

.. Using the pretext of fear of terrorism loses its significance when restrictions are imposed on the civil society, on top of which come the human rights groups. A healthy civil society should only support human rights. Only then the civil society can become the most vital factor in raising civil awareness, as well as curbing and eradicating terrorism. In the absence of a healthy civil society, anti-terrorism measures shall move in a vicious circle and all parties shall fail to fulfill common objectives and would finally lead to a total fiasco ..

..This report covers ... a period that was abundant with ambiguous events, due to the crimes committed, parties involved, and current and future outcomes. The report was not mistaken when it described the situation as a small-scale third world war taking place on Arab territories. One third of the world countries take part in one way or another through bilateral or collective alliances. The said war aims to restructure the regional and international balance of power.

HUMAN RIGHTS IN THE ARAB WORLD

REPORT OF THE ARAB ORGANIZATION FOR HUMAN RIGHTS
THE STATUS OF HUMAN RIGHTS
IN THE ARAB WORLD

HUMAN RIGHTS

IN THE ARAB WORLD

**REPORT OF
THE ARAB ORGANIZATION FOR HUMAN RIGHTS
THE STATUS OF HUMAN RIGHTS
IN THE ARAB WORLD**

CAIRO 2016

The report is prepared by

Mr. Mohsen Awad

In collaboration with

Mr. Alaa Shalaby

And : Mr. Mohammed Rady, Mr. Eslam Abol-Enien,
Mr. Ahmed Reda, Ms. Monya Samy and Ms. Yasmine Yehia

Cover Design

Mr. Sami Zakaria

**Publication Number
(Arabic Version)
(2017/5073)**

Supported by

The Arab Human Rights Fund (AHRF)



The Arab Organization for Human Rights
President: Ms. Maha Al-Barjas
Secretary-General: Mr. Alaa Shalaby

Members of the Board of Trustees:
(In Arabic alphabetical order)

1- Amin Mekki Medani *		Sudan
2- Asma khader		Jordan
3- Hafez Abu Seada *		Egypt
4- Hamid Fadlallah *	Treasurer	Germany
5- Hassan Moussa *		Austria
6 -Raji Sourani		Palestine
7- Rasim Atassi		Syria
8- Zeyad Abdel-Smad		Lebanon
9- Seham Al-Foraih		Kuwait
10- Abdel-Ilah Abdel-Salam		Morocco
11- Abdulla Al-Derazi		Bahrain
12- Abdel-Basset Bin Hassan		Tunisia
13- Abdul-Sattar Bin Moussa		Tunisia
14- Abdul-Ghaffar Hussein		Emirates
15- Abdel-Moneim El-hurr		Libya
16- Alaa Shalaby *	Secretary-General	Egypt
17 -Mohamed El-Neshnash		Morocco
18- Fadhle Ali Abdullah		Yemen
19 -Mohsen Awad		Egypt
20- Mohamed Fayek		Egypt
21- Mokhtar Bin Saied		Algeria
22-Maha Al-Barjas *	President	Kuwait

Executive Director : Mohamed Rady

(*) Members of the Executive Committee

Preface

Events of 2016 came contrary to expectations of the last quarter of 2015. The direct military intervention of major powers in “bleeding” Syria did not put an end to the bloodshed and the mayhem exacerbated there.

Al Sokhairat Agreement signed by Libyan factions, under an international sponsorship, failed to signal the end of chaos that worsened and led to more divisions and further fragmentation.

Hopes that fighting or negotiations might play a role in terminating the process of destruction of the collapsing Yemen dwindled.

While Daesh (ISIS) terrorism expanded in Iraq within a few days in mid-2014, the Iraqi government managed to progressively but slowly confront, resulting in a mounting trend of sectarian crimes that were as brutal and atrocious as the crimes committed by the terrorist organization.

After decades of bitter civil armed conflicts, the situation in the Sudan and Somalia is still the same. Still, it is not possible to count victims there or monitor the alarming impacts on the future of the two countries in view of the current political blundering.

In Egypt and Tunisia, that survived the storm of the international and regional attempts to manipulate their revolutions, challenges of terrorism coupled with international economic conditions, led to decline of aspirations. The realization of popular aspirations bolstered by constitutional entitlements is still farfetched.

The Palestinian Cause slipped into the shadows at this stage when the Israeli occupation enjoys a cover provided by the extensive turmoil in the region and the deep Arab engagement in the internal issues in each country. Furthermore, the philosophy that governs some Arab ruling regimes in the region is the focus on sectarian conflicts.

The official Arab action has little impact on the Palestinian cause and it is confined to routine statements that enticed the new US Administration (2017) to conclude the conspiracy of moving the US Embassy to the occupied Arab Jerusalem.

Though the period covered by the report witnessed a remarkable progress in women's participation on the political level in particular, the progress does not indicate that there is a serious political will to support this participation. Rather, it indicates the need to support ruling regimes at times of wild political changes.

In view of the extensive, complicated and intricate regional turmoil, and fears of unexpected change of the maps of the region, all Arab countries suffered from conflicts and their repercussions or at least from terrorism. If a country has not suffered from tangible acts of terrorism, it would have undertaken security and judicial moves aiming to avert the specter of terrorism. This led the security institutions to confuse political opposition with terrorism and short sentences of objection with cybercrimes.

The report takes interest in the changes of the map of the active terrorist organizations in the region as these transformations have a strong impact on the instant change of the political maps on the one hand, and are used as a pretext to stifle public freedoms in lieu of enhancing social structures and developing the civil state capabilities on the other.

It has been the norm in Arab countries that human rights, as a fact and guarantees, become an easy prey of the considerations of maintaining security and stability and the claims of keeping the wheel of production running at any pace. It seems that the official circles have not yet learned the lessons of this gloomy era.

One of the worst features of the period covered by the report is that the Arab human rights activists have become the target of crimes. They have become victims of murder, kidnapping, security prosecutions, trials, punitive detention, and defamation campaigns.

The trend of restricting the freedom of NGOs with legislations that are going against the movement of history is on the rise.

The Arab governments have not realized that they should answer a question related to how consistent are their negative measures against human rights activists and others under the claim of protecting the national state and satisfying the security and development requirements. These governments did not spend enough time to consider how those measures respond to their actual requirements related to alignment between cessation of the wicked foreign interventions and the solidarity of the internal front which cannot be realized except through securing the rights of citizenship, equality, indiscriminate justice, equity, and developing the feeling of dignity.

Using the pretext of fear of terrorism loses its significance when restrictions are imposed on the civil society, on top of which come the human rights groups. A healthy civil society should only support human rights. Only then the civil society can become the most vital factor in raising civil awareness, as well as curbing and eradicating terrorism. In the absence of a healthy civil society, anti-terrorism measures shall move in a vicious circle and all parties shall fail to fulfill common objectives and would finally lead to a total fiasco.

The authors of the report noted that the problem facing ‘human rights advocates’, in particular, does not relate to the availability of sources, or difficult access to information. The problem lies in the abundance of information combined with the need to understand and demystify their ambiguous contradiction. The issue is escalating in view of the current state of political polarization, growing social tension, and entrenching in the tunnel of old stands. As a result, there will be no room for logic or facts; impressions shall prevail.

Hence, we have to give credit to great intellectual Mr. Mohsen Awad, and our colleagues, members of the team that prepared the report and exerted strenuous efforts to complete the 30th edition of the

annual report. We also extend our thanks to a large number of fighters, especially our colleagues ,members of the Board of Trustees, heads and staff of the branches and affiliate organizations, members and staff of other organizations for their precious contributions in reviewing and editing information and providing the documentation requirements.

It is needless to say that this report does not contain all information available in documentation archives of the Arab Organization for Human Rights (AOHR), but it only contains examples that prove the validity of the analysis of the scene and specify its characteristics and challenges.

In addition to the objective of the annual report, namely to acquaint and draw the attention of the decision- makers, legislators, researchers and experts to the key issues, impediments and priorities, the AOHR aspires that this report shall be a value-added to the Arab publications concerned with public affairs. Hopefully, this report, together with previous annual reports, shall represent a reference to document and historically track of the social and legal transformations in the Arab world from a human rights perspective.

Mr. Alaa Shalaby
Secretary General

Editor's Introduction

This is the 30th edition of the annual report issued by the AOHR ever since 1987. It symbolizes the institutional nature of the AOHR administered by officials, professionals, researchers and activists. It also stands for the knowledge accumulation provided by the frequency of issuance of those reports, accompanied by rich studies and serious assessment discussions.

It was supposed that the task of preparing this report would be easier, given the abundant resources, and precise outcomes not just because of the accumulation of knowledge and experiences, but due to the ongoing development of means of communications that made a wide range of resources accessible as well as the emergence of new generations of human rights organizations, serious researchers and activists, and the leakage of documents that would not have been accessible before decades. Unfortunately, this was not the case. This report was one of the most challenging annual reports of the AOHR due to the politicization of information, divergence of points of views regarding current affairs and media bedlam.

Challenges facing the report preparation were not only confined to the AOHR, but also extended to a large number of periodical or specialized, international, regional and national reports. The reports of UN missions to areas in armed conflicts which are unmatched in terms of the efforts exerted, resources available well as presence in the heart of events, do not surprise anymore if they add at the end a phrase that reads "the mission did not have the chance to verify these news". There is also a great discrepancy in the numbers of casualties announced by various UN agencies.

This phenomenon may be partly attributed to some technical considerations or field difficulties. However, the most critical issue is the desire of some countries to mislead others and misrepresent facts. We shall not shed light here on the report of the Quartet on the Palestinian cause which was exposed by the resignation of the UN envoy to the occupied Palestinian territories General Alvaro De Soto

in May 2007 in protest of the practices of this Committee, or the British investigations regarding the UK participation in invasion of Iraq. However, I appeal to the reader to consider the Palestinian report on the Israeli aggression against Gaza Strip in the summer of 2014 and the practices of the occupation forces to prevent the Human Rights Council from fulfilling its task; the international pressures it exercised, that mounted to direct threats against William Schabas, a prominent Canadian human rights activist and chairman of the human rights investigation committee.

This report covers the period from mid-2015, the point at which the previous report of the AOHR stopped, till the end of 2016. It is a period that was abundant with ambiguous events, due to the crimes committed, parties involved, and current and future outcomes. The report was not mistaken when it described the situation as a small-scale third world war taking place on Arab territories. One third of the world countries take part in one way or another through bilateral or collective alliances. The said war aims to restructure the regional and international balance of power.

