

Report Summary

Human Rights in the Context of the “Arab Spring”

The peoples of the Arab world experienced a historically significant shift in 2011, a year which saw a tremendous revival of aspirations for democracy and the strengthening of human rights in a region that had for decades appeared immune to calls for democratic reform. Thousands of people across several countries were killed and injured while facing down a brutal system of repression that was intensified and wielded against them on the largest of scales. 2011 saw the embodiment of this battle of wills between peoples aspiring to freedom and human dignity on one side and despotic regimes and their affiliated networks of plunder and corruption on the other.

The year saw great successes for the peaceful struggle of these peoples. Seemingly immortal regimes, systems of family rule, and plans for familial succession suffered severe blows, and symbols of tyranny were swept away in Tunisia, Egypt, Libya, and Yemen. In Syria, the regime found it difficult to find a political exit that would grant it the legitimacy to remain in power in light of the bloodbaths it perpetrated that utterly estranged it from its own people.

Due to the influence of the Arab uprisings, which extended to numerous other countries to varying degrees, several governments were forced to put reform issues at the top of their agendas in hasty attempts to adopt a reformist discourse. In Morocco, this was translated into partial reforms on the ground, while promises of reform in Algeria turned into legislation that

moved the country in the opposite direction, despite the lifting of the exceptional state of emergency which had been in force since 1992.

Even the occupied Palestinian territories felt the impact of the Arab uprisings, as popular pressure was able to end the split between the two parties of the Palestinian Authority and to push for a reconciliation agreement between Fatah and Hamas. However, this development did not lead to a fundamental change in the situation of human rights and public liberties nor did it stop the violations on the part of both sides. Furthermore, this development has yet to be accompanied by the political will to form a national unity government, to end the dual governance structure, and to reform and integrate the security and judicial establishments.

Nevertheless, the achievements of the Arab revolutions have not lived up to the level of the sacrifices made by Arab peoples, even in those countries where the ruling figures were ousted. The uprising in Bahrain was suppressed amid the collusion or silence of international and regional parties regarding the crimes committed during the crackdown and with the aid of diplomatic and military support from the Gulf Cooperation Council. The Gulf Initiative to end the crisis in Yemen, supported by the US administration and European parties, guaranteed a safe exit for despot Ali Abdullah Saleh, his senior aides, and his children, imposed an interim president from within the same regime, and allowed for members of the ruling party and traditional opposition groups to share seats in the transitional government.

Although Egyptians succeeded in removing the heads of the police state, Egypt witnessed major setbacks in the transitional period, managed by the Supreme Council of the Armed Forces (SCAF), which pursued extremely conservative policies at odds with the revolutionary goals of completely uprooting the Mubarak regime and making a clean break with his authoritarian ways. As a result, the same tactics continued to be used to repress opponents critical of the SCAF. Peaceful protests calling for a correction of the course of the revolution and the army's return to its barracks were brutally suppressed, attacks on human rights groups and civil society reached unprecedented levels, and independent media once again came under increasing pressure.

In contrast, Tunisia seemed to be the country best poised to embark on a serious process of democratization, a development partly explained by the fact that the Tunisian military had no political designs to assume power. In addition, alliances between revolutionary forces and labor, rights, and political movements succeeded in quickly filling the power vacuum and in excluding figures from the Ben Ali regime and members of his ruling party

entirely from the administration of the transitional period. This provided a better opportunity to build a national consensus around the course of the transition in Tunisia than was the situation in Egypt, where the policies and tactics of the SCAF deepened existing rifts between political forces which shared an interest in ridding the country of the Mubarak regime.

Despite the severe blows dealt to the former systems of governance in Tunisia, Egypt, and Yemen, accountability for these regimes remains negligible—whether for the crimes they committed while suppressing demonstrators or during the decades of their monopolistic rule. The Gulf Initiative for Yemen sanctioned immunity from punishment, while in Egypt, attempts to bring about justice for the martyrs faced enormous difficulties, beginning with the extreme reluctance to prosecute the defendants and including a failure to take the necessary measures to prevent the manipulation, destruction, or hiding of evidence, as well as the refusal of the security apparatus to cooperate with the investigating authorities in discovering the truth. Moreover, only very limited steps have been taken to purge the security and judicial establishments, which still lack guarantees of autonomy from the executive. Similarly, Tunisia has seen no progress on bringing accountability for the crimes of the past, despite official promises to pursue transitional justice as dictated by a process of democratization.

General features of the human rights situation

I. Developments on the legislative and institutional fronts

The countries covered in this report saw many legislative and institutional developments, the most positive of which occurred in Tunisia, which ratified several international human rights conventions and lifted its reservations to the Convention on the Elimination of All Forms of Discrimination Against Women. Several articles in the Penal Code were also amended to bring it in line with the Convention Against Torture. A new NGO law was passed in accordance with international standards which upholds the right to access information and to assess the performance of state institutions and prohibits the authorities from obstructing NGO activities. The law also grants associations the right to receive funds from domestic and foreign sources, as long as the government is notified of any transfers made.

