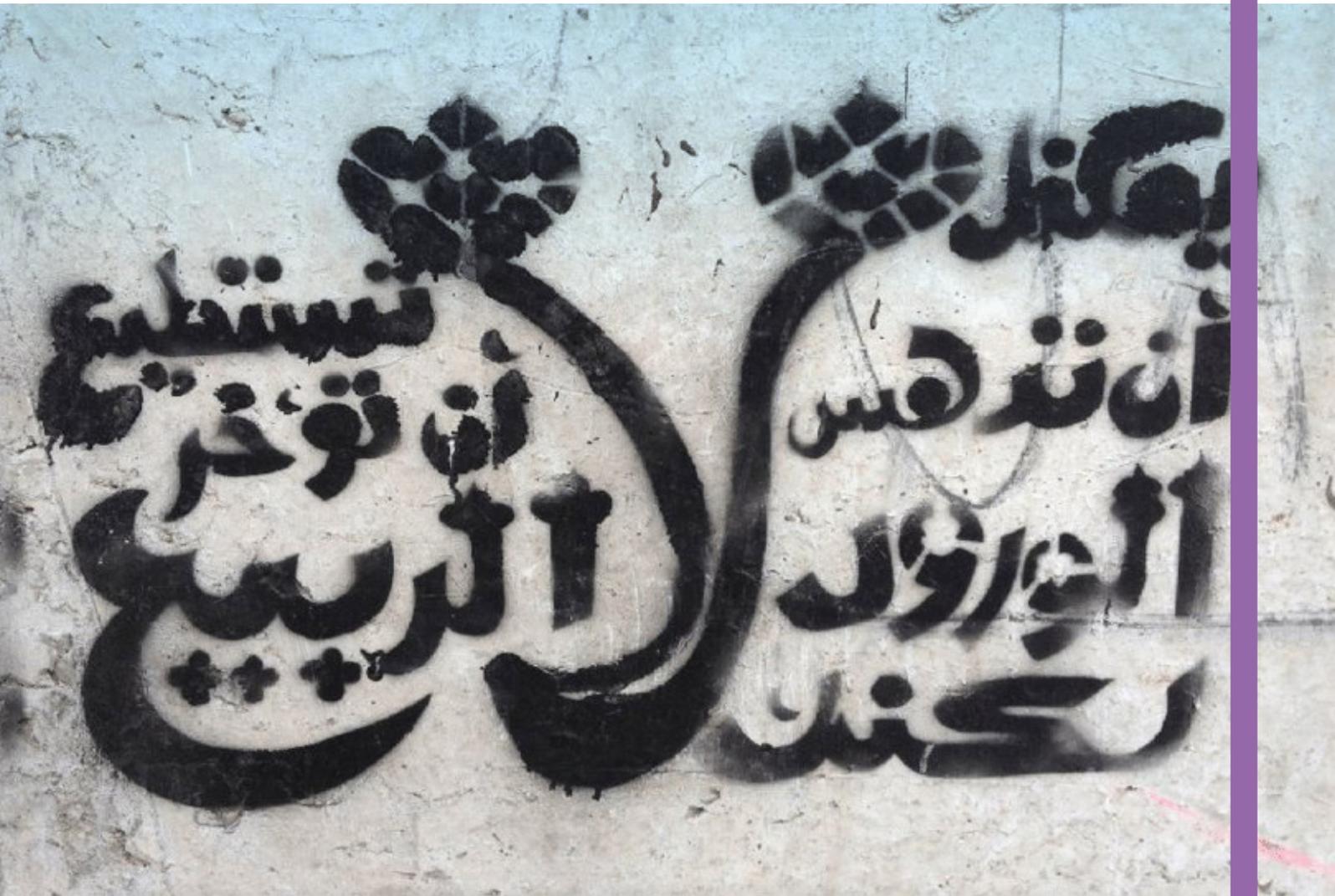


**MENA**  
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Group



**ANNUAL**  
**REPORT** 2021



© Bahía Shehab, You May Crush the Flowers, But You Cannot Delay the Spring (verse by poet Pablo Neruda), 2011. Cairo. Calligraphiti.

This report has been drafted by our team members Ramzi Kaiss, Inès Osman, and Alexis Thiry. We are very grateful for the Arabic translation by Saadeddine Shatila, the review of our board members, Natasha Latiff, Alistair Davison and Hans von Rütte, and co-founder Julia Legner.

MENA Rights Group is a Geneva-based legal advocacy NGO defending and promoting fundamental rights and freedoms in the Middle East and North Africa (MENA) region. Adopting a holistic approach, we work at both the individual and structural level. We represent victims of human rights violations before international law mechanisms. In order to ensure the non-repetition of these violations, we identify patterns and root causes of violations on the ground and bring key issues to the attention of relevant stakeholders to call for legal and policy reform.

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# Foreword

2021 also marked 10 years since popular protests known as the “Arab Spring” erupted throughout the region.

Dear friends and supporters,

Reflecting on 2021, what first comes to mind are those we lost. Our friend Alaa al-Siddiq, prominent Emirati human rights defender who was forced to live in exile, yet remained one of the most courageous advocates for prisoners of conscience in the Gulf. She could not say goodbye to her father, who has been arbitrarily detained in the UAE for nearly a decade. Jaseb Hattab al-Hejili, whom we had helped in the search for his missing son, was shot dead in Iraq because he was his most vocal advocate. Jordanian journalist Taysir Salman, who passed away due to health issues two years after being released from prison in the UAE, where he had been arbitrarily detained for three years. Lokman Slim, a Hezbollah critic, who was assassinated in Lebanon. Muhammad al-Nuaimi, who passed away without seeing his parents and siblings since 2014, because of a travel ban imposed in reprisal for his father’s activism. Musa al-Qarni, who was left to die in a Saudi prison after nearly 15 years of arbitrary detention. May they rest in peace.

While they come from different places and walks of life, they all were either fierce

advocates for truth and justice, or victims of authoritarian regimes. While their loss leaves us with a profound sense of sadness and grief, they remain an inspiration for us all and shall guide our efforts to continue fighting for the respect of human rights in the MENA region.

2021 also marked 10 years since popular protests known as the “Arab Spring” erupted throughout the region. When confronted with the fact that universal human rights are still far from being a reality, and that “defeats” seem to outnumber “successes”, our team is often asked how to remain optimistic. The first answer is: What is the alternative? Giving up is not an option. If grassroots activists operating in heavily repressive environments continue to risk their lives and security, if families never lose hope of seeing their loved ones freed despite the suffering they endure, the least we can do is support them in their fight for freedom and justice. The second one is: Success can be seen through many lenses. Someone being released from prison, a phone call received by the family after a loved one was missing for a long time, successfully litigating a case, raising awareness on abuses to end impunity: every single victory counts.

This is why our team remains committed to serving and supporting victims and their families, and continues working towards fostering change in societies across the MENA region. We are thankful to victims and their families for placing their trust in us. We are also grateful for the community we are a part of, and with whom we will continue to fight injustice. We feel privileged, humbled, and inspired, to work everyday alongside partners, lawyers, and civil society activists. We have no doubt that as part of a joint community, we will continue to make progress towards ensuring

that people enjoy the effective recognition and respect of their rights and freedoms.

I also wish to warmly thank each and every one of our supporters as well as our passionate and dedicated board and team members, without whom all of our achievements would not have been possible.

In solidarity,

Inès Osman

Co-founder and director

# IN MEMORIUM



1



2



3



4



5



6

- 1 Alaa al-Siddiq (1988-2021)
- 2 Musa al-Qarni (1954-2021)
- 3 Lokman Slim (1962-2021)

- 4 Jaseb Hattab al-Hejili (1967-2021)
- 5 Taysir Salman (1972-2021)
- 6 Muhammad al-Nuaimi (1996-2021)

# About us

## **Our vision**

Individuals across the MENA region live in just and peaceful societies, founded on the rule of law and the effective recognition and respect of the rights and freedoms of all.

## **Our mission**

We work directly with victims, their families, lawyers, human rights defenders and other civil society actors. We support them to claim their universally recognised rights and freedoms by adopting a holistic approach.

At the individual level, we document cases of human rights violations, provide legal assistance to victims by using primarily international law mechanisms, and raise awareness of their plight with relevant stakeholders.

At the structural level, we undertake in-depth research to assess the root causes of human rights violations. On that basis, we advocate for legal and policy reform in line with international standards.

At the internal level, we strive to balance the wellbeing of our team members with the effective and sustainable implementation of our mission.

# Our Tactics

We achieve our mission through an evolving range of six advocacy strategies using the most effective means of leverage. We adopt a collaborative approach to our work, by engaging closely with national and international civil society actors, to ensure complementarity.

## 1 Documentation and monitoring

In close cooperation with local actors, victims of human rights violations, their families, lawyers, human rights defenders and civil society, we monitor the human rights situation on the ground, document individual cases, identify patterns of violations and analyse their structural causes.