This context changed the chapterization of this report, dividing it into two main sections; the first of which presents an overall analysis of the scene, while the other is presents country reports. The third section of the report was merged into the first section on the overall analysis to secure the linkage between the development of key events and their results.

Mr. Mohsen Awad
Report Editor in Chief

Table Of Contents

▪ Secretary General's Preface	5
▪ Editor's introduction	9

Section One: Analytical introduction

I. Armed conflicts: One war generates another	
□ Syria	15
□ Iraq	16
□ Libya	17
□ Yemen	19
□ The Sudan	20
□ Somalia	21
□ Palestine	21
II. Terrorism: Changeable maps and deep-rooted reality	
□ The rise and fall of Daesh	24
□ The future of Daesh	32
III. Impact of terrorism and armed conflicts	
□ The refugees and the displaced.	34
□ Economic ramifications	37
□ Social and economic rights	39
❖ Right to education	39
❖ Right to health	41
❖ Right to work	45
IV. Most favored segments	
□ Women amid social commotion (more participation...more exposure to violence)	
❖ Participation in political life	47
❖ Violence against women	48
□ Children: the lost generation	51
□ Minorities	53

V. Public freedoms

□ Freedom of opinion and expression	56
□ Right to peaceful assembly.....	60
□ Right to form associations.....	61
□ Right to participation	67

Section Two: Country Reports

□ Hashemite Kingdom of Jordan	87
□ United Arab Emirates	99
□ Kingdom of Bahrain	102
□ Republic of Tunisia	110
□ The People's Democratic Republic of Algeria	119
□ Djibouti Republic	132
□ Kingdom of Saudi Arabia	139
□ The Sudan	145
□ Arab Republic of Syria	152
□ Somalia Republic	168
□ Iraq Republic	176
□ Sultanate of Oman	184
□ State of Palestine	192
□ State of Qatar	204
□ State of Kuwait	208
□ The Lebanese Republic	213
□ State of Libya	222
□ Arab Republic of Egypt	232
□ Kingdom of Morocco	249
□ Islamic Republic of Mauritania	260
□ Republic of Yemen	266

The Status Of Human Rights in The Arab World (2015 – 2016)

Analytical introduction

Human rights in the Arab world suffer under the yoke of several joint phenomena topped by the spread of terrorism, development of its nature, its means and objectives, the rise in internal divisions that undermined the stability of one third of the countries of the region and dragged them into the quagmire of civil wars, normalcy of foreign occupation, and foreign intervention in the internal affairs of several Arab countries in a way that eroded the independence of national decisions which the Arab peoples struggled to obtain.

Those phenomena had a tragic impact on human rights path in the majority of Arab countries during the period covered by the report. They impeded any progress in human rights and public freedoms in the majority of Arab countries. Some governments even used them as a pretext to justify their grave violations of public freedoms in particular. They even claimed that the social change that has been witnessed by the region since the beginning of the current decade is the reason of the chaos prevalent in the region to evade their responsibilities towards enhancing the respect of human rights and public freedoms.

The sorrowful current events and intimidation campaigns led to a decline in demand on freedoms in some Arab communities in favor of the demand on security due to the brutal crimes they witnessed.

Such developments, whether individual or collective, resulted in unprecedented phenomena, quantitatively and qualitatively, such as Asylum and displacement that exceeded that capabilities of European neighboring countries and the irregular migration, and the flourishing of organized crime of arms and drug trafficking and human trafficking.

First : Armed conflicts: one war generates another

In addition to the phenomenon of terrorism rampant in several Arab countries, half of the Arab countries are involved in active armed conflicts in a way or another, and the rest of Arab countries are tangibly affected by such conflicts.

Those conflicts attract about one third of the world countries through three key alliances namely, the International alliance for confronting terrorism led by the USA and it comprises 60 countries; its Islamic counterpart led by KSA, comprising 34 countries; and the third alliance concerned with restoring the legitimate regime to Yemen. It is led by KSA and comprises 15 countries. Some international alliances, such as NATO, are also involved in these conflicts.

These conflicts have certain characteristics that render dangerous in terms of the type of interactions and chances of bringing them to an end and the sustainability of the presumed peace to end these conflicts. The key characteristics of those conflicts are:

First: the majority of those wars emanate from the womb of historical wars; some of them date back to the fifties like the war of separation of south Sudan, occupation of Palestine, and others date back to the seventies such as Somali wars that emanated from Ogaden war that led to the coup of Siad Barre and the disintegration of the Somali state. Iraq has been facing continuous wars since the eighties. They were also impacted by the implications of the social change that spread in the region since 2010 and led to ferocious wars.

Second: involvement of large numbers of players from outside the countries suffering from those conflicts including military troops and militias as well as paratroops. This means that it is difficult to reach a settlement. It also means that any settlement that might be reached would be fragile.

Third: The international and regional major powers are directly involved in those conflicts which led to integrating the current conflicts in the region in the international strategy aiming at amending the current balance of power.

Fourth: all parties violate the international humanitarian law whether through using chemical weapons, or other internationally

banned weapons, or through targeting civilians, civilian settlements, hospitals, schools and the infrastructure.

The armed civil wars, and their regional and international ramifications, inflicted heavy social, economic and cultural losses on lots of Arab countries topped by Syria that is suffering from a multilateral armed conflict with multiple objectives and implications.

As the armed conflict in Syria enters its sixth year, after the international and regional players usurped the peaceful popular revolution that erupted in Syria, the conflict aggravated through the direct involvement of a large number of parties in the armed action in Syria; the Russian military intervention that supported the ruling regime in the autumn of 2015 represented a key turning point; in addition to leading the international alliance against terrorism, the USA provided a direct military support to the units of protection of Kurdish people and they were entitled “Syrian Democratic Forces”.

During the period covered by the report, all international efforts exerted for reaching a political settlement have failed. Ceasefires and frequent truces failed to save the lives of civilians except in a partial and limited way; bloodbaths increased and the number of casualties, according to the most balanced estimates, reached 400000 persons by mid-December 2016. More than half of the casualties were Syrian civilians and the rest were members or armed opposition factions, and international terrorist groups that comprise members belonging to tens of foreign nationalities under the banner of Jihad all over the country.

The Russian military intervention in September 2015 was a key factor in changing the political and military scene. Russia enhanced its permanent military presence in Tartos base and embarked on supporting the ruling regime through its air forces and launching missiles to restore various regions to prevent an expected toppling of the regime and boosting its capabilities of securing the Capital and regaining control over regions that it lost, especially in the Syrian countryside in Damascus, Homs, Hama, and Aleppo. Thus the ruling regime forces managed to restore the majority of the regions.

In the middle of those changes, all parties were involved in atrocities amounting to war crimes against civilians. The criminal intent applies to the majority of them. The concept of justice has

become absent in Syria in spite of its grave implications on international conditions.

Since the end of 2011, the number of casualties due to the armed conflict ranged between 400000 and 430 thousand persons: 250000 of whom are civilians, around 90 thousand belong to the ruling regime forces and its militias, about 20 thousand belong to foreign Shiite militias supporting the regime, about 70 thousand belong to armed opposition groups and terrorist organizations and half of them at least were Syrians.

The AOHR estimates indicate that around 15000 persons died in prisons and it is conceived that a large number of them died of torture. Around 7000 persons forcibly disappeared. These numbers do not include unregistered detainees in security institutions which the world is unaware of.

The report failed to provide adequate estimates of injuries especially permanent injuries and disability.

The eastern parts of Aleppo were exposed to the major share of military violations during the second half of 2016, which included residential areas, medical centers, public service utilities, and supply stores. Bombardment of the city during this period claimed thousands of lives of civilians as the Syrian and Russian jetfighters aimed at civilian targets. In addition, armed groups stationed themselves in the districts of the city and inside medical centers to avoid air strikes. These air strikes forced the armed groups to move to Idlib according to international arrangements. The Syrian ruling regime imposed its control over Aleppo and its districts which led to a new balance of power that dictated a truce that is qualified to continue and reopened the file of settlement efforts once again after the failure of Geneva 1 and 2 rounds of peace talks.

Although terrorism is number one factor in the suffering of Iraq, the conflict erupting on sectarian and ethnic lines has been an underlying reason for wasting the lives of civilians. According to the figures of the UN Assistance Mission for Iraq (UNAMI), 8242 persons were killed and 14172 persons were injured during the period from August 2015 till October 2016. The unofficial human rights estimates indicate that the number of casualties amount to 30000 at least.

A large part of those killed lost their lives as victims of or in the process of combating terrorism. However, lots of victims fell during the Iraqi and American air raids that claimed the lives of hundreds of civilians as they targeted civilian areas including educational and health facilities, prisons, detention centers, residential buildings, and water and electricity utilities. Lots of them were killed at the hands of “Popular Mobilization Forces” formed in the residential areas to free them from Daesh (ISIS) . They committed heinous crimes that are not less brutal than those practiced by Daesh group.

One of the examples of atrocities committed by the Iran-led Popular Mobilization Forces are those committed against the residents of Faluja city and its districts at the end of May 2016. The forces executed a number of young men in cold blood due to sectarian reasons. They beheaded 13 persons, led to forced disappearance of 56 persons after the militias of the Popular Mobilization Forces detained them in one of the educational facilities outside the city of Jarf. It is expected that they were unlawfully killed. The PMF militias acted like Daesh when they pulled out of some regions. They destroyed mosques, residential buildings, service utilities in addition to committing looting and blundering.

After progress achieved in Libya in surmounting the armed conflict that accompanied toppling the former regime, the country slipped into multifaceted internal civil wars that made it a failed state in the region. In view of the continuous and mounting conflicts, Libya went through a state of total security collapse and total absence of the state, during the period covered by the report, given the competition of four de facto governments on parts of Libyan territories. This reflected on human rights conditions which face major challenges: the absence of security and stability; the increase of numbers of refugees and displaced persons, and no chance to return; the increase of the numbers of casualties and injuries due to impunity; collapse of judicial institutions due to political interventions; and the increase of numbers of detainees without legal guarantees, the majority of whom are detained in illegal detention centers that lack the minimum living or health standards.