Changes were also made to press and publication laws, limiting freedom-depriving penalties for publication crimes to cases of incitement to hatred, discrimination, or violence. An independent commission was created to regulate the field of media and audiovisual communication, in accordance with international conventions ratified by Tunisia.

The transitional government also approved a new electoral law for the formation of a national assembly tasked with writing a new constitution. The law entailed the formation of a supreme, independent committee to administer elections, guaranteed gender equality on electoral lists and in the division of seats on the constituent assembly, and banned major figures from the Ben Ali regime and its affiliated party from taking part in the elections.

In Egypt, legislative and institutional developments were overall disappointing, reflecting the tendency of those in charge of managing the country to cling to the methods of the old regime, which many mistakenly believed had been overthrown entirely after its leader had been ousted. The transition period began with a few hasty constitutional amendments that had been proposed by the deposed president himself on the eve of his ouster. These amendments were then incorporated into a constitutional declaration giving the SCAF all of the legislative and executive prerogatives which had been invested in the president and parliament by the constitution.

The exceptional state of emergency remained in force in Egypt; indeed, its scope was subsequently expanded to include its use in realms even beyond those claimed by the deposed president. Even as minor changes were made to the law on political parties, new legislation was issued to suppress strikes, sit-ins, and protests. The government also raised the possibility of a new law that would impose further restrictions on civil society organizations. Changes were made to the electoral system that did not meet popular aspirations, as they introduced a combination of individual and proportional list systems that made it very difficult for youth involved in the revolution to run for office. These difficulties were further increased by the expansion of electoral districts which gave an advantage to religious and partisan forces able to exploit money, religion, and family ties to win votes.

In Morocco, the authorities attempted to defuse the peaceful pro-democracy movement through a royal initiative to draft a new, seemingly more modern constitution. In practical terms, however, it did not respond to demands for a transition to a parliamentary constitutional monarchy. The new constitution preserves the imbalances between the powers, as the king still enjoys broad governing powers and is immunized from criticism, not to mention accountability. The royal initiative was linked with a call for early parliamentary elections that led to the victory of the Islamist Justice and Development Party. As per the new constitution, the party's secretary-general was then tasked with forming a government.

In Algeria, the authorities preempted the nascent popular movement by announcing an official end to the state of emergency which had been in force since 1992. However, this loss of exceptional emergency prerogatives was

compensated for by granting additional exceptional powers to army forces in the name of countering terrorism and subversion. Counterterrorism was also cited to introduce changes to the Code of Criminal Procedure which make it legal to provisionally detain persons for up to nine months. A new, highly arbitrary NGO law was passed which imposes full governmental oversight on the establishment of associations and their activities. A new political parties law was also passed, seeking first and foremost to prevent those previously involved in the dissolved Islamic Salvation Front (FIS) from participating once more in politics or party life. The authorities did adopt a new media law that avoids liberty-depriving punishments for press crimes and theoretically allows private institutions to enter the audiovisual broadcasting fields. Nevertheless, this law also includes many ambiguously worded restrictions that allow for the suppression of freedom of expression and media at the whim of the authorities.

The authorities in Bahrain responded to the popular uprising demanding a democratic constitutional monarchy by imposing an exceptional state of emergency that granted broad powers to the general commander of the Bahrain Defense Force, allowing him to issue arrest and search warrants, evacuate or isolate certain areas, impose restrictions on freedom of assembly and movement, expel foreign nationals and censor the media, suspend the activities of civic associations, and withdraw citizenship from nationals and expel them from the country. A special military court was also created, before which hundreds of political and rights activists were prosecuted.

In an attempt to crush the popular revolution in Yemen, the regime of Ali Abdullah Saleh declared a state of emergency and granted the security establishment exceptional powers to arrest and detain persons and censor the media. International and regional intervention led to the adoption of the Gulf Initiative, which granted Saleh, his aides, and his relatives immunity from prosecution in return for his relinquishing power. The initiative also imposed a transitional period involving a partnership between the ruling party and the traditional opposition parties. The initiative led to presidential elections held as a mere formality, with the vice-president winning the presidency by default due to the obligation of the parties to the agreement to refrain from fielding any competing candidates.

In Syria, attempts to appease the popular uprising with reforms that offered too little, too late failed amid the sea of bloodshed. The decision to end the exceptional state of emergency in force since 1963 might have been a major positive step, especially since it entailed the abolition of exceptional state security courts, but the authorities, who permitted the bloody crackdown and flouted the rule of law, sought to fill the ensuing legal vacuum with alternative exceptional legislation that grants the security apparatus broad

investigative powers and allows provisional detention for up to one week without a court order, renewable by the Public Prosecutor for up to two months.