## 2 Litigation

We represent individuals subjected to severe human rights violations before international protection mechanisms. Most notably, we resort to the United Nations (UN) human rights bodies, including Special Procedures and Treaty Bodies. We may also engage with regional and domestic mechanisms, when effective and accessible.

When assisting individuals, we respect confidentiality and only act if we have obtained direct informed consent from the victim, their family or lawyer. We strive to act in the victim's best interest, while respecting their wishes. Cases are only publicised after we have obtained the victim's or the family's approval.

## 3 Analysis and reporting

Based on thorough research and monitoring, we produce reports, briefs and research papers to bring issues to the attention of relevant

stakeholders, with a view to advocating for legal and policy reform. When relevant, we directly lobby local law- and policy-makers and engage with various international and regional institutions, foreign governments, and businesses.

We bring a civil society perspective in the assessment of states' compliance with their human rights obligations by the UN mechanisms, while expanding the access of our local partners to these mechanisms.

## 4 Awareness raising

We raise awareness on human rights issues among a wide and diverse audience by publishing reports, engaging on social media, and taking part in public debates and conferences.

We highlight victims' stories by publicising and sharing their cases on our website and social media channels, thus bringing their situation to the attention of the general public within and outside the MENA region.

## 5 Capacity building

Bringing our legal expertise and experience, we provide training and lectures for, among others, human rights defenders, practitioners and university students.

We provide technical support to local civil societies to access UN human rights mechanisms and enhance their understanding of international human rights law.

## 6 Assessing national human rights institutions

We believe that effective and accessible national human rights institutions (NHRIs) are

key to ensuring the protection of fundamental rights and freedoms at the national level.

Jointly with local partners, we assess their work, independence and efficiency. Through evaluation reports, we contribute to their review by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions.

## Our Geographic and Thematic Focus

Our geographic mandate covers the 22 Member States of the Arab League. Among those, we focus on countries where we believe our work has the most added value, considering our capacities and strategic impact.

We focus primarily on violations of civil and political rights, such as the right to life, liberty and security of person, due process and fair trial rights, freedom of opinion, expression, peaceful assembly and association. We believe that these must be protected above all, as a *sine qua non* condition for people to be able to claim all their other rights without fear of reprisals.

### As such, our thematic priorities include, but are not limited to:

- Accountability and the right to truth
- Arbitrary detention
- Business and human rights
- Counterterrorism and human rights
- Enforced disappearances
- Extrajudicial executions
- Freedom of opinion and expression (online and offline)
- Freedom of peaceful assembly and association
- Practice of torture

# 2021 at a glance

We supported **44 victims** of human rights violations across **11 countries** of the MENA region.

We produced in-depth analysis of **5 pieces of legislation** contravening international human rights standards.

We monitored compliance with human rights standards of **4 countries** during and ahead of reviews of their record.

# Litigation

In 2021, we represented 44 individuals before international protection mechanisms while we followed up on over 50 previous cases of individuals we continue to assist.

Relying on thorough documentation and monitoring, we provide legal assistance to victims of severe human rights abuses by using primarily international law mechanisms to put an end to violations, or obtain redress for past violations. We also build on documented casework to advocate for human rights-based policy reforms, and raise awareness of the victims' plight with relevant stakeholders.

In 2021, we were pleased that a number of people we defended regained their freedom:



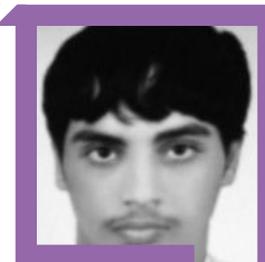
**February 8**  
In Egypt, Adel al-Maqsood is released after **18 days** of enforced disappearance.



**February 10**  
In Saudi Arabia, Loujain al-Hathloul is conditionally released after **1002 days** of arbitrary detention. She remains under a travel ban.



**February 19**  
In Algeria, Khaled Drareni is released after **349 days** of arbitrary detention.



**April 17**  
In the UAE, Abdullah al-Shamsi is released after **973 days** of arbitrary detention.



**November 14**  
In Kuwait, Zuhair al-Mahmeed is released after **2283 days** of arbitrary detention.



**October 12**  
In Lebanon, six Syrians at risk of deportation are released after **49 days** of arbitrary detention.



**September 25**  
In the UAE, Ahmad Sobh is released after **1349 days** of arbitrary detention.



**June 27**  
In Saudi Arabia, Nassima al-Sadah and Samar Badawi are released after **1032 days** of arbitrary detention.

## Litigation areas

### Right to life

Throughout 2021, MENA Rights Group responded to many cases concerning violations of the right to life in the MENA region, ranging from arbitrary killings by nonstate actors to death caused by medical negligence.

In **Lebanon**, researcher and Hezbollah critic Lokman Slim was shot dead on February 3, while returning to his home. We submitted a letter of allegation to UN Special Procedures on behalf of his family, urging them to request the Lebanese authorities to carry out a prompt, independent and thorough investigation into his murder. In March, four UN experts called on Lebanon to clarify steps taken to investigate Slim's assassination, including any possible links between his assassination and the August 4 Beirut port explosion. On March 22, 2021, they issued a press release calling on the Lebanese authorities to "urgently implement

measures to guarantee the independence and the impartiality of the investigation and ensure that those responsible are identified and held accountable."

In **Iraq**, we were shocked and saddened by the killing, in March, of Jaseb Hattab Al Heliji, the father of human rights lawyer Ali Jaseb Hattab Al Heliji. He was shot dead by unidentified gunmen in the city of Amarah. Jaseb was a vocal advocate for his son who has been forcibly disappeared since October 8, 2019, following his abduction by a militia affiliated with the Popular Mobilisation Units (PMU). Jaseb had filed a court case naming the militia and individuals allegedly involved and called for the release of his son, including by referring his case to MENA Rights Group, which seized the UN Committee on Enforced Disappearances on his behalf in 2019. Following his assassination, several UN human rights experts, including the Special Rapporteur on extrajudicial, summary or arbitrary executions and members of the Working Group on Enforced or Involuntary Disappearances addressed the matter in

Lokman Slim's funeral in Lebanon © Monika Borgmann.



an urgent appeal to the Iraqi authorities and condemned this heinous act in a press release.

In **Saudi Arabia**, together with ALQST for Human Rights, we documented the case of Musa al-Qarni, a jailed academic, lawyer and reformer who was found dead in his cell in Dhahban prison on October 10, 2021, after having suffered beatings to the head with sharp objects that caused him facial injuries and bone fractures in his skull and chest. Al-Qarni, who was arrested by the *Mabahith* in 2007, was a member of the Jeddah reformers, a group of academics and clerics who had been arrested and jailed after calling for social and political reforms within the Kingdom. In 2011, he was sentenced to 20 years in prison. While he was deprived of his liberty it was reported that he was frequently subjected to torture and medical negligence.

Shortly after being informed of his assassination, we raised his case with the Special Procedures and on November 8, 2021, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions issued

a letter of allegation calling on the Saudi authorities to provide information on whether an investigation was carried out and what was its outcome.

## Enforced disappearances

This year, MENA Rights Group treated a high volume of cases of enforced disappearances and filed 32 cases before the UN human rights mechanisms that have been mostly reported in Egypt, Iraq, Oman, Saudi Arabia, and Syria.

In **Egypt**, where enforced disappearances continue to be widespread, often taking the form of secret detention during custody, and prolonged *incommunicado* detention, we filed the case of a 24-year-old accountant who disappeared following his arrest by state security forces with the UN Working Group on Enforced or Involuntary Disappearances (WGEID). At the time of writing, he is still forcibly disappeared and his family has not heard from him.

© Families For Freedom.



We also continued to document cases of enforced disappearances in **Syria**, including that of a defected officer who has been missing since 2014. Arrested in Lebanon by Hezbollah in 2014, he was handed over to the Syrian authorities and last seen in 2020 in “Branch 235”, also known as the Palestine Branch, a prison operated by Syrian intelligence services in Damascus where torture is notoriously practiced.

In **Saudi Arabia**, the practice of enforced disappearances has become widespread in recent years, particularly in the form of prolonged secret detention by forces belonging to the Presidency of State Security, an institution established in 2017. We continued to assist several families of disappeared individuals in their search for their missing relatives by seizing the WGEID on their behalf. Among them was Sulaiman al-Dowaish, a religious scholar who has been disappeared since April 2016 and was last seen in 2018 in a secret detention facility in Riyadh. In May 2021, we also filed the cases of university graduate Abdullah Jelan and medical doctor Lina Alsharif who were both abducted by State Security forces and have been missing since. In November 2021, we requested the WGEID to reopen the case of Abdulrahman al-Sadhan, which had been pending between 2018 and early 2021. After three years of secret detention, he was brought to a secret trial and sentenced to 20 years in prison. However, after the verdict was upheld on appeal on October 5, 2021, he has been held *incommunicado* and his family has received no news as to his fate and whereabouts.