In the eastern regions that enjoy more stability, the national army troops, supported by the parliament, managed to have control over all the eastern parts and the city of Benghazi after it managed to have a strong grip over the districts of “Al Sabri”, “Sok Al Hout”, “Kanfoda”, and “Al Kawarsha”. They only do not have control over the city of Derna over which Daesh and Al Qaeda are fighting. The social support given by the main tribes to the national army extended from the eastern regions, to cover several parts in the south and west.

This relative stability has not enhanced human rights conditions as grave violations have been committed especially through terrorist explosions, assassination of military, political, human rights activists, and journalists as well as the unlawful murder of detainees.

The majority of western regions is controlled by the Islamic militias and is witnessing almost a total anarchy due to the heinous violations of human rights that included armed conflicts between various factions to control various regions, especially the Capital and dozens of cases of assassination, kidnapping and explosions.

Unlawful detention in official and unofficial detention centers is widely spread in the western regions controlled by the militias. They include thousands of members of ruling regime of Gaddafi who are detained without investigations or trials. Some of them were even killed in cold blood when the judicial system approved their release.

Thousands of illegal migrants are detained in official or unofficial detention centers. In addition, citizens and foreigners are detained in unofficial detention centers and they are not released unless their families pay certain amounts of money. Even, the decisions of the public prosecution to release them or investigate the reasons of their detention are not implemented.

In the southern regions that have a low rate of population, the range of tribal conflicts, related to historical crises between tribes, or considered as an extension of the political conflict in the north, has extended. Various foreign terrorist groups spread in a number of regions where the population has become scarce or are considered as corridors for supply of ammunition to the militias controlling western regions after having a tight grip over the northern Libyan coasts as a means of combating illegal migration. All the civil registration offices were burnt down synchronous with granting tens of thousands of

foreigners Libyan IDs especially members of terrorist groups in the Sahara region.

The civil conflict that erupted in Yemen on September 21, 2014 through the coup led by the Houthi/Saleh militias against the legitimate ruling regime turned into a civil war that quickly turned into a regional war due to Iranian support to Houthi/Saleh alliance. The KSA embarked on leading an Arab alliance comprising 15 Arab countries to put the matters on the right track which is stipulated in the Gulf initiative and national dialogue output.

Civilians paid the price of this armed conflict as around 12000 civilians have been killed. Losses in the ranks of the fighters reached around 8000 distributed as follows: 4000 from the Houthi militias, 2000 from Saleh's troops, and 2000 of the Yemeni national army troops and the pro-government popular resistance army. Furthermore, around 30000 civilians have been injured.

The parties to the conflict compete to inflict harm to civilians through intentional or accidental bombardment of civilian targets which is used by the Houthi-Saleh militia to intimidate the population, guarantee control and suppress any popular uprising against them. 20% of the civilian casualties are due to the air strikes of the Arab coalition which mistakenly hit troops and civilians in the pro-legitimate regime regions in 17 out of 25 incidents.

During the period covered by the report, Houthi-Saleh militia continued the detention of more opponents, human rights activists, journalists estimated at around 8000 persons, hundreds of whom forcibly disappeared.

While the military efforts failed to achieve a decisive result for any of the parties to the conflict, the weak Yemeni economy collapsed, the livelihood and service utilities were undermined, and epidemics spread in view of the collapse of the health services. 80% of the population has become in need of relief work, and 3 million Yemenis were internally displaced.

At the time of concluding this report, all negotiations aiming at reaching a real peaceful settlement or even a long truce catering for an appeasement that helps to find a way out of the crisis failed due to divergence of points of views and conflicting interests as well as the fear of the coup militias that accepting a long truce might lead to their

downfall in view of the popular uprisings erupting against them inside the areas under their control. Thus, they did their best to violate any truce and impede any negotiations aiming at reaching a settlement.

With the mounting violations, it has become necessary to form an independent committee to investigate claims of war crimes and crimes against humanity committed during the ongoing war in Yemen, which wreak havoc to any human signs there.

In Sudan, armed conflicts remained a threat to several basic rights such as the right to life, liberty, personal safety, physical safety and other rights. The report of “the Independent expert on human rights in Sudan” unveiled a huge escalation in armed conflicts launched by both government and non-government parties in the Mora region in Darfour, and the states of Kordofan and Blue Nile, and also the increase in tribal clashes, and how those conflicts led to wide-range displacement of civilians.

During the period covered by the report, fighting in Darfour between the government troops and Sudan Liberation Movement, Abdel Wahid Faction, escalated which led to grave violations including indiscriminate killing, destruction and burning of villages, kidnapping and practicing sexual violence against women. The conditions of the displaced aggravated as they increased by 80000 new displaced persons during the first five months of 2016.

The resumption of battles between Sudanese troops and Sudan’s People Liberation Movement (SPLM), North Sector, in the states of South Kordofan and Blue Nile and the following government airstrikes, led to casualties among civilians as well as the destruction of crops and death of livestock, the increase of displaced people and the increase of their need for relief efforts.

The AOHR felt satisfied with the decision taken by the Sudanese Revolutionary Front that announced a unilateral ceasefire in South Kordofan and Blue Nile states on April 28, 2016, and with the declaration of the government of a four-month ceasefire as of June 18, 2016 which was decided later to be extended. However, all this did not represent the desired beginning for resuming peace efforts. The suppressive practices of the ruling regime against the Sudanese society as a whole – at the time of concluding this report – do not help give rise to any hope.

In spite of the progress achieved by Somalia on the path of reconstructing the federal state, conflicts continued between the Somali Federal government troops, which are supported by the peace-keeping mission in Somalia (AMISOM), and the armed group known as Shabaab Movement. Attacks led to the displacement of a large number of the population and several civilians were killed. The humanitarian conditions in Somalia are very disgraceful. Al Nino phenomenon led to floods since October 2015, which inflicted harm on around 145000 persons and displaced around 6000 persons in the south and middle of Somalia. By October 9th, around 3.2 million persons were in need of aids and more than 850000 were in need of food security.

The condition of human rights remained despicable due to the continuation of acts of violence in various parts of the country especially the south and the middle. Fighting had impacted civilians besieged in the regions of crossfire. All parties to the armed conflict in Sudan represented in the pro-government troops, the peace-keeping mission in Somalia (AMISOM), Kenyan troops, Shabaab Movement, in the south and middle of the country, committed grave violations against the right to life that led to the murder and injury of lots of civilians and aggression against the freedom of expression of journalists in spite of promises to bring such violations to an end.

As for the Palestinian cause, the only current example of racist settlement occupation that has become extinct from the whole world, this year marked two occasions. The first is the 100th anniversary of Balfour Declaration which was a promise from those who do not own to those who do not deserve. The second occasion was the 50th anniversary of the Israeli occupation of Palestinian territories in 1967 and the connivance by the world of the war crimes and crimes against humanity which were committed and are being committed daily by the Israeli occupation as well as the starvation of 2 million Palestinian citizens in the context of the criminal siege imposed on Gaza Strip and displacement of millions of Palestinian citizens in various world countries. Furthermore, the model of the racist separation wall has become a model to be copied.

In this context, and as per the reports of the Palestinian Human Rights Organizations, in the forefront, the Palestinian Center for

Human Rights, deterioration of conditions of human rights and International Humanitarian law continued in an unprecedented manner in all parts of occupied Palestine. Although the unlawful and inhumane siege imposed by the Israeli occupation entered its tenth year and is considered the key violation of human rights in Gaza Strip, field executions, use of excessive power by the occupation troops, exacerbation of aggressions by settlers, are considered the key violations in the West Bank. On the Palestinian national level, human rights and public freedoms deteriorated in view of the internal divisions inside the Palestinian authority due to the failure of the national reconciliation efforts.

Gaza Strip has witnessed an unprecedented deterioration of humanitarian conditions in view of the continuation of the collective punishment imposed on around 2 million persons due to the siege. Contrary to the allegations of Israeli occupation troops, this year has not witnessed any substantial change of the besiege policy. The Israeli troops are still imposing restrictions on the freedom of movement of persons and trade transactions, which exacerbated the suffering of residents, led to the deterioration of living conditions and impeded development opportunities and economic progress. There are tens of thousands stranded persons due to the demolition of their houses during 3 wars launched by the occupation troops against Gaza Strip in less than 6 years. By the end of the year, the UN mechanism for reconstruction of the Gaza strip proved its failure anew and that it is a mechanism used to institutionalize the siege with international consent in view of the continuation of the restrictions imposed by the occupation authorities on entry of building materials.

In the West Bank, the Israeli occupation troops committed more predetermined genocides and violation of the right to life against Palestinian civilians in the occupied territories. The period covered by the report witnessed an unprecedented escalation in genocide and use of excessive force against Palestinian civilians in confrontation of escalating protests. The Palestinian Human Rights Center documented tens of cases in which the occupation soldiers, Israeli settlers, security forces and police have committed field executions against Palestinians on the pretext that they stabbed or attempted to stab Israelis. The occupation forces escalated settlement crimes in all parts of the West

Bank especially occupied eastern Jerusalem. The severity of violence of settlers against Palestinian civilians grew up. The occupation troops continued to impose restrictions on movement in the West Bank through military barriers that prevent connectivity between the cities, villages and camps of the West Bank. Arrests accompanied by torture and abuse of detainees are on the rise.

The Israeli occupation troops were encouraged to commit more crimes as they enjoyed impunity on the international level and they flagrantly defied the provisions of the international law.

In persistence of their systematic crimes and to prevent being accountable for these crimes, the occupation authorities exercised international political pressures and direct threats against the life of the Canadian human rights activist William Schabas, the chairman of the investigation committee affiliated to the UN Human Rights Council. This committee was assigned to conduct investigations in the crimes committed during the wide-scale Israeli aggression in the summer of 2014. Because the occupation authorities prevented the committee from performing its tasks in the occupied Palestinian territories, Schabas submitted his resignation in early February 2015 referring to the Israeli pressures and serious threats against his life.

Unfortunately, the criminal nature of the occupation troops has not urged the disputing political factions in Palestine to overcome their internal split. The national reconciliation process constantly stumbled, contrary to expectations and aspirations that followed the signature of the Beach Camp Accord in April 2014 and the formation of national reconciliation government in June 2014. The split led to the continuation of deterioration of the Palestinian political regime including having two separate judicial systems in Gaza Strip and the West Bank, and the failure of the Legislative Council to perform its supervisory and legislative roles; thus the executive powers are acting without any accountability. Attempts to conduct municipal elections, considered the beginning of reconciliation, failed. Thus, all the Palestinian institutions are based on outdated legitimacy.

