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Human rights developments in five years since ‘Arab Spring’ uprisings

Five years ago, on 17 December 2010, Mohamed Bouazizi, an impoverished young street trader, set himself alight in a desperate and ultimately fatal act of protest against the repressive government of Zine el-Abidine Ben Ali in Tunisia. Although he never knew it – he died of his burns 18 days later – Mohamed Bouazizi’s act set the Arab world alight, sparking an unprecedented outburst of popular protests and demands for reform that began in Tunisia then spread within weeks to engulf Egypt, Bahrain and a host of other predominantly Arab states. First Ben Ali, then Hosni Mubarak in Egypt, was swept from power by protesters who swarmed onto the streets apparently undaunted by the violence that government security forces unleashed against them. As the protests spread to Yemen, Bahrain, Libya, Syria and other states, it appeared that a seismic political shift was taking place across the Arab region that would see its governments forced by their citizenry, including members of non-Arab minorities, to adopt far-reaching reforms as the price for retaining power. Many dared to hope that the “Arab Spring”, as it became known, would augur in real change in the relationship between the rulers and those they ruled – greater power-sharing, social justice, transparency, tolerance, accountability, and greater respect for human rights.

This document provides an overview of human rights developments in the countries where there were uprisings five years ago.

Tunisia

Tunisia stands out as the only relative “success story” to emerge from the “Arab Spring”, but reforms are urgently necessary to avoid a relapse into the repression of the past. Since President Ben Ali’s government collapsed and he fled the country on 14 January 2011, Tunisians have adopted a new constitution which contains important human rights guarantees, elected a new parliament and president by democratic means, and seen civil society groups, so long repressed under President Ben Ali, flourish. The authorities have taken at least modest steps towards accountability. Some former officials have been tried and imprisoned for their roles in the unlawful killings and other crimes that state forces committed in the weeks before the “Jasmine Revolution” toppled Ben Ali (although he continues to evade justice in Saudi Arabia), and a Truth and Dignity Commission has been mandated to address past human rights violations, although it remains weak and has been undermined by other government decisions.

Yet, the situation remains fragile, particularly following a series of attacks by armed groups that targeted tourists in Tunis and Sousse, and others directed against members of the security forces. The government declared a state of emergency for the second time this year in November after the latest lethal attack that killed and injured members of the security forces in the heart of Tunis, the capital. Hundreds were placed in house arrest or detained amid concerns that the authorities were abusing emergency measures. In response to the threat posed by armed groups, the government enacted a draconian new counter-terrorism law in July that threatens freedom of expression, including independent media reporting; significantly increased security forces' arrest and detention powers, and the risk of torture by extending the length of incommunicado pre-charge detention to 15 days; and undermined fair trial rights. Reforms of the security sector have been limited and inadequate. Torture and other ill-treatment, especially in pre-trial detention, as well as the excessive and unnecessary use of force during demonstrations, remain an issue. Assaults by security forces on protesters and journalists and allegations of torture have not been conclusively investigated. Very little action is taken by judges and prosecutors to hold members of security forces to account, and people are increasingly scared to report human rights abuses. Laws that place undue restrictions on freedom of expression remain in force, and the authorities have prosecuted critics, especially those vocal about security forces, on defamation or "indecent" charges.

Egypt

Some 800 protesters were killed and more than 6,000 were injured by Egyptian security forces and thugs assisting them during the mass protests of the "25 January Revolution" before President Hosni Mubarak stepped down and handed over control to the armed forces on 11 February 2011. In July 2013, the army intervened again, this time by backing the ousting of Mohamed Morsi, Egypt's first democratically elected president only a year after he took office, and launching a brutal crackdown on his supporters, Muslim Brotherhood leaders and other voices of dissent that has continued under the government of former army general Abdel Fattah al-Sisi, elected president in May 2014.

Harsh repression remains the order of the day in Egypt, where thousands of Morsi supporters and Muslim Brotherhood leaders and other government critics and opponents remain in detention, most of them in severely overcrowded and punitive conditions. Hundreds have been sentenced to death, including former president Morsi, or long prison terms after grossly unfair mass trials; torture and other ill-treatment remain widespread; there has been a surge in reports of enforced disappearance across the country; and impunity remains the order of the day despite a handful of cases in which the authorities have prosecuted police or other officials for committing abuses. In particular, the government has taken no effective steps to investigate hundreds of unlawful killings committed by the security forces during the suppression of Morsi supporters and the Muslim Brotherhood between 2013 and 2015. The authorities continue to restrict rights to freedom of expression, peaceful assembly and association, arresting and imprisoning journalists, on-line and other critics, and arbitrarily closing down or restricting the activities of civil society groups, including human rights NGOs.

A new batch of repressive laws has been introduced, including a protest law effectively banning protests and a new counter-terrorism law that gives the president powers that can

be invoked during a state of emergency. Security conditions have also deteriorated with armed groups responsible for a spate of attacks targeting government security forces, particularly in northern Sinai, the killing of more than 200 civilians aboard a Russian airliner, and attacks on the independence of the judiciary that resulted in the killing of Egypt's Public Prosecutor in Cairo and judges in northern Sinai. Egyptian security forces have carried out mass forced evictions to create a buffer zone along the country's border with Gaza.