Despite attempts by the Syrian regime to move towards a recognition of political pluralism through a new political parties law, it took no steps to end the hegemony of the ruling Baath Party over political life or its monopolization of power, as the constitution still declares the current ruling party to be the “leading party.” Indeed, the new law invests the Baath Party with the power to accept or reject applications by would-be political parties, which must be licensed to operate. The Assad regime introduced changes to the electoral law under which the administration of legislative elections was delegated to a judicial committee, but this was not accompanied by any measures to end the executive’s dominance of the judiciary or to establish any rules to ensure judicial independence. The law also gave labor and agricultural unions, controlled by the Baath Party, the power to approve the lists of worker and farmer candidates for the legislature.

Iraq saw a positive development in the passage of a law to protect journalists, which includes several articles that create theoretical protections for journalists’ rights. However, the law contains no punitive provisions to punish institutions or persons who violate these rights. Throughout the year, the Iraqi authorities also imposed additional restrictions on the right of citizens to demonstrate, on the grounds of protecting the public interest, the public order, or public morals.

Legislative developments in Saudi Arabia furthered arbitrary practices. A new counterterrorism bill, if approved, will allow long-term detention and mandate a ten-year prison sentence for any person impugning the integrity of the king or crown prince. Amendments were introduced to the Penal Code to further protect religious figures from criticism, and more restrictions were placed on publications that ostensibly violate Islamic law, promote sectarian tensions, or incite to crime. Restrictions were also placed on electronic publishing.

The chronic political crisis in Lebanon militated against the government taking measures to strengthen human rights. On the legislative front, the most important development was minor amendments to the Penal Code to combat violence against women in the name of honor crimes.

In Sudan, the major developments were related to the compliance with the outcome of the referendum on the independence of South Sudan, which led to its secession, its declaration as a new state, and its adoption of a new constitution.

II. Excessive suppression of political and social action and peaceful assembly

Last year saw appalling violations of the right to assemble, protest, and demonstrate, and the right to life was widely undermined by the use of excessive force in the face of the popular uprisings which remained largely peaceful despite the brutal suppression leveled against them. In fact, this oppression was so severe that it constituted crimes against humanity in Libya and Syria, and possible crimes against humanity in Egypt, Bahrain, Tunisia, and Yemen.

In Syria, the deaths of nearly 5,000 people, among them 300 children, were recorded between the eruption of peaceful protests in mid-March, 2011, and early December of the same year. Entire residential areas faced crackdowns, as tanks, helicopters, and heavy artillery were used to suppress demonstrations and the civilian infrastructure was bombed. In addition to the security apparatus and army forces, armed militias known as the *shabiha*, sponsored by the security establishment, also took part in the crackdown. A number of officers were killed and summarily executed, and more than 10,000 people were netted in waves of arbitrary, collective detentions. In addition, more than 5,000 people had been forcibly disappeared before the end of the year. Paramedics were targeted, and intelligence services increased their control of hospitals to prevent the provision of medical care to the injured.

In Egypt, the Mubarak regime met peaceful protests by opening fire on demonstrators, killing at least 846 people. Demonstrators were chased and run down by police vehicles, and rooftop snipers aimed to shoot and kill demonstrators. Tahrir Square, the main site of the revolution in the capital, saw joint attacks on protestors by teams of thugs and police. On the evening of January 28, 2011, the police suddenly withdrew from the street, after which a wave of prison breaks occurred and a large number of criminals escaped. Several instances of the abduction and torture of political activists by the military police were recorded before the ouster of Hosni Mubarak.

Although the SCAF, which is administering the transitional phase, attempted in the first weeks after assuming power to avoid clashing with revolutionary forces, it quickly resorted once again to suppressing peaceful demonstrations by using live ammunition, birdshot, and asphyxiating tear gas, as well as by running over protestors and shooting demonstrators in the head, especially in the eyes. Some 100 people were killed by police and army forces, with the participation of teams of thugs.

In Yemen, the use of excessive, lethal force to suppress the popular uprising led to the deaths of more than 250 people and the injury of 15,000 during the crackdowns waged by security forces, the army, militias, and thugs. Several brutal massacres were perpetrated, particularly in the squares which hosted the revolution in Taiz and Sana'a. The Yemeni people were subjected to forms of collective punishment, including the random shelling of residential buildings and hospitals and the intentional immiseration of the population's living conditions. Hundreds of political activists and numerous rights advocates were abducted and forcibly disappeared.

In Tunisia, the Ben Ali regime used excessive force to quash the peaceful, popular revolution, leading to the death of at least 147 people. Some 1,200 people were detained, most of whom were released after the fall of the regime. His ouster did not, however, lead to an immediate break with acts of repression, as some attacks on the right to demonstrate and protest were documented thereafter, accompanied by the detention of hundreds of people.