In **Iraq**, the country with the highest number of enforced disappearances worldwide, MENA Rights Group continued to file and follow-up on numerous cases of missing persons in the country. In 2021, we received testimonies

from families of 18 disappeared individuals, and submitted them to the UN Committee on Enforced Disappearances (CED), bringing the total number of cases MENA Rights Group has filed for Iraq to 341. However, many of these cases remain pending as the Iraqi authorities consistently fail to provide any information on the victims’ fate and whereabouts. We also asked the CED to request the application by the Iraqi authorities of interim measures of protection on behalf of a family of a missing person subjected to reprisals.

As **Oman** is also a party to the International Covenant for the Protection of All Persons from Enforced Disappearance since 2020, we were mandated to represent Jeya Vijayakumar, a Sri Lankan migrant worker who has been missing since July 23, 2020. That day, she phoned her husband in a state of distress after she was abused by her employers. The agency sponsoring her travels later informed her husband that she had fled and was under police custody. However, the Omani police never acknowledged her detention. As a result, together with Sisters at Law, we requested the urgent intervention of the CED to clarify her fate and whereabouts.

## Freedom of expression and attacks on the press

Throughout the year, the MENA region experienced heightened repression against journalists, resulting in violations of freedom of speech. We documented several cases of media workers subjected to reprisals for their critical reporting.

Since March 2020, journalists, human rights defenders, activists, protesters and other dissenting individuals in **Iraq’s** Kurdistan Region have increasingly been subjected



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to intimidation, threats, harassment and arbitrary detention at the hands of the regional authorities. In the context of the August 2020 demonstrations demanding an end to corruption and better public services, the Kurdish security forces arrested numerous journalists, community activists, professors and others, for reporting on or attending the protests, or otherwise exercising their right to freedom of expression.

Among them was Sherwan Amin Nao Sherwani (also known as “Sherwan Sherwani”), an independent journalist who investigates and denounces cases of human rights violations and social injustice in the Kurdistan Region as well as of political corruption within the regional governmental institutions, who was arrested on October 7, 2020. In February 2021, together with four other activists and journalists, he was sentenced to six years’ imprisonment, followed by five years’ police surveillance, by Erbil’s Criminal Court.

After the sentence against Sherwani and the other four defendants was upheld on appeal, MENA Rights Group seized the UN Working Group on Arbitrary Detention (WGAD) on their behalf. In November, the UN experts issued an Opinion finding their detention to be arbitrary. In particular, the WGAD concluded that there

was no legal basis for their detention, that they were detained for the peaceful exercise of their rights to freedom of expression, to participate in the conduct of public affairs, and to peaceful assembly. Furthermore, the WGAD explained that the fair trial violations observed were of such gravity as to give the five individuals’ detention an arbitrary character. Finally, the WGAD found that there was a strong presumption that the detention also constitutes a violation of international law on the grounds of discrimination based on political or other views.

In **Morocco**, the crackdown on dissenting voices intensified. 2021 was marked by the trials of journalists Omar Radi and Soulaimane Raissouni, known for their critical stance towards the authorities. On July 9, 2021, Raissouni was sentenced to five years in prison on sexual assault charges. Ten days later, Radi was sentenced to six years in prison on the basis of rape and espionage charges. Both have undertaken prolonged hunger strikes to claim their innocence and denounce the arbitrariness of their detention. Raissouni’s health seriously deteriorated as a result. MENA Rights Group, in collaboration with the Moroccan Association for Human Rights, filed a request for Opinion with the UN Working Group on Arbitrary Detention on July 6, 2021.

These cases illustrate a well-documented pattern of arrest, judicial harassment, and imprisonment of independent journalists, activists, and politicians, because of their critical writings and work, on trumped-up charges including “sexual assault”, “serving a foreign agenda”, or “money laundering”. Such was also the case of Maati Monjib, a Franco-Moroccan academic and human rights defender, who was sentenced to one year in prison for “undermining state security” and “fraud” on January 27, 2021. In view of the

arbitrary nature of his arrest, the unfounded nature of the prosecution and the continuing violations of his rights to freedom of expression and association, MENA Rights Group seized UN Special Procedures, requesting them to urge the Moroccan authorities to release Monjib and drop all charges against him. He was temporarily released on March 23 following a hunger strike. On June 10, 2021, six UN Special Procedures mandate holders expressed concern over the arbitrary nature of Monjib's detention and the charges yielded against him, allegedly in retaliation for his journalistic activities.

In **Algeria**, MENA Rights Group documented the case of Saïd Djabelkhir, a journalist and Islamologist specialised in the study of Sufi Islam. He was sentenced on April 22, 2021 to three years in prison for "offense to Islam" following the filing of a complaint by private individuals in January 2020. The complainants felt that he had used derogatory and offensive terms against the Muslim religion. At the time of writing, Djabelkhir is free pending the consideration of his appeal. His case sheds light on the use of article 144 *bis* 2, which proscribes a punishment of three to five years in prison for "anyone who offends the prophet and the envoys of God or denigrates the dogma or the precepts of Islam". The constitutionality of this provision is currently being reviewed by the Supreme Court. Following a letter sent to UN Special Procedures by MENA Rights Group on April 29, the Special Rapporteur on freedom of expression raised concerns over the compliance of this provision with articles 18 and 19 of the International Covenant on Civil and Political Rights, to which Algeria is a party.

In **Saudi Arabia**, where press freedom is severely undermined, with the country being ranked 170 out of 180 by the Reporters Without Borders' 2021 World Press Freedom

Index, we continued to follow-up on cases of imprisoned journalists. Among them is Jordanian journalist Abdulrahman Farhaneh, who, on August 8, 2021, was sentenced to 18 years in prison on trumped-up terrorism charges by the Specialised Criminal Court, following a grossly unfair trial. He has been detained since February 2019 following his abduction by State Security forces, and was subjected to severe acts of torture in detention. Meanwhile, Saudi journalist Turki al-Jasser continued to be held *incommunicado* since his abduction by State Security forces in March 2018. Though MENA Rights Group had filed his case with the UN Working Group on Enforced Disappearances in February 2019, Saudi authorities have systematically failed to grant him regular contact with his family. In January 2021, the authorities claimed that al-Jasser had "been granted regular contact with his family", but failed to provide any evidence or information on charges he would be facing.

## Reprisals against peaceful activists and human rights defenders in a context of shrinking civic space across the MENA

In 2021, human rights defenders operating in the MENA region continued to be exposed to human rights abuses, including arbitrary arrest, prosecution, threats and travel bans, including against family members.

In anticipation of the UN Secretary General's (UNSG) annual report on reprisals, we provided information on 25 individuals who were subjected to retaliation due to their cooperation with the UN human rights mechanisms in Djibouti, Egypt, Iraq, Saudi Arabia and the UAE. The UNSG report, published in September



Screenshot from Loujain al-Hathloul's Twitter account following her release  
© Loujain al-Hathloul.

2021, cited cases of reprisals in over 30 countries worldwide, 13 in the MENA region, namely Djibouti, Bahrain, Egypt, Iraq, Israel, Kuwait, Libya, Morocco, Saudi Arabia, Syria, the UAE, Palestine, and Yemen. Our team also met with the UN Assistant Secretary General for Human Rights Ms. Ilze Brands Kehris following the presentation of the UNSG report to share our concerns on the increasing threats faced by human rights defenders in the MENA region who choose to engage with international human rights mechanisms.

Furthermore, in **Lebanon**, we provided assistance to human rights lawyer Mohammed Sablouh, a source and partner of MENA Rights Group, who faced a growing number of threats and intimidation from the General Security and the Military Court's Government Commissioner in retaliation for his work documenting and assisting victims of torture and arbitrary detention. In April 2021, he was accused by the head of the Lebanese General Security of "high treason", because he provided Amnesty International with documented information on the situation of Syrian refugees in Lebanon. He was also intimidated and threatened while defending

Syrian refugees detained by the General Security and at risk of deportation to Syria. In September, in reprisal for filing a case of torture by the military police before a domestic court, the Military Court requested the Tripoli Bar Association to lift Sablouh's immunity so he could be prosecuted, to no avail.

Upon our request, on November 16, 2021, the UN Special Rapporteurs on the independence of judges and lawyers and on human rights defenders wrote to the Lebanese authorities, and later issued a public statement urging them to immediately cease the threats and intimidations being levied against Sablouh. We also brought his case to the attention of several bar associations; both the American and Geneva Bar Associations issued statements in support.

Furthermore, we continued to closely follow-up on the cases of several human rights defenders in **Saudi Arabia** together with partners. 2021 was marked by the release of several women's rights activists who had been arrested in 2018 in reprisal for advocating for an end to discrimination against women, including Loujain al-Hathloul, Nouf Abdelaziz, Nassima al-Sadah and Samar Badawi, they could be re-arrested at any time if they resume their activism. In addition, they still face lengthy travel bans and other restrictions.