All this reflected on the status of human rights in the regions which are under the control of the Palestinian Authority. The majority of the internal violations and lack of public freedom is attributed to the split, and they include: restrictions imposed on the freedom of

expression, the right to peaceful assembly and more restrictions on civil society organizations in addition to the continuation of coercive political arrests and torture crimes.

The split led to remarkable aggravation of the living conditions problems faced by Palestinians especially in the Gaza Strip. The crisis of Rafah crossing point has exacerbated in an unprecedented way as it was only opened for a few days. This led to aggravation of conditions of tens of thousands of patients, students, and holders of resident visas. The electricity problem that started 10 years ago also heightened. Electricity disruption periods increased and reached by the end of 2016 to around 3 to 4 hours daily. No agreement has been reached regarding solving the problem of the salaries of tens of thousands of government employees in the former Gaza government in view of the decision taken by the Change and Reform Bloc, holding meetings in the name of the legislative council in Gaza, regarding the allocation of government lands to government employees, in return of their late financial dues.

Second: Terrorism. Changeable maps and deep-rooted reality

1- The rise and fall of Daesh

Long years before the rise of Daesh, Al Qaeda was the most prominent terrorist group on the international level. During the US occupation of Iraq, Abu Mosaab Al Zarkawi, the founder of Jama'at Al-Tawhid Wal-Jihad (responsible for 42% of the suicide bombings in Iraq between 2003 and 2005) sought to contact Osama Bin Laden. He declared his allegiance to Al Qaeda. He even changed the name of his group into "Jama'at Al-Tawhid Wal-Jihad: Al Qaeda in the Levant" which was known in the media as "Al-Qaeda in Iraq"(AQI).

When Al Zarkawi was killed in 2006, Al Qaeda group in Iraq merged with a wide range of Sunni resistance groups and the new entity was called Islamic State of Iraq (ISI). Under the leadership of Al-Masri, the ISI developed a group of administrative systems that took several forms in parallel with the ministries in a state. He divided Baghdad into six divisions each of which was headed by a local Emir. He also developed ideological principles and the ranking order in the ISI.

Camp Bucca prison in which several fighters were detained played an important role in the organization of ISI. It is in this prison that Ibrahim Awad Al Badri known as Abu Bakr Al Baghdadi met with several fighters and managed to recruit lots of them for leading positions in the Caliphate that he established several years later.

Although Al Baghdadi was not an official member in the ISI leadership at the time, he gave it a strategic depth that drew the attention of ISI and recruits alike. Al Baghdadi was called to join the Shura Council of ISI in 2007. Three years later Al Masri and other leaders were killed and Al Baghdadi was chosen to lead the ISI at a moment that coincided with an important event which was the declaration of the Pentagon of liquidating 34 out of 42 ISI leaders and that the organization lost its contacts with Al Qaeda leadership in Pakistan and Afghanistan. This led to disrupting the link with Al Qaeda and Al Baghdadi became free from affiliation to Al Qaeda.

Al Baghdadi deepened his disengagement from Al Qaeda through strengthening the mandate of the ISI leaders more than Al Masri did. He appointed a large number of former Iraqi army and intelligence elements in ISI as they were looking to destroy the new regime led by Nuri Al Malki.

In 2012 and 2013, ISI and Al Qaeda in Iraq launched intensive attacks and the Iraqi government responded with strong attacks. However, it was not able to restrict the activities of those groups. The two groups managed in January 2014 to control Faluja and declared as an Islamic Emirate and they announced that they would defend Sunnis and that they were against the Government of Maliki.

The ambitions of Al Baghdadi were not confined to Iraq. After protests prevailed in Syria, he sent small ISI groups to operate in Syria. It started with a series of car bombings in 2012. Jabhat Al-Nusra group announced its presence in Aleppo where it was presumed to be a remarkable local group. However, it was led by Abu Mohammad Al Julani who was fighting with ISI. Al Zawahri called on Muslims everywhere to support the efforts of this group in Syria in December 2012 against the Syrian ruling regime. In December 2012, the US Treasury Department designated Jabhat Al Nusra as a terrorist organization.

In April 2013, Al Baghdadi made a statement in which he linked Jabhat Al Nusra, Al Qaeda, ISI, and he announced that he leads the three organizations under the title of the Islamic State in Iraq and the Levant. However, Al Julani and Al Qaeda did not approve this measure and they worked on pushing away the fighters Al Baghdadi sent to Syria. Al Zawahri announced in a statement that Al Baghdadi is prohibited to operate in Syria. In response to this, Al Baghdadi continued to send fighters to Syria and managed to polarize huge numbers of Jabhat Al Nusra fighters to his new group. In response to Al Zawahri, he declared that no one has the right to stop the advance of the Islamic state. This debate escalated for several months till Al Zawahri declared the official detachment between Al Qaeda and the Islamic State led by Al Baghdadi.

The administrative formation of Islamic State is based on internal funding and inclusion of foreign fighters. This trend is derived from former experience of Al Qaeda but it uses at the same time a bureaucratic system similar to that of the state that goes beyond the two former experiences and goes on through concept of “liberating people and leading them to the concept of building a caliphate.”

Practically, the Islamic State is a semi-federal system. It has an active central leadership and has ministerial bodies concerned with education, policing, health, agriculture, and public relations just like any modern state. Those ministries have counterparts on the local level just like the self-rule system.

When the Islamic state has control over a new region, it introduces itself to the local community through a series of measures: it distributes religious handouts, holds conferences in which it showcases its vision of Islam, has a religious police whose task is urging Muslims to be pious and sends weekly reports on violations committed by individuals.

The Islamic state establishes “Islamic courts” system in the regions under its control and it is keen to stress the value of its judicial system in comparison to the former corrupt judicial systems in the regions that suffered from civil wars.

There is also another element that the Islamic state in Iraq and the Levant is keen on, and which makes it different from other terrorist organizations, which is the sources and structure of its funding. It

depends on self- funding more than depending on donors. Thus, ISIL established a tax system imposed on those living in the regions under its control. Taxes are imposed on fuel, vehicles, study fees, cash withdrawals and agriculture.

In April 2015, Daesh had control over 138 km² whose residents before the war were estimated at 8 million persons. The US Treasury Department estimates its tax revenues at hundreds of millions of dollars annually.

In addition, Daesh developed a military strategy that includes attempting to control oil assets. Estimates refer to that Daesh earned \$ 500 million in revenues from those assets before the coalition launched airstrikes.

The quick qualitative and geographic rise of Daesh to the climax of terrorist scene in the world, the Spartan brutality through which it dealt with its opponents or hostages, made it attractive not only to other terrorist groups but also to thousands of angry young men around the world. In a voice recording released by Al Baghdadi in November 2014, he declared the expansion of what he described as the Caliphate to other countries as follows:

- Declare expansion of the Islamic State to new countries including the country of the two holy shrines (KSA), Yemen, Egypt, Libya and Algeria and accept the allegiance of those who swore allegiance to him in those countries.
- Cancel the name of various groups, declare new states within the Islamic state and appoint rulers for those states.
- Call on various groups, individuals, and said states to join the nearest state and to swear allegiance to its ruler appointed by him.

In the released voice recording, Abu Bakr Al Baghdadi called on his followers and supporters in Saudi Arabia to target Saudi Shiite individuals, the ruling family members (Al Saoud), Saudi military and non-Muslim residents in Saudi Arabia, especially US and EU citizens.

This call received a strong favorable response as follows:

In Algeria, a faction of Al Qaeda in the Islamic Maghreb led by Alias Khaled Abi Sulaiman and his real name is Qori Abdel Malek,

Emir of the central region in Al Qaeda in the Islamic Maghreb in Algeria declared that it had broken with Al Qaeda and declared its allegiance to Daesh and Abu Bakr Al Baghdadi in September 2014. It executed a number of terrorist attacks, the most prominent of which was the kidnap and assassination of the French citizen Herve Gourdel at Tikda in eastern Algiers. However, anti-terror troops managed to eliminate him and one of his senior aides.

In Saudi Arabia, a terrorist group led by Said Aed Al Deair Al Shahrani declared the establishment of Najd state and he launched a number of terrorist attacks in Riyadh, and the Eastern Province of Saudi Arabia in the name of Daesh including bombing Al Imam Ali mosque in Al Qatif, Imam Hussein mosque in Dammam, and the Emergency Troops mosque. Najd state organization posted several statements on the internet.

Beside Najd state, some media sources referred to what is called Hijaz state that claimed responsibility for a terrorist attack against a mosque in Asir governorate that claimed 12 lives of police forces working in the emergency troops on August 6, 2015.

Bait Al Maqdis group in Egypt that practices its terrorist activities in north Sinai governorate swore allegiance to Daesh and declared Sinai a state affiliated to this group.

In Yemen, spokesman of Al Qaeda in the Arabian Peninsula, Mamoun Hatem, announced on September 18th, 2014, its support for Daesh. However, this allegiance has not lasted for long. The Daesh leader was later killed and the group returned to the leadership of Ayman Al Zawahri.

In March 2015, terrorist operations attributed to Daesh in Yemen including the bombing of two mosques of Houthi group in Sana'a, the Capital, led to the murder of leaders and religious authorities in the group, the most prominent were Al Mortada Al Mahtori, and Mohammad Abdallah Al Shami. Daesh terrorist organization also released on April 30th 2015 a video for beheading four Yemenis and shooting 11 soldiers in Shabwa governorate in eastern Yemen. In 2016, Daesh appeared to be bloodier in Yemen as it conducted a number of suicide attacks against soldier camps especially in Aden.

Observers noted that the most important stationing points for Daesh in Yemen are in cities rather than in the rural or tribal regions. They proved this by the activity of the organization in Sana'a and Aden. They also noticed that the leader of Daesh in Yemen is not a well-known figure and that the organization in Yemen lacks popular support among tribes similar to that of Al Qaeda because it takes actions that contradict the values of the tribes such as killing prisoners.

