



REGIONAL UPDATE:

MIDDLE EAST AND NORTH AFRICA

EVENTS COVERING THE PERIOD FROM JANUARY TO APRIL 2009

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The first four months of 2009 saw little change to the broad pattern of human rights conditions which prevailed in the preceding year.

INSECURITY

The year began in crisis, as Israeli jets and artillery pounded Gaza, one of the most densely populated areas on earth and Hamas and other Palestinian armed groups continued to fire indiscriminate rockets into south Israel. By 18 January, when both sides declared unilateral ceasefires, some 1,400 Palestinians, including some 300 children, had been killed and thousands injured, six Israeli soldiers and three civilians had been killed and scores injured and Israeli forces had razed virtually entire neighbourhoods of Gaza to the ground, leaving thousands homeless. This short, sharp, lethal conflict showed disregard for civilians and their protection by the warring parties, with perpetrators of grave violations of the laws of war escaping so far all consequences for their actions thus creating the conditions for future abuses.

Amnesty International fact-finding teams that visited Gaza and southern Israel during the conflict and in its immediate aftermath found compelling evidence of war crimes and other serious violations of international humanitarian law and human rights abuses, including direct attacks on civilians. Yet, by the end of April, three months on from the ceasefires, neither the Israeli nor the Palestinian sides had taken adequate steps to investigate such crimes. The UN Security Council had shown itself unwilling to establish a comprehensive international investigation of its own or to require that Israel cooperate with the inquiry established by the UN Human Rights Council. Meanwhile, Israel rejected the findings of an inquiry ordered by the UN Secretary-General into attacks on UN facilities and personnel (which found that Israeli forces had been responsible for seven out of nine attacks on the UN while Palestinian armed groups had been responsible for at least one attack). The Israeli army's investigations into the conduct of its own forces – predictably, given their lack of independence or consultation with Palestinian victims – exonerated them of virtually all wrongdoing. While Israeli soldiers who committed serious violations of international law enjoyed impunity, Israeli teenagers who refused to serve in the army for reasons of conscience were imprisoned.

Civilians also continued to be among the main victims of the continuing conflict in Iraq, despite the reduction in the overall level of attacks and killings since early 2008. In late April, suicide bombers in Baghdad and Diyala province killed more than 200 people and the official death toll for the month was put at more than 350, including 290 civilians.

New reports of torture in previous years emerged. In Bahrain, it became clear that a group of young men arrested in late 2008 had been tortured while detained incommunicado by security officials. Following his release from Guantanamo, UK resident Binyam Mohamed was able to speak freely for the first time about his 2002 rendition to Morocco, and to give a detailed account of the torture and abuse he says he suffered under interrogation at a secret prison there. In April, video footage came to light showing a member of Abu Dhabi's ruling family committing a life-threatening assault on a man with the assistance of a uniformed police officer. The evidence suggested that the UAE authorities had been complicit in the attack, which apparently dated from 2004, and was alleged to have been one of a series of similar attacks. The same month, Amnesty International urged Egypt's Interior Minister not to allow the reinstatement into the police of two officers who were released after serving prison terms for raping a male prisoner in their custody, filming the rape and circulating the film to cause him further degradation.

IMPUNITY

Impunity appeared to be further entrenched in Algeria when President Abdelaziz Bouteflika was re-elected to a third term of office in April, after the Constitution was changed to enable this. In his previous term, he was the architect of Algeria's Charter for Peace and National Reconciliation, which effectively prevents the prosecution of those who orchestrated and committed crimes during the Algerian conflict of the 1990s, in which thousands of people were killed or disappeared, yet criminalizes those who persist in denouncing the security forces and calling for truth and justice. In Morocco and Western Sahara, families of people subjected to enforced disappearance during the reign of King Hassan II, who died in 1999, were still waiting to receive a detailed list of the cases of enforced disappearances investigated by the Truth and Reconciliations Commission – a body established by King Mohamed VI which completed its work at the end of 2005.