Though their release brought hope that other prominent rights defenders would also soon be set free, 2021 was marked by a renewed crackdown on human rights defenders and peaceful critics who have been brought to trial, sentenced to lengthy prison terms or had their convictions upheld or increased on appeal. In this context, we and ALQST for Human Rights brought to the attention of the UN Special Rapporteur on human rights defenders the situation of several activists.

Among them was Abdulrahman al-Sadhan, a humanitarian aid worker who was sentenced in April 2021 to 20 years in prison, followed by a 20-year travel ban in reprisal for allegedly running two anonymous satirical Twitter accounts. In addition, we highlighted the case of Mohammed al-Otaibi, the co-founder of the Union for Human Rights. In 2017, when he tried to flee to Norway to avoid reprisals for his human rights work, he was forcibly returned to Saudi Arabia from Qatar. The following year, he was sentenced to 14 years in prison. In April 2021, his sentence was increased, resulting in a 17-year prison term in total. Similarly, we raised the case of human rights activist Mohammed al-Rabiah, who was sentenced to six years in prison in April 2021 on charges, among others, of “seeking to shake the social fabric or national cohesion” and “instigating strife”. Al-Rabiah was arrested in 2018 in the midst of a crackdown on activists, including women’s human rights defenders and campaigners against the male guardianship system. On May 20, 2021, seven UN experts sent a communication to the Saudi government highlighting these cases, stating they revealed “what seems to be a pattern of restrictions on space for dissent and debate in Saudi Arabia, whereby critical or dissenting opinions are characterised as terrorism”.

Lastly, we documented the cases of Israa al-Ghomgham and her husband Moussa al-Hashim, two activists from the Eastern Province who were arrested after participating in and filming protests against the discrimination faced by the Shi’a minority. In February 2021, al-Ghomgham was sentenced to eight years in prison by the Specialised Criminal Court (SCC), while her husband al-Hashim received a 17-year prison term. They and another three defendants in this case were all charged under the Anti-Cybercrime Law in connection to their social media activity.

In the **United Arab Emirates (UAE)**, where the authorities systematically repress and silence any form of peaceful criticism, MENA Rights Group documented several cases of reprisals against dissidents and human rights activists, including in the form of citizenship stripping, travel bans, and terrorism listing.

Among them are four Emirati political activists and human rights defenders, members of the “UAE 94”, a group of Emirati scholars, activists, lawyers, doctors and human rights defenders who were put on mass trial in 2013. On September 12, 2021, Hamad al-Shamsi, Ahmed al-Nuaimi, Mohammed al-Zaabi, and Saeed al-Tenajji were included in the UAE’s national terrorism list. All four have been living in exile since their sentencing *in absentia* to 15 years in prison and were targeted as a result of the legitimate exercise of their right to free speech. MENA Rights Group subsequently seized the Special Rapporteur on human rights and counterterrorism and initiated a joint open statement denouncing this latest move as constituting a “mere continuation of the authorities’ repressive tactics against Emirati individuals exercising their right to freedom of expression in a manner that is deemed to be critical of the authorities.”

Such repressive tactics also took the form of travel bans issued against family members of dissidents. This was the case of Muhammad al-Nuaimi, the son of Emirati political opponent Ahmed al-Nuaimi, who was placed under travel ban in reprisal for his father’s activism. When his father left the UAE in 2012, Muhammad was only 16 years old. His family attempted to bring him to the UK, where his parents and five siblings had moved, on several occasions, but he was barred from leaving the country. Suffering from quadriplegia, he remained in the care of his grandmother until November 5, 2021, when he passed away at the Al Qassimi Hospital in Sharjah.

Lastly, MENA Rights Group also assisted the family of Abdulsalam al-Marzooqi, another member of the “UAE 94” who has been imprisoned in the UAE since 2012. His citizenship was revoked as an additional reprisal measure for his activism. In 2017, his wife was informed that the citizenships of her children had been revoked. As a consequence, al-Marzooqi’s children have been unable to enjoy their various civil and political rights as well as economic, social and cultural rights, such as their right to social security, health and work. For example, their daughter was denied the right to receive a COVID-19 vaccine as she could not present a valid ID. In June 2021, together with ALQST and the International Centre for Justice and Human Rights, we requested the intervention of the Special Rapporteur on minority issues due to the revocation of al-Marzooqi and his family members’ citizenships, which rendered them stateless.

## Arbitrary detention

In 2021, MENA Rights group received numerous testimonies of individuals arbitrarily detained, including following grossly unfair trials and for acts falling under their

fundamental rights to freedom of expression and association, among others.

In September 2021, the UN Working Group on Arbitrary Detention (WGAD) issued an Opinion regarding the situation of Saïd Ahmed Saïd Tourqui, also known as “Sast”, a writer from the **Comoros**. MENA Rights Group was mandated by his family to raise his case after he was arrested on August 9, 2018, as part of an arrest campaign targeting several members of the opposition. Five days later, he was charged with committing “attacks, plots and other offenses against the authority of the state and the integrity of the national territory and crimes tending to disturb the state.” His case was referred to the State Security Court, which sentenced him to life on December 15, 2018. Even though he was amnestied under a presidential decree in 2019, the WGAD found that the State Security Court did not meet the standards of independence and impartiality set out in international human rights law and should thus be abolished, while recalling that national security cases should be tried in ordinary criminal courts.

In **Saudi Arabia**, after filing their cases with the WGAD in November 2021, the latter issued an Opinion stating that the detention

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of two members of the royal family, princes Salman al-Saud and his father Abdulaziz al-Saud, was arbitrary and urged the authorities to release them immediately. Both men were arrested in January 2018 and have been held without charge since. They were additionally forcibly disappeared for a year, between November 2020 and 2021, when they were granted contact with their family. In its Opinion, the WGAD found that their detention lacked any legal basis, that their right to a fair trial was breached, and that they were detained on the grounds of discrimination on the basis of their birth and family ties, as they “appear to have been targeted for being who they are and for their membership of the royal family rather than for something they have done.” In addition, the experts reiterated that it had found “Saudi Arabia in violation of its international human rights obligations in over 60 cases” and that this indicated “a systemic problem with arbitrary detention in Saudi Arabia”.

In addition, we continued to provide assistance to Abdulrahman al-Sadhan and follow-up on his trial which took place throughout 2021. Following his sentencing to 20 years in prison, in November, MENA Rights Group filed his case with the WGAD, requesting them to issue an Opinion and call for his immediate release. In our complaint, we argued that his detention lacked any legal basis as he was subjected to three years of secret detention during which he was severely tortured, in addition to being denied his right to challenge the legality of his detention. We also stated that his detention was in reprisal for the exercise of his right to freedom of expression as he was prosecuted for allegedly running two satirical Twitter accounts. Lastly, we highlighted the numerous gross violations to his fair trial and due process rights, including the fact that he was secretly brought before the Specialised

Criminal Court, which lacks independence and impartiality and admitted his confessions extracted under torture as evidence, and had his right to legal counsel undermined throughout the proceedings. At the time of writing, al-Sadhan’s challenge of the SCC’s decision before the Saudi Supreme Court was still pending.

In the **United Arab Emirates**, MENA Rights Group also received an Opinion from the WGAD on the case of Jordanian activist Ahmed al-Atoum, who is currently serving a 10-year prison sentence for criticising corruption in his home country. Arrested in May 2020, he was charged under the Cybercrime Law in relation to content published on his Facebook page, and, in October of the same year, sentenced to 10 years in prison for “taking action against a foreign country (Jordan) that would offend political relations through his Facebook account and through publishing news and information that include mockery and insulting of the Hashemite Kingdom of Jordan”. In their decision, the members of the WGAD stated that al-Atoum’s detention was arbitrary as the authorities failed to establish a legal basis for his detention, and that the latter resulted from the peaceful exercise of his right to freedom of expression. Although no trial should have taken place, his right to a fair trial was severely breached, the WGAD found. The UN experts expressed concern that “the judiciary in the United Arab Emirates, particularly the Federal Supreme Court, is not independent and impartial because it is under the control of the executive branch.” Lastly, it recalled that his case was one of many brought to its attention in recent years concerning arbitrary detention in the UAE and recalled that under certain circumstances, “widespread or systematic imprisonment or other severe deprivation of liberty in violation of the rules of international law, may constitute crimes against humanity.”



## The practice of “rotation”: how Egypt keeps its dissidents in indefinite detention

Since 2014, the human rights situation in Egypt has deteriorated significantly, with the Egyptian authorities having obliterated almost all space for free expression, peaceful assembly and association. Accompanying the shrinking of civic space under the current presidency of Abdel Fattah al-Sisi is the increasing use of pre-trial detention. In recent years, the authorities have effectively begun circumventing the pre-trial detention maximum periods through the practice of “rotation” (also known as “*tadweer*”).