Daesh expanded in Libya, starting from controlling Darna, the main stronghold of the fighting Islamic group on November 19th, 2015, and its elements moved in the rest of the Libyan regions to have control over new cities taking advantage of the ongoing conflict between the Libyan army and Fajr Libya militias. It managed to have control over Serte on June 9th, 2015, and called on its residents to swear allegiance to Al Baghdadi, and then moved to control the oil fields in Libya's oil crescent but it was stopped by the oil protection forces.

In Tunisia, Daesh declared responsibility for the terrorist attack conducted in Bardo museum in March 2015, and Sosa retreat on June 26th 2015, the organization sought to declare one of the border cities a city under its control. The majority of analyses believe that the Bin Qerdan operation that took place on March 8th, 2016 was an indication of this. The operation claimed ten security elements and seven citizens, and the security forces killed around 35 members of Daesh and arrested tens of them.

In Somalia, a faction comprising 600 elements, and led by Abdel Kader Moeman, broke out of Shabaab Mujahideen movement and swore allegiance to Daesh.

The arms of Daesh expanded in Africa and Asia in 2015 when Abu Bakr Shikaw, leader of Boko Haram, the most dangerous African terrorist group, declared on March 8th his allegiance to Daesh and to its caliph. He changed the name of the movement to West Africa State. On August 4th, 2016, Daesh appointed Aba Mosaab Al Bernawi a new Emir for the movement. Al Mourabitoun group led by Abu Walid Al Sahrawi in West Africa declared on June 3rd, 2015 allegiance to Daesh. Mokhtar Belmokhtar broke out with him and preferred to have allegiance to Al Qaeda. In Asia, the Uzbek Islamic Movement declared its allegiance to ISIS in August 2015. Khorasan group in

parts of Afghanistan and Pakistan declared allegiance to Daesh. Ansar Al-Tawhid group, Mujahidin Indonesia group declared allegiance to Daesh.

Foreign fighters

Attraction of Daesh was not confined to various terrorist organizations as mentioned above but it extended to individuals. Tens of thousands of individuals from various world continents started to communicate with Daesh and around 30000 fighters joined its ranks in the context of what is known as foreign fighters.

A serious study indicates that there are around 30000 foreign fighters within the ranks of Daesh who reflect some vital geographical blocs that start to play a growing role in the wave of “International Jihad” as follows :

1. The number of fighters coming from the Middle East and the Levant in Daesh organization in more than 16000 fighters. They represent the first level of foreign fighters in Daesh ranks. They include 8270 fighters from the Middle East and the Levant (2500 from Saudi Arabia, 2200 from Turkey, 2000 from Jordan, 900 from Lebanon, 600 from Egypt and 70 from Sudan).
The number of fighters coming from North Africa, according to statistics of December 2015, are estimated at around 8000 fighters (6000 from Tunisia (including 700 women) and 1700 from Morocco, 170 from Algeria, and 600 from Libya). The reason why there is a few number of Libyan fighters in Islamic State in Syria and Iraq is that Libya is considered one of the states of the Islamic Caliphate and it has become a Mecca for recruitment of foreign fighters who want to join Daesh.
2. As for Western countries, the number of fighters who belong to Western Europe in Daesh reached around 5000 at the beginning of 2016. 3700 of them come from four key countries: France (1500), Britain (760), Germany (759) and Belgium (470). It is noteworthy that 50% have criminal records. As for fighters coming from North America, their number is very low in comparison to Western Europe: there are 150 fighters from the US and 130 from Canada.

3. As for fighters coming from Russia and former soviet states, the majority of them are from north Caucasia (Chechnya and Dagestan); there are around 2000 to 3000 from Chechnya, and a less number from Azerbaijan and Georgia (500) and around 2000 from Kazakhstan, Kirgizstan, Tajikistan, and Uzbekistan.
4. The Balkans is considered a transit station for foreign fighters coming from different parts of the world. West Balkans is one of the main recruitment stations due to the high unemployment rates there. There are 1700 fighters from this region in 2016 from four main countries and regions: Albania, Macedonia, Bosnia, Kosovo.
5. As for South Asia, there are few numbers of fighters in ISIS (50 from Afghanistan, 500 from Pakistan, and less than 10 from India). This is attributed to the fact that this region is considered a parallel field for “International Jihad” in addition to the high influence of Al Qaeda there.
6. As for East Asia and China, Indonesia and Malaysia are considered core countries of exporting foreign fighters to Daesh together with Burma, Philippines, Thailand, and west China, where there is a Muslim minority. Statistics indicate that there are between 700 to 1000 Indonesian fighters in Daesh ranks recruited through the groups swearing allegiance to the group. There are also 160 Malaysian fighters in Daesh. As for China, there are around 300 fighters from the Muslim minority in west China.

The AOHR examined a sample of statistics about Tunisia. It found out through this examination that the number of fighters coming from Tunisia ranges between 6000 and 8000 according to media reports and other unofficial sources. However, the official sources provide much less figures. The President of Tunisia stated that the number of Tunisian fighters in Daesh is 2929 while the Prime Minister indicated that the number is a little less than 4000. The AOHR believes that it is difficult to reach precise figures about their numbers and identities.

Due to the intensity of terrorist activities of Daesh in mid-2014 when it declared the establishment of the Islamic State in Iraq and the Levant (ISIL), the control imposed by the group over large areas of Syria and Iraq, and the announcement of several terrorist organizations

in many Arab countries that they swore allegiance to Daesh as well as the accession of thousands of Arab and foreign fighters to the group, the year 2016 witnessed significant shift in strategies of combating terrorism and its mechanisms that led to significant changes in the map of the spread of terrorist action and its future.

As for the map of terrorist action, the control imposed by Daesh on large areas of Iraq, Syria and Libya has eroded. At the time of completion of this report, the battle of liberating Mosul, Daesh strongest strongholds in Iraq, has realized most of its objectives through liberating the left side of Mosul and started to look forward to liberate Rekka, and both are considered the center of Daesh state that it had a strong grip on.

2. The future of Daesh

With the constant loss of some of the regions under its control in Iraq, Syria, and Libya, beside the military pressures due to the bombardment of the International anti-terrorism alliance, its loss of a large part of its funding, and disrupting some of the routes of its military supplies, media sources have started to use some phrases like “the last days of Daesh” and similar phrases that consider the defeat of ISIS so close.

As a matter of fact this evaluation is not far from reality. The losses that Daesh sustained do not mean just that it is losing some of the regions that were under its control, but those losses shook the foundations of its strength; it made it lose the majority of its oil resources that provided for \$500 million in revenue annually. Some of the financial institutions that were under its control such as the Central Bank Branch in Mosul, and Real Estate Bank Branch, Al Rashid Bank Branch were destroyed. This led to its loss of liquidity estimated at \$ 800 million according to the commander of anti-Daesh operations and intelligence in Iraq. The organization also lost lands in governorates of Nineveh, Salah El Din, and Al-Anbar, that offered agricultural produce estimated at \$140 million annually in addition to taxes paid by the residents of those regions. In addition, it lost one of the most important sources of its threat which is the Mosul dam.

Daesh lost a large number of its fighters and the most important thing is that it lost its image as “an invincible group” that managed to have control over Mosul in a few days, while the Iraqi state is mobilizing its troops, supported by an international coalition comprising tens of countries, to restore Mosul in a campaign that started three months ago and it is still just half way till the completion of this report at the end of 2016.

The most important question is: what does the defeat of Daesh mean? And what is the impact of this on the map of terrorist action in the region?

Daesh is not a foreign group to Iraq but it is the legitimate “offshoot” or product of the occupation, tyranny, sectarian persecution, division, oppression, corruption, marginalization, and suppression based on the support of foreign countries. The same thing applies to Syria. As long as those factors remain, Daesh will remain. All it can happen is that it shall lose its claimed state and return to be a terrorist group like other terrorist groups in the region. One of its leaders said we were there before we had control over Mosul and Rekka, and we would continue to be there without Mosul and Rekka.

As the rise of Daesh shook the whole region, its defeat shall have several implications.

First: the destiny of the Daesh members. With the absence of enough information about the organization, its members and leaders, the memory of the liberation of regions like Faluja and Tekrit will remain in mind. It is a painful memory that is not different from the suffering of the Iraqi citizens from Daesh.

Second: the destiny of the foreign fighters who joined Daesh and the file of the returnees. Signs of opening this file appeared in Tunisia and Morocco. Tens of Tunisian and Moroccan Daesh fighters returned home. The trend of proposals discussed gives a model of the views related to addressing this issue.

Dialogue in Tunisia focused on three alternatives: one of them was expressed by the President of Nahda Party. He referred to “accountability and counseling”. While others proposed putting those returnees in jail. Some others expressed their concern regarding the impact of those returnees on other prisoners. A third proposal was to build special prisons for the returnees (like Guantanamo). But some

others warned that the families of those returnees might object to this even if they accept the matter at the beginning.

In Morocco, the authorities preceded those events by passing new legislations that stipulated more severe punishment to those who joined any terrorist organizations of 10 to 15 years in prison.

Third: as the emergence of Daesh put Al Qaeda aside, and removed the latter from the leadership of terrorist action in the region, it is expected that Al Qaeda would seek to restore its leadership in the field of terrorist action, and regain what it lost. Signs of this appeared through the current bickering between the two organizations.

Fourth: whatever the result of the competition between Daesh and Al Qaeda is, it is probable that terrorist groups especially those in support of Daesh and those in support of Al Qaeda would take new steps. It is natural that there would be competitions over leadership and those groups. It is probable that this would be accompanied by a rise in terrorist attacks to prove their existence.

Third: Impact of terrorism and armed conflicts

1. The refugees and the displaced

Terrorist acts and civil wars led to the flight of millions of citizens in pursuit of safety and security. Some of them escaped to safer regions in their own countries, others resorted to neighboring countries while others escaped from the whole region.

In Iraq, the renewal of acts of violence since December 2013 forced 2.1 million persons to be internally displaced because of the mutiny led by Daesh and the renewal of fighting all over the country. In addition to this there were 254215 Iraqi refugees and 1.1 internally displaced persons due to former wars and political persecution as well as cases of forced relocation of residents. There are also tens of thousands of Iraqi refugees in Syria.

In Libya, the International Organization for Migration (IOM), indicated that the widespread violence that emerged after the uprisings that turned into conflicts led to the relocation of 800 thousand persons (the majority of which are international migrants, including migrants, refugees and asylum seekers) to neighboring countries in 2011 and 2012. New waves of displacement took place in November 2014 when

454000 persons relocated due to acts of violence that took place in the cities of Tripoli and Benghazi and surrounding areas due to clashes between tribes in south Libya. They included thousands of members of Tawergha tribes who were displaced several times. At early 2015, the number of migrant workers in Libya amounted to about 150000.