Lebanon too has a legacy of gross human rights abuses going back to the civil war years of 1975 to 1990. Thousands of people remain disappeared, including people who fell into the custody of Syrian forces, but up to now neither the Lebanese nor Syrian governments have shown any willingness to clarify their fate. Thousands of Syrians also remain disappeared. Such inquiries as have been mounted were not independent and failed to make public significant findings. Against this background, the establishment of the Special Tribunal for Lebanon at the beginning of March may prove to be particularly significant in tackling impunity. Created with the support of the UN Security Council, the Tribunal has jurisdiction to try those accused of killing former Lebanese Prime Minister Rafic Hariri in February 2005 and carrying out related attacks. Due to security concerns and in acknowledgement of the deficiencies of the Lebanese justice system, it sits in the vicinity of The Hague, in the Netherlands.

VOICE

In February, Iran marked the 30th anniversary of the Islamic revolution that ousted the last Shah. Continuing controversy about the Iranian government's nuclear development programme added to the wider sense of insecurity in the region, particularly in the Gulf, while the first months of 2009 saw no let up in the scale of repression within the country. In the run-up to Presidential elections, the authorities continued to target women's rights activists, members of ethnic and religious minorities and others who dared to speak out against the government or in support of human rights.

In Egypt, Iran and Syria, the authorities carried out new arrests of critics and peaceful protestors, including journalists and bloggers, minority rights activists and human rights defenders. In Egypt they included supporters of the Kefaya movement and the Muslim Brotherhood and people who sought to demonstrate in solidarity with Palestinians under attack by Israeli forces in Gaza. In Iran, members of the Baha'i faith, Christian converts and a woman journalist of dual US-Iranian nationality were among those detained; the journalist, Roxana Saberi, was sentenced to an eight-year prison term after a travesty of a trial but was then released. In Bahrain three leading members of the Shi'a community were among scores of political prisoners released in April under an amnesty granted by the King; in March Amnesty International had observed a session of the Shi'a leaders' trial.

VIOLENCE AGAINST WOMEN

Across the region, women continued to face legal and other discrimination. Many were subjected to violence within the family and at the hands of men who disapproved of their behaviour, ostensibly on religious or cultural grounds. There were, however, some further signs of a shift, slow but inexorable, towards greater freedom for women and respect for their human rights. In Saudi Arabia, the King appointed the country's first woman government minister in February; Noora bint Abdullah bin Musa'ed al-Fayez became Deputy Minister of Education for girls' affairs. In Iraq's Kurdistan region, the regional government (KRG) made further strides to stamp out so-called honour killings, ordering among other initiatives that photographs of alleged perpetrators of such attacks be published widely in an effort to secure their arrest.

THE DEATH PENALTY

The authorities maintained Iran's unedifying reputation as one of the global leaders in carrying out executions. It is virtually the only state that continues to execute juvenile offenders – people convicted of crimes committed when they were less than 18 years old – and to carry out executions by stoning to death. By the end of April, Amnesty International had recorded a total of at least 139 executions in Iran since the beginning of 2009. This total is still rising. The victims included at least two juvenile offenders, one of whom, Delara Darabi, was hanged by prison authorities on 1 May despite a judicial order staying her execution.

Iraq, Saudi Arabia and Yemen also continued to make extensive use of the death penalty. In Iraq, Amnesty International learned in March that some 128 people were at imminent risk of execution by the Baghdad authorities, although the country's President, Jalal Talabani, is personally opposed the death penalty and refuses to sign execution warrants (a deputy president signs in his place). Amnesty International urged the authorities not to proceed with the executions; however, 12 were carried out in early May. The Iraqi government says that it needs the death penalty as a deterrent against armed attacks but many of these attacks are committed by those most unlikely to be deterred – suicide bombers. Many of those sentenced to death were sentenced after unfair trials, in some cases on the basis of confessions extracted under torture in pre-trial detention.

In Saudi Arabia, Amnesty International recorded at least 28 executions by the end of April. As in previous years, those beheaded included foreign nationals from poor and developing countries who are unlikely to have received fair trials. In the secretive justice system, the odds are inexorably stacked against them. There were also signs that the Saudi Arabian authorities were moving ahead with the creation of a special court to try people suspected of involvement in terrorism, some thousands of whom are reported to be detained, largely in secret. In March, the Minister of Interior announced that trials had started, but the authorities disclosed virtually no information either about the court's procedures, including whether the accused will be permitted legal representation of their choice, or about the identities of the defendants. In Yemen, Amnesty International recorded at least seven executions by the end of April. The victims included 'Aisha Ghalib, a mother of seven, who was convicted of murder in 2003.