In Bahrain, the use of excessive force to put down the peaceful popular uprising led to the deaths of 30 people. Subsequent retaliatory acts included arbitrary dismissal or suspension from work and denial of academic scholarships, which affected thousands of citizens who supported the uprising. Repressive measures also targeted health professionals, and some medical facilities were turned into detention centers. Dozens of health workers were referred to military court, and some were handed harsh prison sentences.

In Algeria, the authorities used force and live ammunition in the face of social protests early in the year, during which 3 people were killed, 800 injured, and more than 1,000 detained. Having seen the uprisings in Tunisia and Egypt, the authorities determined to contain the peaceful protests and used thugs to intimidate demonstrators and divide their ranks.

In Morocco, the authorities used violence against demonstrations called for by the February 20 movement in support of reform and an end to corruption. Demonstrations began peacefully, but in some cities they took a violent turn. The suppression of these protests claimed 6 lives, and more than 200 demonstrators were detained. Activists with the February 20 movement were also harassed and attacked by unknown persons.

In Saudi Arabia, the limited peaceful demonstrations which took place were also suppressed, as tear gas and ammunition was used against some protests and hundreds of people were arrested, including members of the expatriate Syrian community who demonstrated to protest the ongoing bloodshed in Syria.

In the occupied Palestinian territories, peaceful assemblies and protests faced increasing pressures from the PA and Hamas authorities in both the West Bank and Gaza Strip. The Hamas security apparatus met the March 15 Youth Coalition's appeals for protests to end Palestinian political factionalism by detaining coalition activists and prompting Hamas partisans to clash with demonstrators as a prelude to police intervention to forcibly break up the assembly. Although a Palestinian reconciliation agreement was signed, activities of the March 15 Youth continued to be targeted.

In Iraq, several peaceful demonstrations inspired by other Arab uprisings were suppressed, and at least 12 people were killed as a result of the crackdown by security forces, which were supported by groups of thugs.

In Sudan, the security apparatus used excessive force to suppress peaceful protests calling for the ouster of the Sudanese president. Demonstrators were physically assaulted and detained, and female political and rights activists were harassed and sexually assaulted.

III. Widespread violations of the freedom of expression, media, and information

The responses to popular uprisings in several Arab countries included widespread attacks on journalists, foreign correspondents, and media crews. The authorities in Egypt, Tunisia, Yemen, and Syria also went so far as to cut communication networks, particularly Internet and cell phone networks.

In Syria, the authorities denied numerous foreign journalists access to the country and censored satellite channels that did not toe the government line. Photographers were detained, and numerous writers, journalists, political activists, and bloggers were abducted and detained; the fate of some of them is still unknown. The brutal crackdown extended to artists who supported the uprising. The author of the song, "Leave, Bashar" was killed and his body thrown in a river only shortly after he was kidnapped.

In Egypt, Mubarak's removal did not bring about an end to the pressure on freedom of expression and media or on critics of policies of the SCAF and the abuses seen under its administration. Numerous revolutionary youth, bloggers, and political activists were referred to military courts or summoned for questioning by the military prosecutor. The military prosecutor also summoned journalists and media figures due to their criticism of the SCAF or for allegedly insulting the armed forces. These pressures extended to some talk shows and their presenters on Egyptian satellite channels, and certain shows were suspended and presenters removed. The offices of 16 satellite channels, including al-Jazeera International and al-Jazeera Live

Egypt, were raided. Some newspapers were confiscated, and several columnists left their columns blank to protest the military censorship's increasing interventions in the work of the press.

In Yemen, the uprising was accompanied by an expansion of the war on press freedoms and all media outlets. At least four photographers and journalists were killed while performing their professional duty to cover the uprising and subsequent crackdown. Journalists and satellite crews faced physical attacks, and many were kidnapped or arbitrarily detained; some correspondents with foreign newspapers and periodicals were deported. The main office of the Journalists Syndicate and several press and web offices were raided, and newspapers were increasingly confiscated or their distribution obstructed. The authorities also blocked several news websites that had been covering the uprising.

In Bahrain, a digital activist was killed in custody, and another journalist was killed after his arrest amid evidence suggesting he was tortured. Several other bloggers and journalists were detained, and others were forced to submit their resignations. One journalist received death threats even as she was referred to trial. Several foreign reporters were physically attacked, some were deported, and others were detained. Numerous websites were blocked, and al-Jazeera International was subjected to pressure to keep it from airing a documentary film about the country.

Revolutionary Tunisia was the exception: after the ouster of Ben Ali, there was a tangible improvement in freedom of expression. Yet, this does not mean there were not a few incidents in which Ben Ali-era legislation was used to punish people on charges of publicly defaming the army or disturbing public security. There are fears about the future, as well, given the growing pressure placed by some extremist Salafi groups on the freedoms of expression and creativity, academic freedoms, and personal freedoms as well as the lack of an appropriate response to protect these freedoms by the government, which is led by the Islamist Ennahda Movement.

