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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 Judiciary
and Legal Profession, 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.

[5 March 2007]

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

**Conditions of human rights in some Arab countries:
Sudan, Tunisia, Egypt, Syria, Iraq**

1. Sudan

Darfour: A humanitarian tragedy which is still continuing

The conflict in Darfour has resulted in huge numbers of crimes against humanity and unlawful killings. Its effect has spread to include the forced conscription of children into the army. The Arab Center for the Independence of the Judiciary and the Legal Profession (ACIJLP) has documented the conscription of a large number of children in government civil defence camps by the armed opposition in Darfour, which has resulted in the deaths of a large number of these children in combat.

ACIJLP also documented the killing of more than twelve people employed in food relief agencies in Abuja on the 17th January 2007. On the 7th December 2007 Jangaweed militia soldiers attacked villages in the north of Darfou (Kafout, Ab Sakeen, Al Hamra, Umm Sadr and Hashaba) which resulted in the death of a large number of civilians including women and children. ACIJLP strongly suspects that the Jangaweed militias receive support from the Sudanese government.

Civilians have been subject to campaigns of random pillaging and killing, including an attack on the 9th February 2007 by Jangaweed militias on a market in Al Fasher, which was documented by ACIJLP. The market was pillaged and firepower used randomly, resulting in three civilian deaths.

Freedom of expression and opinion

The Sudanese government harassed journalists and frequently imposed security surveillance measures. These measures have reached the extent of arbitrary killing and the administrative banning of some newspapers whose circulation has been blocked.

The Sudanese authorities arbitrarily detained Ahmed Sherif, editor of the daily *al Watan* and Adel Sayed Ahmed, the newspaper's deputy editor. They were thrown in the Kobr Prison in Khartoum on the 7th February 2007 without being brought before investigative authorities.

Circulation of the Arabic language newspaper *al Sudani* was blocked immediately after it published an article about the killing of journalist Mohamed Taha Mohamed.

2. Tunisia

Violations committed under the counter-terrorism law

Under the counter-terrorism law, Tunisian security forces have detained large numbers of political activists on the pretext that they are members of terrorist groups. These activists include:

- Mohamed el Sewaissy
- Majdy el Dhakawany
- Yassin el Jibry
- Salim el Haj Saleh
- Ali el Aouni el Harzy
- Ibrahim el Aouni el Harzy
- Saber Ben el Kelany el Hosny
- Saber Ben Mokhtar el Hosny
- Anis el Bouzidy
- Mohamed Amin Aoun
- Mahfouz el Ayyary
- Gheith el Ghazawany
- Maher Bezoush
- Sahl el Balady

These activists were arrested on charges of belonging to a terrorist group. Large numbers of prisoners have spent more than sixteen years in prison, in inhuman living conditions.

Violation of the privacy of the home and administrative surveillance of suspects

Police forces have committed a large number of violations of the privacy of the homes of those wanted by courts. Security bodies breached the privacy of Qabeel el Nasry's home and terrorised his family on claims that he had violated administrative surveillance orders imposed on him. El Nasry had previously spent two years and eight months in prison, and upon his release was issued with a directive ordering him to register daily at the police station. This is a flagrant breach of the inviolability of judicial verdicts, and draws attention to the fact that many detainees released are subject to a harsh surveillance regime, and forced to report daily to their local police station.

Violation of the right to freedom of opinion and expression and the right to association

The Tunisian government banned January and February editions of the French magazine *Historia Thématique*, which was first issued in 1909. It also banned the first edition of the French-language magazine *L'Expression* despite having previously agreed to its being published. Al Taher Ben Hussein, director of the al Hiwar television channel and the Tunisian website Afaaq had also previously been detained.

Government harassment of newspapers and journalists remains a systematic practice through the intensification of surveillance of newspapers and the imprisonment of journalists.

The Tunisian judiciary prevented the Tunisian League for the Defence of Human Rights from holding its seventh national conference after government authorities cancelled the League's meetings, surrounded its headquarters, and prevented it from pursuing any of its activities. This represents a clear attack on the activity of human rights organizations in Tunis.