Rotation occurs when an individual who is serving a sentence, is in pre-trial detention, has recently completed a sentence, or has recently been ordered released from pre-trial detention, is questioned and detained in relation to a new case. Accordingly, with every new case the pre-trial detention period begins anew, contributing to a situation in which an individual could be kept in pre-trial detention *de facto* indefinitely, so long as they are ordered detained in new cases.

Though this practice is not formally regulated under Egyptian law, it has been enforced by the country’s security authorities, in particular the Supreme State Security Prosecution (SSSP), which plays a significant role in the adding of persons to new cases and the fabrication of accusations. Today, it is often

being used as a punitive measure against peaceful dissenting voices in Egypt to keep them in detention indefinitely. While common law prisoners might face the practice, this has been described by several sources as happening rather “randomly” and to be rarer than in the cases of peaceful critics.

All in all, rotation has allowed security forces, in coordination with prosecutors and judges, to arrest, detain or prosecute thousands of individuals, including hundreds of human rights defenders, peaceful demonstrators, lawyers, members of the political opposition, journalists, artists, religious minorities’ rights activists and academics.

In 2021, with the support of [TIMEP](#)’s former legal associate Yasmin Omar, we produced an [analysis](#) and documented the cases of several individuals subjected to this practice and held in prolonged detention, including [Ola al-Qaradawy](#), [Abdulrahman Ahmed](#) (also known as “Moka”), [Alaa Abdelfattah](#), [Ibrahim Metwally](#), [Abdelmoneim Abu el-Foutouh](#), [Mohammed el-Qassas](#) and [Haitham Mohamadein](#). We raised their cases with the UN Working Group on Arbitrary Detention, requesting that the Egyptian government takes all necessary steps to remedy their situation and put an end to the arbitrary practice of rotation.

## Extraditions in violation of the *non-refoulement* principle

Although Lebanon and Morocco have ratified the UN Convention against Torture, both countries have shown little regard to the *non-refoulement* obligation contained therein, which prohibits the deportation or extradition of a person where there are substantial grounds for believing that they would be in danger of being subjected to torture.

In **Lebanon**, we provided assistance to six Syrian nationals who were arrested in late August 2021 near the Syrian embassy in Baabda where they were to be issued passports. The army initially detained them for “entering the country illegally” before the Lebanese General Security took over their cases. They were detained *incommunicado* until September 1, during which time they were subjected to torture and ill-treatment. A complaint for torture was submitted

before the Public Prosecutor of the Court of Cassation the following day. Fearing an imminent deportation to Syria, MENA Rights Group raised their cases with the UN Special Rapporteur on torture, invoking a possible violation of the *non-refoulement* principle by Lebanon. Under pressure, the General Security’s Director ordered their release on September 9. They nonetheless remained held in an immigration detention centre until October 12, 2021. It has been reported that Syrian security forces have subjected Syrians who returned home after seeking refuge abroad to detention, disappearance and torture, including sexual violence.

Similarly, this year, MENA Rights Group assisted two individuals subjected to extradition proceedings in **Morocco**. Since the Kingdom has accepted the competence of the Committee against Torture (CAT) to receive individual cases, we have been able to request the issuance of interim measures of protection to this UN Treaty Body, considering the risks of serious and irreversible harm.

The Balkan Route © Sandor Csudai, licenced under CC BY-NC-ND 4.0.



Osama al-Hasani, an Australian-Saudi national, was arrested in Tangier on February 8, 2021. He was kept in custody on the basis of a red notice issued by Interpol upon Saudi Arabia's request in relation to an alleged car theft that took place in 2015. His case was referred to the Court of Cassation, the jurisdiction in charge of examining extradition cases, which on March 10, ruled in favour of his extradition to Saudi Arabia. Fearing that al-Hasani would be at risk of being tortured if returned, MENA Rights Group submitted a request for interim measures before the CAT. The next day, the Committee requested Morocco to suspend al-Hasani's extradition pending the review of his case. However, the Moroccan authorities ignored the request and swiftly extradited him to Saudi Arabia in the middle of the night on March 13. Since his handover to the Saudi authorities resulted in his forcible disappearance, we requested the urgent intervention of the UN Committee on Enforced Disappearances. Citing the International Convention for the Protection of All Persons from Enforced Disappearance ratified by Morocco, this Committee urged the Moroccan government to cooperate with the Saudi authorities in order to bring al-Hasani immediately under the protection of the law and to officially inform his family and representatives of his whereabouts. His fate and whereabouts remained unknown until it

was reported in September that he had been sentenced to four years in prison by the Saudi Specialised Criminal Court.

Yidiresi Aishan is an Uyghur Muslim who normally lives in Turkey after having left China in 2012. Feeling that he was no longer safe in Turkey, he decided to seek protection elsewhere. On July 19, 2021, he flew from Istanbul to Casablanca. He was however arrested at the airport on the basis of a red notice issued by Interpol upon China's request. The next day, Aishan was presented to the Public Prosecutor of the Court of First Instance of Casablanca who ordered his provisional detention on extradition grounds. On December 15, 2021, the Rabat Court of Cassation ruled in favour of the extradition request, disregarding the arguments brought by the defense about the risks of torture he would face if returned to China. MENA Rights Group and Safeguard Defenders immediately submitted an urgent communication to the CAT. On December 20, the Committee requested the Moroccan government to take interim measures by not proceeding with the extradition. We also initiated a joint letter that was supported by 14 other NGOs calling on the Prime Minister, in charge of signing the extradition decree, to comply with the Committee's request. At the time of writing, Aishan was still being held for extradition in Tiflet prison.

We produced analyses of legislations incompatible with international human rights standards and advocated for legal and policy reform.

We assessed compliance of five countries with their international obligations.

We engaged in a variety of contemporary international law issues, including on strengthening UN Treaty Bodies and the African Commission on Human and Peoples' Rights.

# Legal advocacy

We conducted in-depth research and identified law and policy developments pertaining to digital rights, civic space, counterterrorism, and the right to truth.

## Aligning domestic legal frameworks with international standards

This year, we identified a number of law and policy developments pertaining to digital rights, civic space, counterterrorism, and the right to truth, that would enable human rights violations. We therefore conducted in-depth research and analysis and advocated for legal and policy reform in line with international standards.

### Digital rights and shrinking civic space

In 2021, we produced five analyses of legislations incompatible with international human rights standards in Algeria, Iraq, Libya and Mauritania.

In June 2021, in the absence of parliamentary debate as the national assembly was dissolved in March 2021, **Algeria's** president passed two ordinances which have a detrimental effect on civic space. MENA Rights Group produced analyses of these new texts and brought them to the attention of UN Special Procedures mandate holders. One, Ordinance No. 21-09, enables the arbitrary prosecution of individuals for sharing information deemed

sensitive by the authorities, while the other, Ordinance No. 21-08, introduces amendments to the Penal Code, broadening the definition of terrorism and establishing a national list of terrorist persons and entities. The latter was completed by a presidential decree passed in October 2021, which provides that listed individuals and entities are subject to a travel ban and asset freeze, and are "prohibited from any activity of any kind". These reforms have been introduced as the authorities were already increasingly resorting to trumped-up terrorism charges to prosecute activists and human rights defenders who have been involved in the protest movement. On April 28, 2021, the prosecutor of the Court of First Instance of Oran put 15 *Hirak* activists, journalists and human rights defenders on trial on charges including "enrolment in a



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terrorist or subversive organisation active abroad or in Algeria”. According to civil society reports, as of November 2021 at least 59 individuals are being prosecuted on bogus terrorism charges. On December 27, 2021, the UN Special Rapporteur on human rights and counterterrorism and four other Special Procedures raised this matter with the Algerian authorities. Among other issues, they expressed concern over the fact that these texts “appear to be in direct opposition to best practices in anti-terrorism legislation” and recalled that “the legitimate and peaceful work of human rights defenders should never fall under anti-terrorism legislation or otherwise be criminalised.”

Furthermore, this year, we continued to partner with the International Center for Non-For-Profit Law (ICNL) and monitored legal and policy developments in Algeria affecting civic space. Our research was used to update ICNL’s Civic Freedom Monitor on Algeria.

In March 2021, the **Iraqi** Council of Representatives reintroduced a draft law

on freedom of assembly and peaceful demonstrations, which threatened to establish severe restrictions on the right to protest and exacerbate the climate of silence and repression in the country. The text introduces harsh prison sentences on assembly organisers who did not submit prior written notification. It also prohibits the use of masks or other items that conceal facial features, which puts demonstrators at further risk of potential attacks by armed groups, state security forces or other armed individuals. The draft law additionally authorises the use of force in situations where a protest was organised contrary to the provisions of the law. As such, these provisions threaten to create a climate of silence and repression in the country. In light of the continuous attacks against Iraqi demonstrators, activists, and human rights defenders, in March 2021 we wrote to the Iraqi Council of Representatives, alongside nine other rights-based organisations, providing an analysis of the draft law and calling on the Iraqi parliament to repeal or further amend the problematic provisions and bring them in line with international human rights law. At the

time of writing, the consideration of the text has been suspended and the Iraqi parliament has yet to resume its sessions following the October 2021 elections.