Bahrain

Bahrain has seen increased political polarization since the first mass protests demanding reform broke out on 14 February 2011 and were met by a heavy-handed clampdown by the Bahraini security forces. The Bahraini authorities have continued to crack down on dissent; use excessive force against, arrest, detain and imprison protesters, often after unfair trials; commit torture and other ill-treatment of detainees in pre-trial detention; and imprison political opposition leaders mostly belonging to the Shi'a majority population. In 2011, the King set up the Bahrain Independent Commission of Inquiry (BICI) to investigate torture and other abuses by the security forces and publicly committed to implement its recommendations, including those calling for accountability and prosecutions of perpetrators of serious human rights violations including torture and unlawful killings, but the authorities have failed to do so and a culture of impunity remains.

Libya

Libya has remained deeply divided since armed opposition forces defeated and killed Colonel Mu'ammr al-Gaddafi in October 2011 in an internal conflict that followed an uprising against his rule that began in the eastern city of Benghazi on 17 February 2011. In the years that followed, successive governments have failed to disarm and rein in armed groups formed in 2011, effectively allowing them to consolidate more power and fill the security vacuum created by Colonel al-Gaddafi's overthrow. In 2014, clashes between rival coalitions of armed groups led to a split of state institutions, and resulted in multiple armed conflicts across the country in which all sides have committed war crimes and serious human rights abuses with impunity. Military forces affiliated with rival governments – Operation Dignity, backing the internationally recognized government based in eastern Libya, and Libya Dawn, which backs the self-proclaimed government that controls Tripoli – have often carried out indiscriminate and direct attacks against civilians, as they continue to fight for legitimacy and resources.

Many armed groups pursuing their own agendas, including some affiliated to the Islamic State armed group, have exploited the lack of central state authority, and the breakdown in state institutions and the criminal justice system, to extend and consolidate their control over particular cities. All sides have abducted hundreds of civilians based on their origin and affiliation, often holding them as hostages, and tortured or summarily killed those who oppose them. Tens of thousands of migrants and refugees who reside in, or transit via Libya towards Europe continue to face serious abuses. The conflicts have seen a drastic deterioration of the humanitarian situation leaving some 2.5 million people in need of humanitarian protection and assistance. In July 2015, a Tripoli court sentenced Saif al-

Islam al-Gaddafi and eight former officials to death, and others to long prison terms, after convicting them of committing crimes during the 2011 uprising and conflict in a trial marred by serious due process violations and deficiencies. The court tried Saif al-Islam al-Gaddafi in his absence, as the armed militia detaining him failed to transfer him to Tripoli, and despite an International Criminal Court ruling that he should face trial outside Libya.

Syria

Syria remains the scene of the region's most severe armed conflict, which emerged in response to the brutal suppression by the government of Bashar al-Assad of mass protests that began on 15 March 2011. Since then, more than 240,000 people have been killed, according to the UN, and more than 11 million have been forced from their homes, including 7.6 million people now internally displaced within Syria and over 4 million who are refugees abroad, mostly in Jordan, Lebanon and Turkey, from where thousands have fled to Europe.

The conflict has seen both government and non-state armed groups commit war crimes and serious human rights abuses on an epic scale. Government forces have repeatedly shelled and bombed civilian areas using indiscriminate weapons, including chemical agents and barrel bombs. They have also mounted long-running sieges of opposition-held areas, depriving civilians of food, medicines and other necessities, and bombed hospitals and targeted medical workers. Tens of thousands have been detained or forcibly disappeared by government security forces that continue to use torture on an industrial scale, with impunity; thousands of detainees have died under torture since 2011.

The Islamic State armed group has directly targeted civilians and besieged predominantly civilian areas, indiscriminately shelled civilian areas and perpetrated numerous unlawful killings of both civilians and prisoners in areas they control or contest. Other non-state armed groups have indiscriminately shelled government-held civilian areas, committed suicide and other attacks targeting civilians and summarily killed captives.

Russian air strikes and other attacks that began in September 2015 in support of the al-Assad government have killed hundreds of civilians and struck medical facilities. Air strikes by US-led forces targeting IS and certain other armed groups have also reportedly caused many civilian deaths.

Yemen

Mass protests erupted in January 2011 when President Ali Abdullah Saleh tried to change the constitution to enable him to retain power for life. There followed months of political turmoil in which government forces killed hundreds of protesters; in one event on 18 March 2011 that became known as the "Friday of Dignity", around 50 people were killed and hundreds injured in Sana'a after armed men, including snipers positioned on the tops of surrounding buildings, opened fire at peaceful demonstrators.

Saleh was forced to relinquish the presidency in February 2014 under an agreement brokered by Saudi Arabia and other Gulf Cooperation Council states. A transition process

followed which raised hopes of political, security and judicial reforms, as well as investigations into past violations. However, the process was derailed in September 2014 when the Shi'a Muslim northern Huthi forces entered Sana'a, aided by Saleh loyalists, eventually forcing President Abd Rabbu Mansour Hadi and his government to resign and leave Sana'a in early 2015. In March, as the Huthis extended their area of control and swept south towards Aden, a Saudi Arabia-led military coalition of nine Arab states began air strikes against the Huthis, sent ground troops to assist anti-Huthi forces in Aden, and imposed an air and sea blockade.

Huthi forces have committed war crimes and serious human rights abuses, including indiscriminate shelling of civilian areas in Yemen and across the border in Saudi Arabia, attacks on hospitals and medical workers, and use of lethal force against protesters. They have also abducted, forcibly disappeared and detained opponents, torturing some.

Anti-Huthi forces have also committed war crimes and other serious abuses. The Islamic State armed group has attacked Shi'a mosques, killing civilians. Some air strikes by the Saudi Arabia-led coalition have amounted to indiscriminate attacks; others have been disproportionate or appear to have targeted civilians and civilian objects, causing more than 2,000 deaths; some have amounted to war crimes.