Other countries saw no marked change in the degraded status of freedom of expression. Indeed, Sudan, Lebanon, and the Palestinian territories saw a further erosion of these liberties.

Sudan saw a large-scale attack on freedom of expression as the offices of several newspapers were raided or surrounded by security forces and numerous journalists and correspondents were arrested after covering popular demonstrations across the country. Numerous newspapers were confiscated, and two journalists were sentenced to prison for publishing a story about the sexual assault of a female activist by security personnel. The authorities suspended the publication of six newspapers, arguing that their

owners and publishers were South Sudanese citizens, which deprived them of Sudanese citizenship after the creation of the new state. Another newspaper was suspended in the context of a widespread assault on opposition parties and newspapers suspected of supporting the Sudanese People's Liberation Movement-North. Also as part of this campaign, hundreds of people suspected of supporting the movement were arrested. Bloggers and political opposition figures were also detained on several occasions.

In Lebanon, pressures on freedom of expression and creativity increased amid the political polarization caused by the assassination of former Prime Minister Rafiq al-Hariri and other issues such as solidarity with the Syrian people or popular protests in Iran. Exhibits of creative works were banned, and journalists and media figures faced legal action, physical attacks, and direct threats even as state institutions proved unable to protect them from these assaults and threats.

Despite the conclusion of a reconciliation agreement between Fatah and Hamas in the occupied Palestinian territories, the internal split in the PA continued to have a debilitating effect on freedom of expression for partisan media institutions, television channels, journalists, bloggers, and news correspondents, and writers. In the West Bank and the Gaza Strip, they faced harassment, physical attacks, and detention, and local and foreign news, television, and radio offices were raided. Hamas also confiscated several novels from libraries in the Gaza Strip.

In Iraq, seven journalists and media personnel were killed last year, and others were physically assaulted, threatened, or prosecuted in politically motivated trials.

In Morocco, journalists and bloggers remained targets for security and judicial harassment, and some were physically assaulted. A prominent journalist was sentenced to one year in prison for articles he wrote criticizing the security establishment, while a blogger and anti-corruption activist was sentenced to 19 months in prison. The authorities suspended the broadcast of a television program after it covered the political ferment in the country and the role of the February 20 movement.

Authorities in Saudi Arabia continued to censor and block online websites and arrested several writers, journalists, and bloggers because of their articles or press coverage. Orders were also issued banning three journalists from publishing.

IV. Status of human rights defenders

With the exception of Tunisia, the year of the Arab revolutions had no positive impact on the status of human rights defenders and civil society activists. On the contrary, conditions deteriorated, particularly in Syria, Bahrain, and Yemen, and human rights defenders and civil society groups in Egypt found themselves facing an all-out assault that exceeded all the forms of harassment faced in the era of the deposed president.

In Tunisia, numerous rights activists and trade unionists were released as part of an amnesty issued for 1,800 prisoners, and many prominent activists were able to return to their country after long years in forced exile. The siege of the offices of the Tunisian League for the Defense of Human Rights and the National Council for Liberties was lifted, and advocacy groups that were not legally recognized in the Ben Ali era were able to complete their registration procedures. International NGOs were also able to acquire legal status, organize conferences, send fact-finding missions, and visit prisons. Dozens of human rights defenders and civil society activists helped to shape policy and legislation governing the course of the democratic transition through their presence on the High Commission for the Realization of the Revolution's Goals. Prominent rights advocate Kamal Jendoubi was elected president of the High Independent Elections Commission, and another prominent rights advocate, Moncef Marzouki, was elected interim president of the country.

In contrast, Egyptian human rights groups and civil society became the target of a fierce, multifaceted assault that included government smear campaigns in the media aiming to discredit civil society, suggestions of secret investigations including charges reaching up to high treason, measures taken to infringe on the confidentiality of bank accounts of numerous organizations and their heads, arbitrary intervention by the Central Bank to monitor associations already under the complete oversight of the Social Solidarity Ministry, leaks of erroneous numbers or information attributed to a non-independent judicial investigating authority, and suggestions of more arbitrary restrictions to be introduced to the already repressive NGO law. In December, members of the Public Prosecution, backed up by armed forces, raided and searched 17 offices of six American, German, and Egyptian organizations and referred 43 staff members, Egyptians and non-nationals, to court on charges of operating without a license and receiving funding in contravention of Egyptian law.

In Syria, the authorities stepped up the repression of human rights defenders as part of the intensive efforts to conceal their brutal crimes against the Syrian people. A great number of human rights defenders were detained, some temporarily and some for extended periods, banned from travel, physically attacked, or threatened with assassination. Some were forced to

leave the country and work in exile, and one prominent rights activist was shot and killed by the security apparatus.