In **Libya**, the House of Representatives swiftly ratified the Anti-Cybercrime Law on October 26, 2021, only one day after it was added to the parliament's agenda and without public consultation with civil society, human rights defenders, or experts. The new text provides the Libyan authorities with extensive discretion to restrict freedom of expression online. In particular, the law criminalises publishing information or rumours that threaten Libya's "security and public safety", overbroad and vague terms which place undue restrictions on the work of journalists, whistle blowers and human rights defenders. All the more concerning, article 7 also authorises the authorities to monitor all publications on social media and block websites without a judicial order. In November 2021, we joined a coalition of Libyan and international civil society organisations in providing an analysis on the law and urging the Libyan lawmakers to repeal it and draft a new text in line with international human rights standards. We also urged the authorities to adopt the principle of dialogue and consultation with local civil society when drafting any bill related to fundamental rights and freedoms.

In **Mauritania**, on November 9, 2021, the National Assembly adopted the Law on the protection of national symbols and criminalisation of offenses against the authority of the state and the honour of the citizen. Prior to the vote, members of the opposition raised their concerns over the bill, while the Mauritanian Journalists' Union called on the government to amend the draft. After conducting a legal analysis of the text, we found that most provisions contradicted international standards governing freedom of expression. For example, acts that would undermine the constant values and sacred principles of Islam, national unity, territorial integrity, insult the President of the Republic, the flag and the national anthem, though the use of social media, are punishable by two to four years' imprisonment. Equally concerning, publishing content that "undermines the morale of the armed and security forces or destabilises their loyalty to the Republic" is punishable by one to three years in prison. As this text on the protection of national symbols is the latest in a series of laws that place excessive limits on the content of speech both online and offline, together with six civil society organisations we urged the Mauritanian authorities to repeal the text.



Families of disappeared persons protesting in Algeria. © courtesy of Moussa Bourefis.

## Right to truth and accountability

15 years into the Charter on peace and national reconciliation, Algerian authorities must uphold the right to truth and justice of families of the disappeared

February 28, 2021, marked 15 years since the entry into force of Ordinance 06-01 implementing **Algeria's** Charter for Peace and National Reconciliation. This text remains the main obstacle faced by families of thousands of missing persons to seek truth and justice, 20 years after the end of the Algerian civil war. In fact, the 2006 Charter, through its implementing Ordinance 06-01, effectively prevents families of disappeared persons from pursuing justice for the harm suffered and uncovering the truth regarding the fate and whereabouts of their loved ones. It further grants amnesties to all state security forces and members of armed groups for the human rights violations committed during the war.

On the anniversary of the Charter, MENA Rights Group published a [policy paper](#) presenting concrete recommendations that the authorities may pursue in order to provide victims and their families with avenues for justice, remedy the harm caused by these violations, and guarantee the non-recurrence of such practices. The paper

assesses the legislative, policy and practice gaps in the prevention and protection from enforced disappearances and identifies avenues through which the Algerian state may strengthen its commitment to its international human rights obligations. The paper further evaluates the various obstacles preventing the realisation of the right to truth, including excessive restrictions on fundamental freedoms, and the criminalisation of truth-seeking efforts. The paper finally examines the Algerian state's duty to investigate, provide victims and their families with reparations, and institute guarantees of non-recurrence.

In addition, MENA Rights Group's Director published an [Op-Ed](#) denouncing the fact that since the end of the Algerian civil war, the authorities have used the threat of resurgent violence to maintain the political *status quo* and deter any form of dissent. The article conveys the message that steps must be taken to address the plight of families of the disappeared, recalling that truth-telling and

accountability for past violations form an essential component of a democratic transition and greater respect for human rights.

Building on this work, we raised these concerns with the UN Working Group on Enforced or Involuntary Disappearances (WGEID). During its 124th session in May 2021, we met with its members and brought Algerian families of disappeared persons to address this persistent climate of impunity. As a result, on September 27, 2021, the WGEID, the UN

Special Rapporteur on the right to truth and four other UN Special Procedures sent a letter to the Algerian authorities, highlighting the negative impact of the 2006 Ordinance and other legislation adopted since the end of the civil war on victims' rights to truth, justice, and to an effective remedy. The UN experts also raised concern over the excessive restrictions on the rights to freedom of expression, peaceful assembly, and association, which undermine the activities of victims' associations and criminalise their peaceful protests.

# Assessing states' compliance with human rights standards

Based on thorough research and monitoring, we produced country reports and brought a civil society perspective in the assessment of the compliance of states – specifically Iraq, Mauritania, Oman, and Saudi Arabia – with their human rights obligations by the UN mechanisms.

## Universal Periodic Review

In January 2021, we followed the Universal Periodic Review (UPR) of Mauritania and Oman, ahead of which we had issued reports to the Human Rights Council (HRC) jointly with the Cadre de Concertation des Rescapés de Mauritanie (CCR-M), and the Omani Centre for Human Rights (OCHR-Oman), respectively. Last year, we also briefed several UN Member States on our key concerns. In July 2021, during the HRC's 47th session, we closely followed both countries' response to recommendations made by other UN Member States in January.

Though **Mauritania** accepted recommendations on the fight against torture, they did not accept those pertaining to the abolition of the death penalty. While it committed to preventing the arbitrary detention of human rights defenders and providing a constructive and safe environment for peaceful assembly, it refused to implement recommendations aimed at amending problematic provisions, including those criminalising blasphemy and apostasy. On the issue of the right to truth and the fight against impunity, the authorities did not accept Belgium's recommendation aimed at ensuring accountability for the crimes committed during the *Passif humanitaire* in the mid-1980s and early 1990s.

United Nations Office, Geneva.



As for **Oman**, while the authorities accepted Member States' recommendation to ratify the International Covenant on Civil and Political Rights, the Omani delegation only took note of a number of other recommendations aimed at acceding to other human rights instruments and withdrawing their reservations to previously ratified ones. In addition, the authorities refrained from accepting 15 recommendations geared towards abolishing the death penalty and merely noted recommendations aimed at amending its legislation to guarantee the right to freedom of expression, assembly and association and to refrain from criminalising opinions that are dissenting or critical of the government.

## Human Rights Committee

In 2021, MENA Rights Group continued its activities pertaining to the fight against impunity and the right to truth in relation to **Mauritania's** *Passif humanitaire*, a period during which large sections of the Afro-Mauritanian minority were subjected to serious human rights violations, including forced displacement, summary executions, enforced disappearance and torture. Even if some steps have been taken, the authorities have yet to abrogate the 1993 Amnesty Law which continues to deprive victims and their families of effective remedies.

In partnership with CCPR-Centre and Mauritanian civil society organisations, we advocated for the implementation of the 2019 Concluding Observations of the UN Human Rights Committee, which included three priority recommendations, one of which called on the government to take measures aimed at solving the *Passif humanitaire* and combat impunity for the violations committed in the late 1980s and early 1990s.

On May 19, 2021, we organised a workshop to discuss this particular recommendation and the measures that could be taken to ensure its implementation. Although the event was held online due to COVID-19 restrictions, it brought together Mauritanian NGOs, the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Nouakchott, a representative of the National Human Rights Commission (CNDH), as well as a Mauritanian member of parliament, and a representative of the Mauritanian government. By way of preamble, Human Rights Committee member H el ene Tigroudja presented to the participants the implications of the recommendation. Her remarks were followed by constructive discussions around the issues of accountability and redress for the victims and their families. The talk ended with a parliamentary sensitive to the *Passif humanitaire* who presented a draft bill establishing a truth and reconciliation commission.

In July 2021, the Mauritanian government was supposed to submit a follow-up report to the Human Rights Committee detailing the measures introduced to implement the Committee's Concluding Observations. Noting that the State party failed to do so, in September, MENA Rights Group sent a letter signed by a coalition of NGOs to the government of Mauritania urging the authorities to fulfil their international obligations.

## Committee against Torture

In June 2021, ahead of **Saudi Arabia's** third periodic review by the UN Committee against Torture (CAT), MENA Rights Group, REPRIEVE, and the European-Saudi Organisation for Human Rights (ESOHR) submitted a report that examines the Saudi authorities' systematic use of torture against human rights defenders, detainees, and individuals

exercising their fundamental freedoms within the Kingdom. The report provides the CAT with suggestions for questions that may be addressed to the Saudi authorities under the List of Issues Prior to Reporting.