Refugees coming from **Somalia** spread all over the Arab countries. The largest number of them lives in camps and cities in East Africa. The total number of population of Somalia is 10 million persons, 970000 of them are refugees in host countries; the number of internally displaced persons reached 1.1 million, the majority lives in cities like Mogadishu. Waves of displacement continued due to the state of insecurity. The UNHCR stated that 100000 persons were displaced by the end of 2014 due to draughts, conflicts, forced relocation, lack of job opportunities, 80% of them are internally displaced.

Sudan is still witnessing huge waves of internal displacement in view of long periods of conflicts, instability and natural disasters. Estimates refer to more than 670000 Sudanese refugees living in other countries such as Chad, Egypt and Kenya. At the beginning of 2015, the number of internally displaced persons reached 3.1 million persons due to conflicts and the expansion of violence in south Sudan. The estimates of the Internal Displacement Monitoring Center indicate that in 2013 alone 319700 persons were internally displaced due to floods that hit several regions. In spite of lack of security, and reports submitted about the exposure of refugees and displaced persons to abuse by criminal networks, Sudan continues to be a transit hub for waves of migrations and displacement from Eritria and other countries in the Horn of Africa.

As for **Syria**, the number of displaced persons exceeded 11 million persons, which represents half of the population during the period from March 2011 till March 2015. Economic development rates declined to the figures prevalent four decades ago. In 2014, the number of persons in need of humanitarian aids reached 12.2 million persons inside Syria. Four out of each five Syrians are now suffering from poverty.

In spite of the fact that tens of thousands of Syrians left the country to North Africa and Europe since 2011, the majority of them

were forced to be internally displaced (6.7 million persons at least) or externally displaced in Lebanon, Turkey, Jordan, and Egypt (3.9 million). By mid-2014, the Syrian refugees in Jordan constituted 10% to 20% of the Jordanian population. In Lebanon, they represented a quarter of the number of the population.

In spite of launching the largest relief campaigns to satisfy the requirements of Syrian refugees and other displaced persons, and provision of abundant aids through the international community, the hosting communities that lack national and financial resources are still in need of more support to satisfy such requirements.

Yemen had witnessed since autumn of 2014 successive waves of conflicts that led to the internal displacement of 3 million persons and 700000 persons left the country for Ethiopia, Djibouti and Somalia. In addition to Yemenis who were forced to escape due to the recent acts of violence, refugees living in Yemen (the majority of them are Somalis), asylum seekers, and migrant workers coming from other countries were internally displaced or left for other countries. Since the nineties, Yemen represented a transit station for the crossing of increasing numbers of refugees, asylum seekers and other displaced persons, the majority of whom were Somalis and Ethiopians running away from conflicts, food insecurity, and environment and economic collapses.

In 2014, the Regional Mixed Migration Secretariat (RMMS) indicated that 91.592 migrants from the Horn of Africa crossed the Gulf of Aden and the Red Sea to Yemen with a 40% increase over the previous year. The UNHCR stated that there are 245.801 registered refugees (the majority of whom are from Somalia) and 9397 asylum seekers, the majority of whom are from Ethiopia and a number of refugees from Eritrea, Syria and Iraq.

Before all this comes the issue of Palestinian refugees. In 1948, the defeat of Arab armies led to the forced displacement of more than 700000 Palestinians from their homes. This was the first large scale displacement wave after the Second World War. The majority of refugees fled to neighboring countries: Jordan, Syria and Lebanon. Some of them fled to Iraq and Egypt. Some of them even moved along the ceasefire line in 1948 within what is known now as the state of Palestine.

The number of registered Palestinian refugees by UNRWA that fled to Jordan, Syria and Lebanon is estimated at 5 million persons forced to flee because of successive wars. Other numbers of Palestinians live in other countries inside and outside the Arab region including 102757 persons registered by the UNHCR. The repetitive conflicts and the instability in the region led to displacement of Palestinian refugees again and again.

Due to the Israeli aggressions against Gaza Strip in the summer of 2014, 484000 persons joined the internally displaced persons (28% of Gaza Strip residents). Since 2011, 280000 Palestinian refugees have become internally displaced inside Syria due to conflicts there and 18000 persons were besieged in Yarmouk camp when fighting flared up. UNRWA reports indicated that 44000 Palestinian refugees in Syria went to Lebanon and 13836 went to Jordan in addition to unidentified numbers of Palestinians who resorted to other countries.

2. Economic ramifications

The economic literature focus on the methods and approaches of calculating losses resulting from turmoil in the region in the context of the spread of terrorism and militancy, instead of proposing reliable calculations and estimates. Even the figures the international reports indicate only refer to 2014 and do not include those of 2015 and 2016 which witnessed the most substantial losses incurred by the region in view of the expansion of Daesh in Syria, Iraq and Libya and the aggravation of the war in Syria and the eruption of war in Yemen. In addition, those studies were interested in calculating losses from the perspective of “the losses of the Arab Spring” more than being interested in calculating the economic losses resulting from crises and conflicts.

Amid the estimates covered by various sources, the ESCWA estimated those losses at \$ 613,8 billion during the period from 2011 till 2016 in a report entitled “Survey of the Economic and Social Development in the Arab Region 2015-2016”. This is the figure presented by the majority of media sources and various reports.

It is noticed that the majority of estimates have not included the military and security expenditure, described by the international

sources as the largest of its kind and of course it is deducted from the developmental and social expenditure. An example is reflected in the report submitted by the UN Rapporteur of Sudan who noticed that the national budget allocated for defense and the police and various security sectors reached 78% of the total budget against 7% only provisioned for agriculture, health, industry and education.

Whatever the exact figure of losses mentioned by various sources is, their implications are multiplied in view of the international economic conditions that had strong impact on the economic resources of the Arab region through the decline of the oil prices, considered the main source of income for the Arab Gulf countries and a number of other Arab countries. Oil prices went down to \$ 30 a barrel during the past two years before it went up again to \$ 50.

These discrepancies do not imply any criticism of those sources, as the AOHR encounters the same obstacles in monitoring losses. We just mean to stress the need for intensive efforts to audit the figures without which the region cannot set up reconstruction plans.

In this regard, it is definite that the region incurred severe macroeconomic losses as it lost an important portion of its human capital such as Syria that lost around a fourth of its human capabilities through displacement, Asylum, killing or maiming. Egypt and Tunisia lost key resources of foreign currency due to the impact of terrorist attacks and the deliberate media campaigns propagating for lack of internal security on the tourism sector. The two countries also lost their revenue of remittances of Egyptian and Tunisian expats in Libya. Other countries consumed their sovereign funds to absorb the anger and social demands that mounted with the social mobility in the region starting 2011 and to avoid their political repercussions as was the case in Algeria. Some rich countries were forced to borrow for the first time such as Saudi Arabia and Qatar due to the decline in the oil prices and their involvement in conflicts in the region especially the war in Syria and Yemen.

Furthermore, the infrastructure of several Arab countries was destroyed after targeting schools, hospitals, public utilities, bridges, oil wells, and power plants.

A quarter of the Arab countries were forced to get loans from the IMF and to suffer due to its conditions. Egypt, Tunisia, Morocco,

Iraq, Jordan and Qatar were forced to get such loans, to follow austerity policies and to adopt unpopular measures that had political and social dimensions represented in the increase of inflation and unemployment rates.

3. Economic and social rights Implications

a. The right to education

The harm inflicted on the right to education was the worst harm done to economic and social rights due to the rampancy of terrorism and militancy in several Arab countries. According to a UNICEF important report issued in September 2015 entitled “Education under Fire”, the number of children at school age in MENA is estimated at 34 million, 13.4 million of them (40%) do not have access to school education.

This figure includes 2.4 million children in Syria, 3 million children in Iraq, 2 million children in Libya and 3.1 million children in Sudan in addition to 2.9 million children in Yemen.

The report highlights four main reasons behind the inability of children to join schools including attacks against schools, using schools as shelters for homeless families or as bases for militants in addition to the fear of parents from sending their kids to school and endangering their lives.

The report indicates that around 9000 schools in Libya, Syria, Iraq and Yemen cannot be used for education at the time being. It also added that thousands of teachers in the region gave up their profession due to fear for their lives too.

The report adds that around 700000 refugee children cannot go to school in hosting neighboring countries as such countries have exhausted educational infrastructure and are unable to host additional students. It warns that failure to find a solution for the ferocious conflict in Syria threatens a whole generation of children and the educational system is paying a costly bill. The war in Yemen prevents 1.8 million children from going to schools and 3500 schools (a quarter of the total number of schools) were closed. The UNICEF calls on the international community to provide more support to the national

education systems in the conflict countries and countries hosting refugees as well as train teachers and supply educational tools.

In spite of the gravity of these ramifications, they just represent one side of the truth. The other side of the disaster is represented in the politicization of education as extremist groups on the one hand and the governments on the other embark on introducing amendments to educational curriculums that are consistent with the value system justifying their actions.

The most remarkable feature of this is the change of educational curriculums conducted by extremist groups in the areas under Daesh control in Iraq and Syria. Those changes range from cancelling some educational subjects, as mentioned by some sources, or changing some of the subjects by the Iraqi Ministry of Education to suit the Shiite sect which Daesh eventually cancelled and added a Jihad education class. Whatever the nature or size of those changes is, they led students to miss the second academic year in the regions under Daesh control as the Iraqi Ministry of Education issued a decree stating that the schools located in the regions under Daesh control are not approved and the certificates issued by them for different educational stages in Mosul and Al Anbar are not recognized

Similarly, curriculums were adjusted in the regions controlled by Houthis in Yemen. Houthis changed the curriculums of schools in Seda; the mission of those schools shifted from providing education and culture to recruiting children in the armed conflict and instilling their thoughts inside the school teachings. The chairman of the Higher Revolutionary Committee affiliated to Houthis, in his meeting with the Minister of Education in September 2015 said: “the current curriculums were imposed by the US and Israel in a conspiracy that aims to deface the Yemeni identity”. The Deputy Minister of Education, Dr. Abdolah Salem Lamlas, warned against the changes effectuated by Houthis on the educational curriculums as a whole or in part. He stated that the legitimate ministry leadership instructed the educational research center to consider all the textbooks and in case it any changes are detected, the ministry shall instruct not to teach in the liberated regions. The ministry took a decision four months ago to

approve school books printed in 2014 but not any other editions of those books.

b. The right to health

Five years after the eruption of the uprising in Syria the number of casualties reached 400000 persons and the number of injuries is about one million persons. The life expectancy was high before this conflict erupted in Syria (75 years in 2010); it went down by 2014 by 27% to be 55.7 years. This impacts the under-5 year-old children mortality rate (15 thousand live births in 2010) which was low in comparison to several neighboring countries.