In Bahrain, intimidation of rights defenders intensified and many prominent figures were referred to unfair military trials, where some received terms of life imprisonment. Many were also tortured. Well-known rights activists received death threats, and the home of the president of the Bahrain Center for Human Rights was attacked with tear gas on more than one occasion. The homes of many activists were raided and searched, and several were arrested. The pressures extended to representatives of international organizations, some of whom were deported and others of whom were denied entry to observe military trials.

In Yemen, attacks on human rights organizations and activists increased because of the role they played in exposing human rights crimes, cooperating with international mechanisms to protect human rights, and thus indirectly supporting the revolution. Activists were abducted or arrested, including well-known leaders of Women Journalists without Chains and the Yemeni Organization for the Defense of Rights and Democratic Freedoms. The director of the Center for Training and Protection of Journalists Freedoms and the head of the Sisters Arab Forum for Human Rights were threatened, and one rights activist was the target of an assassination attempt. The office of the Yemeni Observatory for Human Rights was broken into and looted, while the human rights archive at the HOOD Organization—whose offices had previously been shelled—fell victim to arson, with the apparent motive of destroying information documenting the crimes of the Ali Abdullah Saleh regime.

In Saudi Arabia, activists calling for political and constitutional reform continued to face detention and prosecution. One rights activist was referred to court on charges of demanding a constitutional monarchy, defaming the country, and maintaining contact with foreign bodies. Another was referred to trial on charges of supporting the revolution in Bahrain.

In Morocco, human rights groups and civil society in the region of Western Sahara continued to be denied the legal right to operate, and on numerous occasions several human rights defenders were beaten while taking part in peaceful protests called for by the February 20 movement. Members of that movement were also targeted for various forms of intimidation and assault, which led to the death of one movement member.

In Sudan, long-term provisional detention and prosecutions continued to target many human rights defenders. A number of journalists and rights activists were referred for questioning after showing solidarity with a female activist who was sexually assaulted by security personnel.

In Lebanon, some human rights activists and the Lebanese Center for Human Rights were investigated for addressing instances of torture. The Palestinian Human Rights Organization (Huquq) was forced to close its office in the Nahr al-Barid refugee camp as a result of restrictions to entry imposed on its representatives, and its program coordinator in the camp was detained and subjected to degrading treatment for several days.

In the occupied Palestinian territories, the Hamas government in Gaza imposed further arbitrary restrictions including prior censorship on the work of associations - in violation of the law - particularly in relation to activities funded by donors. It further restricted the travel of those participating in associational programs, even if in the West Bank. Hamas also arbitrarily shut down and dissolved several associations and banned seminars on human rights issues. Despite the official Hamas-Fatah reconciliation, the Ramallah government in the West Bank continued to deny registration to associations affiliated with Hamas, and orders dissolving more than 100 such associations remained in force.

In Algeria, numerous rights activists and trade unionists were targeted with arrest, detention, threats, and prosecution. Arbitrary administrative pressure continued to besiege the activities of the Independent National Union of Public Administration Personnel, with the goal of forcing the union out of its offices. Defenders of the rights of the unemployed were sentenced to up to three years in prison.

V. Torture and deteriorating prison conditions

The year 2011 saw the situation of prisoners and detainees deteriorate in several countries. Indeed, it could be argued that last year saw a marked increase of violations of the right to life inside prisons and detention facilities.

In Syria, the authorities reportedly killed hundreds of detainees and buried them in mass graves. More than 50 people died inside detention centers, most likely as a direct result of torture. As of the end of the year, the fates of more than 5,000 people detained during the crackdown on the popular uprising remained unknown.

In Egypt, at least 189 prisoners were killed following the withdrawal of the police and security vacuum that began on January 28, 2011, after which the gates of many prisons were intentionally opened to allow thousands of inmates to escape. Field reports indicate that security personnel in some prisons encouraged prisoners to rebel or riot in order to create unrest during which prisoners were allowed to escape. Since the army took to the streets in

January 2011, there have been regular complaints of torture by the military police, including by beating, dragging, electroshocks, and insults. Female political activists who were detained were also forced to undergo virginity tests.

In Bahrain, the authorities engaged in repression and systematic torture of political prisoners and human rights defenders inside detention facilities. At least four deaths were documented which occurred inside detention centers as a result of torture and ill treatment or medical neglect.

In Yemen, abuses of detainees were frequent given the widespread practice of involuntary disappearance and detention in facilities not subject to judicial oversight. Unusual practices were used to terrorize detainees, including placing them in darkened rooms with snakes. Two recorded deaths are thought to have resulted from torture.

In the occupied Palestinian territories, torture remained a documented practice used by the security apparatus of both the Hamas government in Gaza and the Fatah government in the West Bank. Three deaths thought to be due to torture were reported, all of them having occurred in detention facilities run by the Hamas security apparatus.