Our report sheds light on the failure of the Saudi authorities to properly define and prohibit torture within their national legislation and to establish legal safeguards that may minimise the risk of torture in detention. Our report also examines the Saudi authorities' systemic use of enforced disappearances and secret detention against peaceful dissidents, journalists, human rights defenders, and members of the royal family, which places those disappeared at a heightened risk of torture. It additionally sheds light on the continued use of the death penalty within the Kingdom and the troubling consequences of Saudi Arabia's failure to investigate widespread allegations of torture, to provide legal redress to victims, and to exclude torture-tainted confession from criminal proceedings.

In December 2021, the CAT published its List of Issues Prior to Reporting, which included a number of suggestions made in our report. Among others, the CAT requested Saudi Arabia to comment on allegations of arbitrary detention and torture of human rights activists, journalists, and individuals engaging in peaceful criticism of the authorities. The CAT also requested the authorities to provide information on the number of people who have alleged that their confessions were extracted under torture and to indicate whether the Saudi authorities will amend the 2017 Anti-Terrorism Law so that it cannot be used to prosecute individuals exercising their fundamental freedoms.

## Global Alliance of National Human Rights Institutions

In February 2021, MENA Rights Group published an evaluation report of the **Iraqi** High Commission for Human Rights (IHCHR), the country's national human rights institution (NHRI) that was sent to the Sub-Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI). The purpose of the report was to examine the institution's compliance with the Paris Principles, and whether it was able to fulfil its mandate to protect and promote fundamental human rights in Iraq. As part of our research, we consulted various stakeholders such as Iraqi civil society organisations, as well as members of the IHCHR's board of commissioners.

Our report found that the IHCHR does not play the role expected of an independent, impartial, and effective national human rights institution despite positive engagements, notably in the context of the October 2019 popular protests. Among the issues found are the undue influence of Iraq's major political parties over the Commission, which seriously tarnishes its credibility with victims of human rights violations and human rights NGOs. In spite of this shortcoming, the SCA recommended that the IHCHR be re-accredited with A status in June 2021.

In the course of the summer, the IHCHR experienced hurdles with regard to the nomination of its commissioners. The 15 commissioners of the IHCHR should be selected by a Committee of Experts appointed by the Council of Representatives. Because the parliamentary sessions have not resumed since the 2021 Iraqi parliamentary elections, the said Committee has not been formed, thus delaying the appointment of commissioners for the 2021-2025 term.

# Engaging in key international law issues

This year, our legal team engaged in a variety of international law issues, which included supporting and strengthening UN Treaty Bodies and the African Commission, among others.

## African Commission

On November 5-6, 2021, MENA Rights Group's Legal Advisor travelled to Banjul, the Gambia, to participate in a validation workshop of the Guidelines on the Protection of all Persons from Enforced Disappearances in Africa that will likely be adopted by the African Commission on Human and Peoples' Rights (ACHPR) in April 2022. Aware of the lack of an African instrument that specifically addresses prevention and protection against enforced disappearance on the continent, the ACHPR has been developing these guidelines with the aim of improving the situation of victims of enforced disappearance and contributing to preventing such practice on the continent.

During the workshop, the participants discussed the context of enforced disappearances in Africa, the general principles and definitions contained in the draft document, the rights commonly infringed upon by an enforced disappearance, the legal obligations of states and other stakeholders to prevent and protect populations against this practice, and lastly

potential avenues of implementation. The development of this important document falls within the "Enforced Disappearances in Africa Project" run by the African Centre for Justice and Peace Studies, Lawyers for Justice in Libya, MENA Rights Group, REDRESS, and Zimbabwe Lawyers for Human Rights.

## Strengthening UN Treaty Bodies

In 2021, MENA Rights Group continued to take part in concerted civil society efforts to strengthen the UN Treaty Bodies.

In November, we submitted a report to the UN Human Rights Committee in relation to the strengthening of the follow-up procedure concerning Views on individual communications. The submission was jointly prepared by MENA Rights Group, REDRESS, TRIAL International, CCPR-Centre, and the Human Rights and Justice Centre, as organisations regularly engaging with the Committee, including by bringing individual communications before the Committee

© Courtesy of the African Commission on Human and Peoples' Rights.



on behalf of victims and engaging with a range of states on implementation of the Committee's decisions.

The organisations highlighted that many States parties to the International Covenant on Civil and Political Rights continue to fail to implement the Committee's decisions, which results in re-victimisation,

hinders trust towards international human rights mechanisms, and undermines the effectiveness of these mechanisms. The report therefore identifies the main obstacles encountered and explores potential solutions and concrete suggestions to strengthen the follow-up procedure and, ultimately, enhance the level of implementation of the Committee's Views.



## Lebanon

### Protecting lawyers against undue interference

On December 6, 2021, MENA Rights Group and the Prisoners' Rights Center of the Tripoli Bar Association provided the Special Rapporteur on the independence of judges and lawyers with a study on the exercise of the legal profession in Lebanon. The joint submission will help the Special Rapporteur prepare its forthcoming thematic report to the Human Rights Council due in 2022.

Our report focuses on the undue interference lawyers may face in the exercise of the legal profession. We discussed the role played by Lebanon's two bar associations in the protection of lawyers and their limitations in law and practice. The negative impact of the Lebanese Military Judicial Law on the legal profession was also discussed extensively. In addition, our research remarkably found that the COVID-19 pandemic had not resulted in an increase in the targeted harassment or intimidation of lawyers. In fact, lawyers have been granted expanded

telephone access to detained clients, which has spared them the burdensome and time-consuming searches and processing attendant to in-person prison visits.

We concluded our submission with a non-exhaustive list of measures that could be taken to enhance the free exercise of the legal profession such as amending the 1970 Law Organising the Legal Profession to explicitly guarantee that a lawyer is not to be identified with their client and may not be subjected to penal, civil, or administrative penalties for providing advice or representation, regardless of the nature of the client or the client's case. The elections to the bar associations should also be reformed to prevent the high politicisation of the process. Lastly, citing several cases of attacks on lawyers, we urged the Lebanese authorities to immediately put an end to their habit of threatening, harassing, and abusing lawyers critical of the state.

MENA Rights Group carried out several advocacy activities, including at the UN level.

We highlighted victims' stories by publicising and sharing their cases on our website and social media channels.

Our team members have been interviewed and quoted in several publications.

# Awareness raising

MENA Rights Group supported 71 joint civil society actions, raising awareness on pressing human rights issues across the region.

## 1 Joint advocacy actions

To support our legal work, MENA Rights Group carried out a variety of advocacy initiatives to help raise public awareness on pressing human rights issues across the region. Most initiatives took the form of joint NGO advocacy actions; we joined 71 of these actions throughout 2021. A number of them were country-focused, covering **Algeria, Egypt, Iraq, Mauritania, Lebanon, Libya, Morocco, Palestine, Saudi Arabia, Sudan, the UAE, and Yemen**, while others were thematic. For example, these included an [open letter](#) to end export of surveillance technology to MENA autocratic governments following the revelations on the Pegasus project, and a joint [call for action](#) to address enforced disappearances and impunity across the region.

Moreover, MENA Rights Group carried out several advocacy activities at the UN level. We supported oral joint statements before the Human Rights Council together with NGO partners. For example, during the 48th session of the Human Rights Council in September, one was related to the [deterioration](#) of the human rights situation in **Algeria**, and the institutionalised crackdown on peaceful



Human Rights Council. © UN Geneva, licenced under CC BY-NC-ND 2.0.

protesters, minorities, journalists and human rights defenders.

In some instances, together with partners, we also engaged with businesses accused of “whitewashing” human rights abuses, be it [CNN](#), the official broadcaster of the Dubai Expo, or [Formula 1](#) ahead of the Grand Prix which took place in **Saudi Arabia** and the **UAE**. Additionally, we resorted to the Company Response Mechanism of the [Business & Human Rights Resource Centre](#) on several occasions. For example, we [wrote](#) to the Real Madrid Ethical Committee, asking them to fully take into consideration the dire human rights situation in **Saudi Arabia** before making a partnership deal with the Kingdom.

## 2 Public events

MENA Rights Group organised and participated in a number of events, all of which were held online in the context of the COVID-19 pandemic.

During RightsCon 2021, MENA Rights Group and Access Now organised a strategic session on “Countering the crackdown on digital space in the MENA region through strategic litigation.” The session brought together a diversity of human rights practitioners, lawyers, civil society activists, and experts from several MENA countries, to strategise on litigation opportunities on cybercrime legislations. We also brought in experts from outside the MENA who successfully engaged in strategic litigation to learn from their experience.

