The rights of citizens are respected mainly in the breach, and transitional justice, accountability, rule of law have become the anomaly. Dire abuses of political and social rights that fuelled popular uprisings in the Arab world are continuing and have worsened in some countries, including Saudi Arabia, Bahrain, and Yemen.

Although it is clear that Societies flourish when they address human rights problems instead of suppressing them, continuing restrictions of political freedoms and widespread abuses by the police and security forces against those viewed as dissenter's remains to be a great challenge.

We are deeply concerned by the ongoing deterioration of human rights and the humanitarian situation in the region. Crimes against humanity, serious violations of international humanitarian and human rights law are common, and more often than not civilians are the main victims.

Mass execution of prisoners of conscious and further repression against human rights activists persists across the Middle East. Case in point, ICSFT president Dr Abdul Hameed Abbas Dashti an MP in Kuwait, chair of the Human Rights Commission of the Kuwaiti Parliament from June 2014 until October 2015, has been subjected to repression from the authorities of the Kingdom of Bahrain and the Kingdom of Saudi Arabia resulting in removal of his parliamentary immunity and he is sentenced to 14 years and six months in absentia for "remarks deemed highly offensive to fellow Gulf states Saudi Arabia and Bahrain."

The only "crime" committed by Dr Dashti is advocating for a peaceful solution for the situation in Yemen and opposing the foreign intervention in that country, especially the Saudi led military operation and the massive violations of human rights resulting from it. He criticises the regional role of Saudi Arabia and especially the responsibility of Saudi Arabia in spreading extremist ideologies distorting Islam, promoting sectarianism and supporting the destabilisation of neighbouring countries.

Country wise, Bahrain's human rights climate remains highly problematic where the government has imposed harsh censorship and sharply curtailed political life, and has jailed and tortured thousands, imposing capital punishments. Of note dozens have been stripped of their citizenship, members of the political opposition and human rights activists face arbitrary arrest and prosecution. To illustrate, amongst other things, numerous Shia scholarly figures are currently detained and imprisoned, and all have complained of direct insults against their sect and beliefs, Shia Bahrainis' are prevented from building mosques in Shia majority cities and not allowed to build hussainiyat (Shia Muslim religious centres) in close proximity to public roads, diplomatic areas or business districts, dissidents in Jaw Prison are subjected to mass torture.

Further, despite several call from the international community to take the necessary steps to remedy the situation, the Saudi Arabian authorities continue to deny human rights defenders and others of their liberty, and deprive them their basic right to freedoms of expression, association and assembly. Saudi Arabia has continued a sweeping crackdown on human rights activists. All of the country's prominent and independent human rights defenders have been imprisoned and threatened into silence or have fled the country. More and more have been sentenced to years in prison under the country's 2014 counter-terror law. Authorities continue to systematically suppress or fail to protect the rights of their citizens and in particular some two million Shia citizens. Restrictions on freedom of association, expression, and movement, as well as a pervasive lack of official accountability, remain to be serious concerns.

Several advocacy groups monitoring the application of death penalty worldwide have repeatedly reported on the heinous and unfounded executions, Saudi Arabia made 157 executions in the year 2015 alone, which is highest number in two decades. Although Saudi Arabia's growing use of the death penalty has prompted several international advocacy and human rights groups to call for an immediate stop on the practice, the kingdom is showing no sign of slowing down

in this regard as it executed 47 people at the beginning of 2016 for "terrorism offences" in one day, including the prominent Shia cleric Sheikh Nimr al-Nimr, who was arrested following his participation in protests and sentenced to death for offenses committed as a teenager. The execution rate this year alone has risen to 100.

Although, international standards, including the Arab Charter on Human Rights, ratified by Saudi Arabia, require countries that retain the death penalty to use it only for the "most serious crimes," such as killing and in exceptional circumstances, the Saudi authorities appear to have loosely used the penalty.

The Saudi officials often claim that the Saudi criminal justice system adheres to high standards. However, they always associate their commitments to human rights treaties with the rule of Sharia. The intermingling between human right treaties and the Rule of Sharia alludes to the mechanism upon which the Saudi authorities justify a wide range of violations.

An accused person typically does not have access to a lawyer, faces abuse when refusing to incriminate him or herself, and waits excessive periods of time before trial, where he or she is often unable to examine witnesses or evidence and present a legal defence, because of a presumption of guilt. "Saudi Arabia is speeding along in its dogged use of a cruel and inhuman punishment, mindless of justice and human rights," said Amnesty's Middle East and North Africa head Philip Luther.

Additionally, Saudi Arabia keeps on violating human rights across the Middle East. To illustrate, after years of political turmoil and thanks to Saudi led military coalition and forces loyal to the president Abd-Rabbu Mansour Hadi, Yemen is in a major human rights and humanitarian crisis. Saudi led military coalition is carrying out a devastating air bombardment campaign in Yemen that could amount to war crimes. According to a report mandated by the UN Human Rights Council and released on 25 August 2016 "Between March 2015 and 23 August 2016, an estimated 3,799 civilians have been killed and 6,711 injured as result of the war in Yemen. At least 7.6 million people, including three million women and children are currently suffering from malnutrition and at least three million people have been forced to flee their homes." The airstrikes by the coalition have struck civilian infrastructure including health facilities, schools, factories, power facilities, bridges and roads which is a clear violation of the Law of the War. More often than not such strikes have been disproportionate or indiscriminate and in some cases they appear to have directly target civilians and, or civilian objects. High Commissioner Zeid noted. "Civilians in Yemen continue to suffer, absent any form of accountability and justice, while those responsible for the violations and abuses against them enjoy impunity. Such a manifestly, protractedly unjust situation must no longer be tolerated by the international community."

However the international community, in particular the relevant UN human rights bodies have refused to publicly criticize the country, thus giving such intolerable act a free pass time and again.

Hence it did not come as a surprise that Saudi Arabia still sits on the UN's Human Rights Council, a collection of 47 states responsible for the promotion and protection of all human rights around the globe, and also chairs a key human rights council committee. As of now, Saudi continues to use the human rights council to protect itself from further scrutiny and legitimize its horrific human rights violations.

In light of these horrendous human rights violations in the region, we call up on the international community to urge the Saudi and Bahraini government to reaffirm their commitment to respect the rights of everyone, in particular the right to freedom of religion and to freedom of opinion and expression, which is enshrined in the fundamental international human rights instruments.

We urge in the strongest terms the UN human rights bodies, in particular the Human Rights Council, to condemn and put an end to government reprisal in the form of execution, arrest, and detention of freedom fighters and human rights defenders in the Middle East. Such a step will hail the wounds and deter further senseless violations of fundamental human rights.

Most importantly we urge the international community, in particular the UN human Rights Council to establish an international, independent body to carry out comprehensive investigations in Yemen, Bahrain, and Saudi Arabia and duly bring the authors of these violations to justice.

We also call up on the United Nations, to intensify its efforts to prevent further executions and vile human rights abuses in the above mentioned countries.