In Lebanon, violent interventions by security and army forces to end protests in the Roumieh Prison led to the death of two inmates.

In Sudan, numerous prisoners were subjected to severe forms of physical and psychological torture, and complaints increased of female detainees being subjected to harassment and sexual assault.

In Saudi Arabia, detainees faced various types of torture in addition to generally poor conditions in prisons and detention facilities.

In Morocco, detainees - especially those from the Western Sahara and those accused of terrorism-related charges - were subjected to various forms of torture and ill treatment.

In Iraq, there continued to be complaints of systematic torture in several detention centers and some secret prisons, which are not subject to judicial inspection.

Tunisia was the exception, having experienced a marked decline in the level of security abuses of detainees and prisoners, although there was no definitive break with these practices.

VI. Religious freedoms and minority rights

In Egypt, those managing the country failed to put an end to the arbitrary restrictions on the construction of non-Islamic houses of worship or to

protect churches and Coptic Christians. Attacks on Copts by zealots increased, and for the first time in Egypt's modern history, entire churches were torched and demolished. Sectarian tensions and clashes also markedly increased, resulting in dozens of victims. Even more seriously, army forces perpetrated a massacre killing 28 people, of whom 12 were crushed to death by military vehicles, after thousands of Copts and Muslims assembled to peacefully protest the demolition of a church.

In Bahrain, practices of systematic discrimination against the Shiite community persisted in parallel with measures to suppress the democratic uprising, in which Shiites played a large role. Attacks continued on Shiite areas, houses of worship, and cemeteries, and dozens of Shiite religious facilities were demolished and damaged. Sectarian incitement in schools increased, and hundreds of Shiite students were expelled or had their study-abroad scholarships revoked.

In Syria, systematic discrimination against Kurds continued, and Kurdish political activists, rights advocates, artists, and writers were arbitrarily detained. The spokesman for the Kurdish Future Movement was assassinated a few months after his release under a presidential amnesty, and several Kurdish activists were sentenced to prison on charges of inflaming racial tensions.

Saudi Arabia saw no change in the systematic discrimination against the Shiite community, and restrictions infringing on their rights to build mosques and stage religious celebrations remained in place. Some 150 Shiites were detained during peaceful protests in the kingdom early in the year, and some Shiite religious leaders were prosecuted on charges of incitement. Following protests at the end of the year, Shiites clashed violently with security forces due to the habit of holding relatives of persons wanted for arrest hostage.

In Morocco, the new constitution officially recognized the religious, linguistic, and cultural pluralism of the society, making Amazigh an official language along with Arabic. The constitution also upheld the freedom of religious practice for all religions. While the constitution refers to the culture of the Sahrawi people in the context of upholding cultural pluralism, this was not reflected by ending the arbitrary restrictions on the licensing of some Amazigh associations and organizations active in the Western Sahara, where political and rights activists continued to face detention and unfair trials. In addition, violent police practices were used against demonstrations protesting declining economic and social conditions in the region.

In Iraq, there was a slight decline in violence against Iraqi religious minorities, but members of the Christian and Yazidi minority remained

targets. In some cases, their homes came under armed attacks to force them into other areas. The situation of several thousand refugees, members and supporters of the Iranian Mujahedeen-e Khalq residing in Camp Ashraf, was extremely poor given the siege of the camp imposed by the Iraqi government that prohibited the entry of food and fuel as part of a plan aimed at closing the camp and removing the refugees. When Iraqi forces stormed the camp early last year, 36 camp residents were killed.

VII. Widespread violations of due process

Violations of due process and the right to a fair trial continued throughout 2011, even in those countries whose tyrants were removed. The worst of these violations took place in Egypt, which saw a massive increase in the referral of civilians to exceptional military trials. It was estimated that some 12,000 civilians were prosecuted in military courts over nine months. Defendants in some cases were also referred to exceptional State Security emergency courts.

In Tunisia, a few cases were also documented of referrals to military trials.

In Bahrain, the declaration of a state of emergency was accompanied by the establishment of the National Safety Court, an exceptional military court before which hundreds of political activists and prominent rights advocates were tried. The court issued many unfair sentences, including lifetime imprisonment and the death sentence.

Military courts in the Gaza Strip continued to be used to try those arrested by the Hamas security apparatus on charges of treason and terrorism. These courts are authorized to issue and implement death sentences against those convicted of such charges.

In Lebanon, several people were prosecuted in military trials lacking all semblance of due process, and defendants' allegations that their confessions were extracted under duress are not given due consideration.

VIII. Grave abuses amid occupation and armed conflicts

The flagrant violations of Palestinians' right to life continued, as the Israeli army continued to shell various areas in the Gaza Strip and several persons believed by Israel to have been involved in hostile military action against it or its settlers were assassinated. The siege and collective punishment of the population of the Gaza Strip entered its fifth year, entailing the deterioration

of humanitarian conditions in the strip due to the restrictions on the entry of construction materials.