In addition, we co-sponsored and participated in a number of Human Rights Council side events in March and September 2021 to raise awareness on specific country situations. Our staff also spoke at webinars and conferences organised by NGO partners. For example, in April, our Director Inès Osman contributed to a virtual discussion by the Tahrir Institute for Middle East Policy (TIMEP) on the future

of organising in the MENA, 10 years after the 2010-11 protests movement. In August, our Legal Advisor Alexis Thiry participated in a webinar organised by REDRESS on the struggle of victims of enforced disappearances in Africa to obtain justice, truth, and reparations. In December, our Legal Fellow Ramzi Kaiss spoke at ALQST’s annual conference about the challenges and avenues for accountability in the Arabian peninsula.

## 3 Digital campaigns

In 2021, we continued to highlight victims’ stories by publicising and sharing their cases on our website and social media channels, to raise awareness on their plight with the general public within and outside the MENA region. For example, we marked Women’s Day, Press Freedom Day, and the International Day of Victims of Enforced Disappearances by publicising cases of women’s rights defenders, journalists, and victims of disappearances. Furthermore, we participated in social media campaigns to raise awareness on human rights issues in certain countries or on certain thematic issues.



## IN FOCUS

### NGOs denounce candidacy of UAE to INTERPOL Presidency

INTERPOL headquarters in Lyon. © Massimiliano Mariani, licensed under CC BY-SA 3.0.

Around the election for the presidency of INTERPOL in November 2021, which was won by UAE candidate Ahmed al-Raisi, MENA Rights Group initiated and contributed to a number of joint actions to denounce the negative impact this appointment will have on the organisation as well as the respect of human rights in the UAE and worldwide.

We initiated a joint NGO letter to a U.K. based PR firm, Project Associates, which had been hired to promote the candidacy of al-Raisi to the presidency of INTERPOL, asking them to terminate their contract with al-Raisi and the UAE. The letter was sent to Project Associates through the company response mechanism of the Business and Human Rights Resources Centre. The company did not respond.

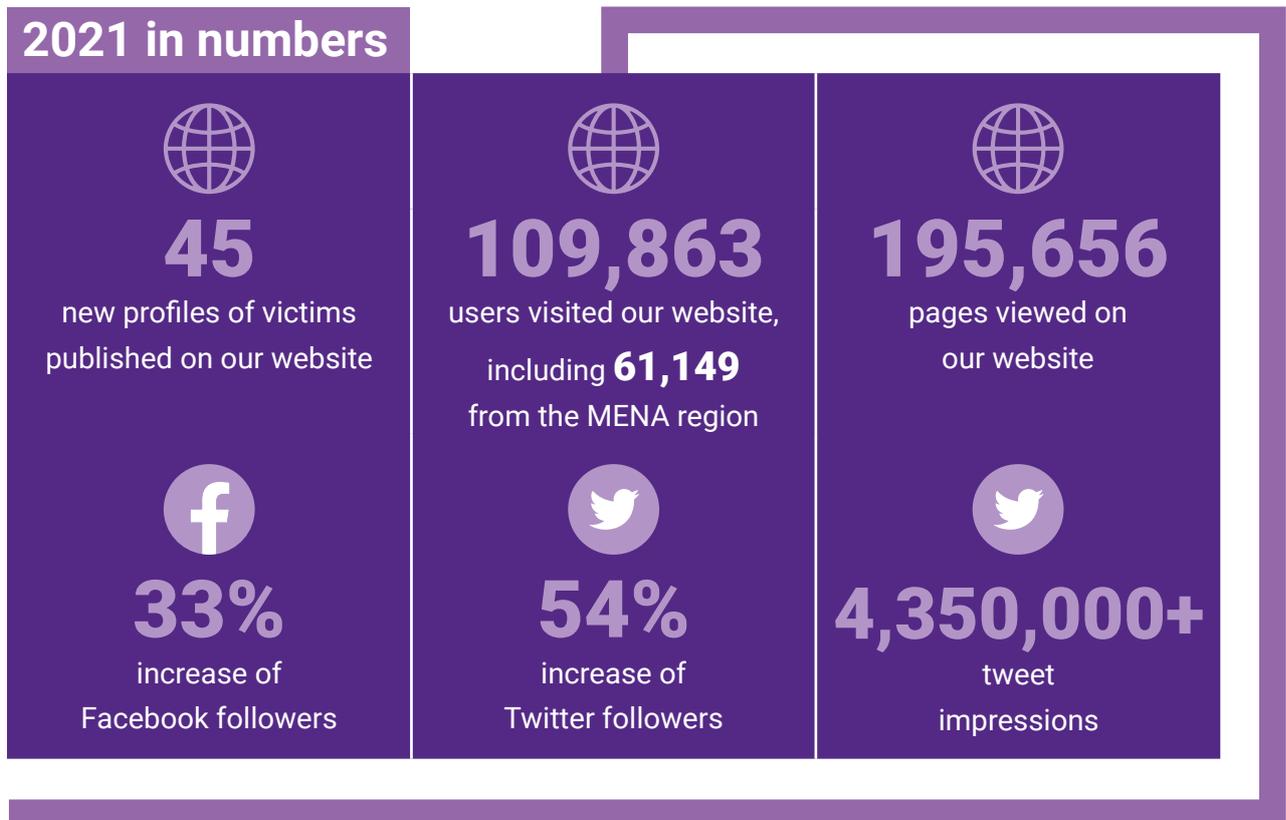
With the European Centre for Democracy and Human Rights (ECDHR), we prepared a letter which was circulated among members of the European Parliament. As a result, on November 19, 2021, 45 MEPs wrote to Josep Borell, the EU High Representative, expressing concern over the candidacy of al-Raisi.

In November, we spoke at a webinar to discuss the INTERPOL elections along with a member of the German parliament, a victim of torture in the UAE and his British lawyer. The webinar was live streamed on our Twitter and Youtube channels.

Lastly, following the election of al-Raisi to president of INTERPOL, we prepared a letter to INTERPOL's Secretary General with another 14 human rights organisations, arguing that this was going to severely damage INTERPOL's reputation and undermine its ability to carry out its mission effectively and in the spirit of the Universal Declaration of Human Rights. We also affirmed that this was sending a chilling message: that the international police organisation can be presided over by the representative of an autocratic regime, himself accused of torture.

Our actions on INTERPOL generated significant media coverage, including by AP News, L'Orient-leJour, Le Monde and RFI. Our director was also interviewed on Swiss radio RTS.

## 4 Digital engagement



Throughout the year, MENA Rights Group team members have been interviewed and quoted in several publications including English-speaking Alaraby, AP news, Middle East Eye, Reuters, and RFI; French-speaking Le Monde, Interlignes, L'Orient-leJour, Swissinfo, and Yabiladi; and German-speaking Deutsche Welle. In addition, we were cited in Arabic-speaking Al Jazeera, BBC Arabic, DW Arabic, Arabi21 News, Al Hurra, Bahrain Mirror, and The Independent Arabia.

Our staff also published op-eds in the following outlets:

Ramzi Kaiss, "[Iraq's draft cybercrime law puts free speech in grave danger](#)", *Middle East Eye*, January 21, 2021.

Inès Osman, "[Algeria: The Arab Spring's Late Bloomer?](#)", *TIMEP*, February 9, 2021.

Inès Osman, "[There must be truth and justice for Algeria's disappeared](#)", *Al Jazeera*, March 3, 2021.

Ramzi Kaiss, "[Iraq draft law places undue limits on the right to protest](#)", *Middle East Eye*, April 15, 2021.

Ramzi Kaiss, "[Beaten by MBS and Disappeared: The Case of Sulaiman al-Dowaish](#)", *Democracy in Exile (DAWN)*, May 5, 2021.

Linda Bergauer, "[Protection for Victims of Enforced Disappearance in Iraq?](#)", *TIMEP*, August 30, 2021.

# List of publications

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## Country reports

Evaluation Report of the Iraqi High Commission for Human Rights, February 2021.

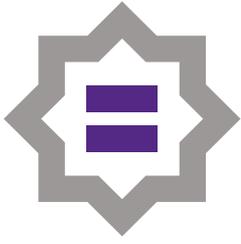
Addressing the practice of enforced disappearances during Algeria's "dark decade" - Policy Paper, February 2021.

Joint-report by MENA Rights Group, ESOHR and Reprieve to the UN Committee against Torture - Saudi Arabia's third periodic review, June 2021.

## Thematic reports

2021 submission to the UNSG on cases of intimidation and reprisals for cooperation with the UN, May 2021.

Joint submission to the Human Rights Committee in relation to the strengthening of the follow-up procedure concerning Views on individual communications, November 2021.



**MENA**  
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Group

MENA Rights Group is a Geneva-based legal advocacy NGO defending and promoting fundamental rights and freedoms in the Middle East and North Africa (MENA) region. Adopting a holistic approach, we work at both the individual and structural level. We represent victims of human rights violations before international law mechanisms. In order to ensure the non-repetition of these violations, we identify patterns and root causes of violations on the ground and bring key issues to the attention of relevant stakeholders to call for legal and policy reform.

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