The Syrian health achievements were reversed quickly as the infrastructure of the health care which had been established during the past decades in several parts of the country was destroyed. The health results are also declining. Till September 2014, 24% out of 97 hospitals were affected in Syria to the extent that they have become dysfunctional. Other hospitals, 35%, were partly damaged. The WHO report in 2013 had found out that in average one hospital serves 400 thousand persons. This means that large segments of the population lack public healthcare services. The hospital- citizen ratio is less than that in the regions that witnessed higher rates of belligerency.

The destruction of the Syrian healthcare system resulted in a sharp decline in vaccination rate in all parts of the country. It was 90% before 2011 but it went down to 52% in March 2014. This certainly leads to the increase of the mortality rates of children under five. The insufficiency of drinking water supply that went down to one third of its level before the crisis, the hard living conditions in unsafe regions and the spread of epidemics such as measles and polio also contribute to the deterioration of health conditions.

The ongoing conflict in Iraq since 1990 had negative impacts on the health conditions of citizens and others residing in Iraq. Those impacts were aggravated by the siege that continued for long years and contributed to the insufficiency of food, medications, and children milk. Some diseases that have been declared to be eliminated from Iraq started to appear again, which was confirmed by the mission of

the AOHR at the time as one of its duties was to visit hospitals and assess humanitarian requirements.

The war that erupted after the invasion of Iraq in 2003 turned armed violence into one of the key reasons of death especially among men. A wide-range household survey conducted in 2008 revealed that 151000 deaths resulted from the conflict during the period from March 2003 till June 2006. Another survey indicated that during the first eight months following the invasion of Iraq the risk of death was two times and a half higher than it was before the invasion and that violence is the key reason of deaths. The same survey indicated that the mortality rate among newly born children in Iraq increased by 37% at least in the wake of the invasion due to lack of health services and the preference of women to deliver their babies at home due to security threats.

In 2005, one out of every eight children under five died, which indicates that there was no improvement made since 1998. In addition, a research conducted by the UNICEF in 2006 indicated that only 39% of the Iraqi children got all vaccinations and 21% of them suffer from severe or medium stunting.

The violent conflict in Iraq destroyed the healthcare infrastructure. During the invasion in 2003, public institutions were blundered including healthcare institutions. 7% of the hospitals were damaged at the beginning and 12% were blundered. It was necessary to reconstruct the largest part of around two thousand primary healthcare centers in Iraq.

The Iraqi medical association estimates that around two thousand doctors were killed after the invasion. In this unsafe environment, half of the 34000 registered doctors have fled the country during the years that followed the invasion leading to a great weakness of the healthcare system. In 2010, it is estimated that the number of Iraqi physicians increased to 23000 with a ratio of 8 physicians for every 100 citizens. This rate is still less than in Jordan (27 for each one thousand citizens) and Syria (16 for each one thousand citizens).

Since Sudan gained independence in 1956, it witnessed long years of conflicts compared to periods of peace. These long conflicts contributed to negative health outcomes. Sudan also witnessed periods

of draughts during the past thirty years and the whole population suffered from continuous problems related to difficulty to get food.

The gap in health indicators before the division of north and south Sudan in 2011 is persistent. The south showed more poverty indicators than the north. After the independence of the south in 2011, most of the healthcare services were introduced by international non-governmental and religious organizations. In the north, life expectancy indicators showed that young people have marginal gains in health and welfare. While the average life expectancy rate among young people (between 20 and 24) was 51 years in 1990, it went up to 54 by 2010.

In 2004, 36% of the primary healthcare centers were not operational. The hospital –to- citizen ratio was 1:100 all over the country while it was 1:400 in the south as there was nearly no chance for a patient to be admitted to hospital.

According to various UN agencies, Libya is exposed to a tremendous suffering and there are about 1.9 million persons in need of urgent humanitarian aids to satisfy their basic healthcare requirements; food has become an issue for about 1.2 million people, the majority of whom live in Benghazi and the rest of the country.

The number of internally displaced persons in all parts of Libya reached half a million persons. The healthcare system is about to collapse due to over-crowdedness of hospitals in all parts of the country, the deterioration of their capabilities, the severe shortage in medications and vaccinations, and the regular electricity disruptions in several parts of the country. Some districts, such as Benghazi, suffer from power disruptions round the clock.

Somalia experiences a state of violence and civil wars. The state is more dilapidated in Somalia than in any other country in the region. Since 1991, around 450000 to 1.5 million Somalis were killed as a direct result of armed clashes or due to famines that resulted from or aggravated because of disputes. This figure represents 10 to 25% of the Somali population in the mid-nineties. Millions were injured or suffered from sexual violence or diseases. Till January 2014, 1.1 million persons were internally displaced, and 1.1 million others fled to neighboring countries especially Ethiopia, Kenya and Yemen.

In the nineties, the healthcare outcome indicators declined with the increase of mortality rate among children under five to about 244

cases in every thousand live births during the period from 1997 till 1999 and the average life expectancy rate went down to 45 in 1993.

A later study indicates that there has been some improvement in results especially in the second half of the last decade. A UNISCO survey conducted in 2006 estimated that the mortality rate among children under five is 145 in each 1000 live births. In 2013, the life expectancy at birth was estimated at 55.1 years. The improvement of health outcomes might be related to marginal increase in the capabilities of access to food and clean water which renders these health gains unsafe in view of the low vaccination rates and risks of constant famines.

The armed conflict led to more damage to the health infrastructure and its large scale blunder. In the North West, 90% of the health facilities were blundered. The number of beds available for each person in hospitals dropped in the nineties from 0.9 in 1988 to 0.4 in 1997. In 2008, Somalia did not have except 544 health centers and 248 child and maternity centers and 34 hospitals for its 9.6 million person population.

In addition, Somalia suffered from a severe shortage in the number of physicians. Until 2007, there were only 253 physicians in the country or 3 physicians for every 1000 citizens which is less than the ratio of 7 physicians for every 1000 citizens in 1984. With the almost total absence of recently qualified young physicians to replace the current physicians, the healthcare system faced a crisis that led to an increase in the private healthcare providers particularly popular healers whose therapy might include religious rituals rather than biomedicine.

In Yemen, the public services have almost stopped. It is hard to provide water or electricity for medical or humanitarian services. There is also shortage in oil products and collapse in the infrastructure. Around 19 million people suffer from lack of potable water.

Due to the deterioration of the healthcare situation, and destruction of 50% of hospitals, the healthcare service is almost absent. Diseases and epidemics started to spread. Very serious diseases started to emerge. The WHO has recently announced the outbreak of the cholera as there is suspicion of presence of more than

1000 cases in Aden alone and 10 cases died due to infection with the disease.

c. The right to work

The ESCWA conducted a study that shows the link between unemployment, particularly among young people, and the severity of conflict in the region. With the increase of the unemployment rate, those two factors become more correlated. Therefore, it was not surprising that the region is suffering from the highest unemployment rate in the region. The region also recorded the largest global gender gaps in unemployment rates. The situation is worse for young women as the female unemployment rate increased from 31.8% in 2002 to 46.1% in 2013. Available data confirms that unemployment rates are high among men and women in all parts of the region with some exceptions such as Algeria and Qatar. The gender gap in unemployment rates also increased in the majority of Arab countries except Algeria, Qatar and Morocco.

In Palestine, the Israeli occupation and frequent clashes between Palestinians and the Israeli security forces depletes the economy. It leads to high unemployment rates, particularly among educated young people. The control imposed by the occupation authorities on resources, and restrictions imposed on movement and transport lead to aggravation of labor conditions. The unemployment rate in Palestine reached 26.6% during the first quarter of 2016. As for Gaza Strip, it highly increased during the aggression of 2014 and reached 41.2% in the first quarter of 2016. The unemployment rate remained high among the most vulnerable segments such as refugees 42.1%, and women 62.6%. In the West Bank, the unemployment rate reached 26.6% during the first quarter of 2016 and higher rates were recorded among refugees (19.1%) in comparison to non-refugees (17.3%), and 28.4% for women in comparison to 15.5%.

In Syria, the unemployment rate increased from 15% in 2011 to 48% in 2014. Three million Syrian breadwinners who are responsible for supporting 12.2 million households lost their jobs during the conflict. In late 2015, more than 80% of Syrian residents lived under poverty line in comparison to 28% in 2010. Some of the

cities that witness the highest rates of poverty are Al Rekka, Idlib, Deir Al Zor, and the rural area around Damascus. These cities witness the most ferocious and longest battles in the military conflict. Poverty aggravated due to the increase of unemployment rate and loss incurred by large numbers of displaced persons of their property and assets and the severe drop in gas and petrol subsidies.

The unemployment rate in Somalia is the highest in the world. It reached 67% among young males and 74% among young females in 2012. Somalia, like Syria, shows high rates of inactive young people who do not join either the workforce or education.

According to a survey conducted by Somalia UNDP, for the human resources development in Somalia in 2012, with 3300 young men and women from the age group (14 – 29), the majority of them did not explain the reason for being unemployed which indicates loss of hope. The youth in Somalia are actively involved to a large extent in the conflict and they represent an organic part of Shabaab Movement and other armed militias. As a matter of fact, unemployed youth are more vulnerable to do this. The study also concludes that the financial incentives are the main motive for voluntary recruitment by armed groups, while grievances come in the second place. However, when grievances represent the key motive, they include deprivation, marginalization and exclusion.