Israel expanded its buffer zones inside the Gaza Strip and imposed draconian conditions on entry. Dozens of Palestinians were killed due to Israeli incursions into buffer zones and its targeting of their residents. Occupation forces continued to attack journalists and reporters covering clashes in Jerusalem and Hebron, and several writers, journalists, and rights advocates were placed in administrative detention. Some gains were made for detainees in occupation prisons after a prisoner exchange in which Israeli soldier Gilad Shalit was swapped for 1,000 Palestinian prisoners.

The reconciliation concluded between Hamas and Fatah under Egyptian auspices brought no fundamental change and did not put an end to the abuses of Palestinians by either side. Nor was any political will in evidence on either side to end the dual power structure, unite and reform the security apparatus and judicial institutions, or craft adequate mechanisms for accountability to prevent impunity for the crimes and grave violations that have taken place at the hands of both parties since beginning of the armed dispute. It should be noted that violations committed by the Hamas government in the Gaza Strip were more frequent than those of its counterpart in Ramallah in the West Bank, and only the Hamas government issued arbitrary death sentences last year.

In Sudan, although the Khartoum government acquiesced to the outcome of the referendum on the self-determination of the South which led to the declaration of an independent state, negotiations between Khartoum and the South Sudanese government regarding disputed border areas stalled. As a result, tensions rose and led to armed attacks in the Abyei region and the eruption of new armed conflicts in South Kordofan and the southern Blue Nile regions. The Khartoum government's armed attacks on the Darfur province also continued, causing the displacement of more than 350,000 residents from the affected areas.

The Sudanese armed forces and militias loyal to the Khartoum government were responsible for abuses tantamount to crimes against humanity, especially in South Kordofan, which saw the shelling of inhabited areas and refugee camps as well as extrajudicial killings. Many churches were torched, destroyed, and looted, and women were raped. The Khartoum government also denied humanitarian aid and international institutions entry to some areas in South Kordofan. Increasing attacks launched by the Khartoum government on inhabited areas in Darfur led to dozens of deaths and the displacement of some 70,000 people. The Sudanese government also

maintained restrictions on entry to several areas in the province, denying entry to humanitarian aid groups and peacekeeping forces.

In Iraq, the violence continued to claim the lives of thousands of civilians, which reveals the failure of the authorities to stop the deterioration of the security situation and the unpreparedness of political actors of all sects to accept a peaceful political process. The data show a slight decline in violence: as of late October 2011, 3,430 civilians had been killed, compared to 4,045 in 2010. Suicide attacks, bombings, and car bombs remained the most lethal forms of violence. In this context, doubts were raised about the professionalism and impartiality of Iraqi security forces in light of accusations of divisions of loyalties and ranks along sectarian, ethnic, and ideological lines. Violence affected all of Iraq's provinces, whether Sunni, Shiite, or Kurdish, although Sunni-majority areas bore the brunt of it. Police and army personnel continued to be targeted, along with members of the Sunni Awakening Councils, established years ago by the US army to fight al-Qaeda cells. In a small number of cases, Iraqi civilians were targeted by US forces.

In Lebanon, the chronic political deadlock affecting the country since the assassination of Prime Minister Rafiq al-Hariri continued to cast its shadow over institutions of governance and the rule of law, especially in light of the sharp political polarization between the March 14 and March 8 blocs. The many months it took to form a government resulted in meager government attention given to strengthening human rights, particularly in regards to implementing the national human rights plan launched by the Hariri government in late 2010. Hezbollah continued to challenge the special international tribunal on Lebanon formed to investigate the Hariri assassination, by announcing its refusal to turn over four Hezbollah members wanted by the court. In addition, the country took no serious steps to reveal the fates of thousands of people who disappeared during the civil war that erupted in 1975, along with others who disappeared in the past few years. There were also fears that Syrian refugees and displaced persons were being turned over to the Syrian authorities.

The status of Palestinian refugees in Lebanon did not markedly change and thus did not lead to improved work conditions. UNRWA was forced to reduce its services to Palestinians in refugee camps in Lebanon, and six people were shot and killed by Israeli soldiers in Maroun al-Ras on the southern border during a march organized by Palestinian civic associations and Lebanese political parties to commemorate the *nakba*. Limited clashes took place in the Ain al-Helwa camp between Fatah members and militants with Jund al-Sham and Fatah al-Islam, and groups from the latter two organizations were involved in assassinations.

In Yemen, regional conflicts and separatist tendencies declined in the south due to the popular uprising, which united broad swaths of the population and made the overthrow of the Saleh regime a priority, while the regime waged its final battle against the entire population. However, this did not preclude some military confrontations involving certain power centers that were competing to fill the impending power vacuum that would be left by the ouster of the Yemeni president, and both government and rebel forces attempted to employ tribal conflicts and competition to manage these confrontations.