3. Iraq

Violations of the rights of journalists

Killing and kidnappings of journalists have increased in recent times. Journalist Diaa al Makotar was murdered in Baghdad by unknown groups on the 28 January 2007, while journalist Ahmed el Hady was murdered in a district of Baghdad after being tortured. A total of eight journalists were murdered by unknown groups in just one month, January, while journalist Karim Sabry el Rabei was kidnapped by an unknown armed group from his home in Wishwash, west Baghdad, on 10 January 2007. A cameraman from the Basra office of El Alam channel was unlawfully detained by British troops on 17 January 2007 while he was filming a bombing incident. There had been no judicial warrant authorising his detention, a matter which makes Iraq the most dangerous country for journalists.

Refugees

The current mass emigration from Iraq is the biggest movement of people in the Middle East since the forced emigration of Palestinians following Israel's founding in 1948. There are an estimated 1.7 million internally displaced people inside Iraq alongside two million others who fled to neighbouring countries. Syria is hosting between 500,000 and one million Iraqi refugees, Jordan nearly 700,000 and Egypt some 80,000. There are around 40,000 Iraqi refugees in Lebanon and an unknown number in Turkey. The number of emigrants is gradually rising as people flee the increasing factional, ethnic and general violence which portends a serious intensification of the crisis.

Dujail

On 26 December 2006 Saddam Hussein was executed four days after the appeal court upheld the death penalty issued against him. The death penalty was also carried out against Birzan Ibrahim el Takriti and Awad Hamad el Bandar on 15 January 2007. The appeal court sent back the case of Taha Yassin Ramadan and directed the court to make harsher the sentence handed down against him. He received the death sentence. It would seem the appeal process which ended after an extremely short period of time – no more than a few weeks – was a mere formality. The political interference which had earlier pushed judge Rizkar Amin into resigning prevented the appointment of another judge. The trial which began in October 2005 was subject to numerous violations, including a failure to ensure the physical safety of the defence attorney, witnesses and others. Three defence attorneys were killed during the course of the trial.

4. Syria

Political detention

The Syrian government continues to detain Syrian civilians in the complete absence of the most basic rights ensuring a fair and independent trial. On Wednesday 7 February 2007 the doctor and poet Mahmoud Bin Hussein Sarem was detained. Most detainees are tried before state security and military courts which lack the necessary standards of a fair trial, and which frequently issue death sentences.

Violations which affect human rights defenders and those who voice opinions

The chain of detentions of human rights activists and defenders continues, with the recent detention of human rights activists Kamal Hussein Sheikho by a state security body. Writer and political analyst Michel Kilo is still being detained and has spent a total of nine months in prison, while Mahmoud Eissa, the leader of the Communist party, and Anwar el Benna a human rights activist, both remain in detention.

5. Egypt*Torture in police stations*

Torture is still routine practice in police stations where arbitrary detention and a failure to bring individuals before a judge are also common. The most high-profile case is that of Emmad Mohamed Ali Mohamed, better known as Emmad el Kabeer, who was tortured and subject to degrading and inhuman treatment at the hands of policemen in the Boulaq Dakroul police station in 2005. Egyptian legislation continues to impose a light penalty for torture where it is carried out by state employees.

Arbitrary detention and exceptional courts

Eighty members of the Muslim Brotherhood were arrested in nine Egyptian governorates at the beginning of February 2007, while forty civilian suspects were sent for trial before military courts at the same time using powers under the state of emergency in force in Egypt since 1981.

Freedom of opinion and expression

Freedom of opinion and expression remain restricted, and numerous individuals who have expressed an opinion have been imprisoned. Abdel Karim Amer was sentenced to four years imprisonment for writings posted on his blog. A book written by Doctor Mohamed Ammara was banned and an inquiry launched after claims that he was inciting unrest. An Al Jazeera television producer was banned from broadcasting films showing scenes of torture, and was sent for investigation on claims that the films contained fake scenes.