Sudan in turn shows an alarming rate of unemployment among young men and women in the urban areas. The unemployment rate between young people in 2013 was 24.5% which was double the rate of unemployment among adults that amounted to 12.5%. The majority of the unemployed were job hunters for the first time (70% of those are of the age group (15 -19) and 34% of the age group between 20 and 24). However, a large percentage remains unemployed because they are frustrated (19% to 32% respectively). While the unemployment rate goes down with higher educational attainment among the total population, higher unemployment rates are found among young males who passed their secondary education (48.7%) and lower unemployment rates among the uneducated (23.4%).

In Tunisia, unemployment rate went up from 14.9% in 2010 to 17.55% in the last quarter of 2015. Women face more difficulties than men in finding job opportunities.

In Morocco, the gender gap in unemployment declined to 1% in 2015 but the participation rate of women in labor market is still low at 24.8% in comparison to 71.5% for men.

Fourth: Most favored segments;

1. Women amid Arab social mobility

(More participation and more exposure to violence)

a. Participation in political life

Women continued their gradually growing participation in parliamentary life in the Arab region as the parliament seats occupied by women reached 17.5% compared to 14% a year ago.

In Tunisia, Algeria and Sudan, the rate of decision-making posts assumed by women surpassed the minimum international target which is 30% as per Beijing Declaration and Platform for Action. Still, the Arab region as a whole records one of the lowest rates in this field and it is less than the international average of 22.5%.

In 2015, Algeria added an article to its constitution regarding a balanced representation in its elected councils. In 2011, an article was added to the election law in Tunisia related to gender equality in elections obliging political parties to nominate an equal number of male and female candidates.

In the Sudanese elections of 2015, women got 130 seats in parliament or 30.5% of the total number of seats. With the exception of two independent women, all women who won in the elections were among electoral lists provided by parties. This result may be partly attributed to the national election law in Sudan that allows political parties whose electoral lists include more than 4% female candidates to nominate women for reserved seats.

The UAE is working on boosting the political representation of women. However, in 2015, only 78 women ran for elections, in comparison to 85 women in 2011. Among the members of the Federal National Council that has 40 members, there are 9 women (22.5%), just one of them was directly elected. Women in UAE assume 30% of decision-making posts, 10% of diplomatic posts, four ministerial posts, and the post of the Secretary General of the Cabinet.

In Egypt, women won 15% of the parliamentary seats in the elections of 2015. Eight political parties had 100 women on their lists. Another 110 women independently ran for elections. As a whole, 8.2% of candidates were women. The recent legislations guarantee a minimum of 5% (70 seats) in an assembly that comprises 568 elected members and 28 appointed members.

In Saudi Arabia, women voted for the first time in the municipal elections of 2015. In Kuwait, women started to have the right to run for the parliamentary elections since 2006. In Morocco, an article was added to the constitution for gender equality. However, no gains have been achieved by women in the recent elections conducted in the region.

In Oman, only 20 women ran for the 2015 elections in comparison of 77 women who ran for the 2011 elections. Only one candidate won.

Thus, women represent 1.2% of the members of parliament. There were calls for approving the quota system. A few Arab countries apply the quota system to guarantee women representation. Women get 10% of parliamentary seats in Jordan and Egypt, 20% of seats in Saudi Arabia and 30% of seats in Sudan.

In Egypt, 25% of the seats of local councils are allocated for women. A quota for women is dedicated in candidates' lists in Djibouti (10%), Morocco (15%), Iraq (25%), and Tunisia (50%).

Up till now, the quota system proved to be the most effective system for the participation of the largest number of women in elected bodies. As for the participation of women on the municipal level in the region, it is too limited.

b. Violence against women

In spite of the progress achieved by women in the field of education, employment, political participation and assuming public posts, the range and severity of their exposure to violence mounted in view of the catastrophic conditions the region is going through due to terrorism, militancy and occupation as well as the resulting Asylum, displacement and relocation; this was accompanied by economic conditions that impacted the main resources of Arab countries such as

the drop in oil prices, and the decline of tourism sector that had an impact on social expenditure.

In the context of armed conflicts, women were exposed to the worst types of psychological and physical violence. The report records thousands of cases of genocide and injuries during military operations. It also records a wide- range decline in health services provided to the wounded and the injured as well as the severe shortage in medicines and required medical equipment.

Violations multiplied under siege as happened repeatedly in more than 15 besieged spots in Syria, Taiz, and some regions which are under the control of Houthi/Saleh militias, in the areas disputed between militias in Libya, the regions under the control of Daesh in Iraq, Syria, and Libya, and in Gaza Strip which has been under siege for ten years. This results in different forms of humanitarian suffering whose various recorded in various country reports, a number of UN reports, and the reports of the UN missions to the conflict areas.

Women and girls besieged in the armed conflicts regions suffer from maltreatment, torture, sexual assault by various parties of the conflict either as an additional punishment, as a means of humiliation, or to force their family members to surrender.

UNCHR indicates that women and girls represent half of the numbers of refugees. Because of terrorism and militancy in the region, women suffer more due to their responsibility to feed and provide medical care to their children.

The Arab Women Organization prepared a field report on the status of female refugees and displaced persons in Arab countries in 2016 and reached its outcomes through surveying the points of views of hundreds of women, girls, female refugees and displaced women and girls. The report gave a gloomy picture of the vulnerability of women due to lack of personal safety, difficulties related to access to personal documents which are not available in cases of sudden flight, complications of legitimate residence in several Arab countries, in addition to the cost of living and residence, whether this residence is in refugee camps, or rented house in the available regions, where the financial allocations provided by the international relief organizations are not enough to cover this cost.

These phenomena led to several negative factors including: some families are forced to marry their young daughters at an early age, and there are wide-range cases of human trafficking. Country reports record a number of negative phenomena including: the Lebanese authorities revealed in April 2016 that it captured a network for human trafficking and they freed 75 girls, the majority were Syrians and some were minors who suffered from enslavement, rape, forced exhaustion, psychological and physical torture, and maiming to force them to practice prostitution. During the investigations conducted with the physician in charge of aborting the young women, he admitted to conduct 200 abortion operations. According to the young women, they were forced to work for 20 hours daily since 10 am till 6pm. In case the employers of the young women do not like the way they look, they used to flog and beat them. A girl is forced to sleep with 10 clients daily and the number increases to 20 during the weekend.

Within the context of terrorist waves, women and girls suffer from indiscriminate killing during bombings and raids just like men. However, they suffer more in the regions under the control of terrorist groups. In addition of stifling the personal freedoms of women and girls as per the rules set by those groups, Daesh sought to marry them to its members and fighters. Families do not have the option to refuse. Although all those marriages used to be locally registered as per the administrative rules of those regions, and so were the babies of those marriages, women and their children faced an additional difficulty, mainly the rejection of the Iraqi authorities to accept those documents based on the rejection of the legitimacy of Daesh.

On the other hand, elements from terrorist organizations committed brutal crimes including kidnapping, rape, murder, sexual slavery, detaining women as hostages for ransom, and exposure of men and women alike to types of punishment such as burning, drowning, stoning, “mincing”, or throwing from tops of high buildings as per groundless rulings issued by the indiscriminate courts of the terrorist organizations that do not observe any sort of justice.

The women of a certain minority in Iraq were exposed to an unprecedented disaster namely the women and girls of the Yazidi group. When their region was stormed, lots of their men were killed or

ran away; the women were captured and dealt with as slaves. They were distributed on fighters, sold as slaves or exposed to sexual slavery. Some of the survivors who escaped from these organizations related horrid stories about what they went through. Any woman who tried to escape from this tragic situation was killed.

2. Children: the lost generation

The UNICEF had used this title in its report on the suffering of children under ongoing military conflicts. It is an accurate title that describes the horrible conditions under which the Arab children are living in view of the wars, terrorism and chaos that undermine all the meanings of the phrase of “a world worthy of its children” which became an old history.

The specialized literature of human rights showcased a long series of challenges and risks from which children are suffering. They may be categorized as follows:

- a. **Survival:** this category includes health conditions of child delivery and the necessary healthcare to mothers, and enough food and vaccinations for children. Unfortunately, we noticed that under armed conflicts many of those elements are absent. This leads to high rates of post-partum maternal mortality and among children under five as well as the decline of the life expectancy rates at birth.

This is not only confined to the areas of conflicts but its implications affect refugees because of absence of a favorable environment for the children accompanying their refugee mothers.

- b. **Growth:** during armed conflicts, the children do not get sufficient food for their growth; a matter that cannot be compensated later even if enough or better quality food is provided. Studies revealed the outbreak of some diseases related to food insufficiency such as stunting.

UNESCO indicates that Yemen is facing unprecedented food shortage. It refers to the fact that there are 60000 children under five suffering from severe malnutrition. It also shed light on the conditions of 700 million persons living in the besieged areas in Syria, 300000 of

which are children. It also mentioned that there are around 5 million persons who live in areas where it is difficult for humanitarian aid to reach; 2 million of which are children.

A recent report issued by UNESCO has stated that the increase of conflicts and turmoil in the region prevents more than 13.4 million children from going to school due to armed conflicts. This is not only confined to the countries that suffer from armed conflicts but it also extends to the hosting countries of the refugees as some of these countries cannot provide education to the children because of their economic conditions and sometimes because of difference in languages or dialects in spite of all the humanitarian aids provided by international relief agencies.

Another result of armed conflicts is impoverishment. The armed conflicts lead to destruction of the infrastructure and sources of income. The UNESCO monitored in 2016 the sharp increase in poverty rates in Syria. The poverty rates among people who are living under the national line of poverty rose from 12.3% in 2007 to 43% in 2013. Poverty is not only confined to certain countries but it also extends to refugees. The UNCHR estimated that seven out of each ten Syrian refugees living in Jordan and Lebanon suffer from poverty and half of them are children.

c. **Protection:** children living in areas of armed conflicts and where the plague of terrorism is rampant face dangerous phenomena that jeopardize their lives and future including their recruitment in military operations or in terrorist organizations. The tasks of children are not confined to serving fighters but they actually participate in real fighting. Sources monitor several cases of actual participation of children as fighters in the regions under control of Daesh and other terrorist organizations in Iraq and Syria. The Houthi militias also use children as fighters in Yemen. The same is done by opposition organizations in Sudan and Shabaab Movement in Somalia.

Children are attracted to this through various means such as manipulation of their values; nurture their imagination about the great missions they participate in, and the additional capabilities they will acquire such as driving vehicles and carrying weapons etc. Usually,

they receive monthly salaries of around \$ 100 which is decisive in supporting their families that suffer from abject poverty and lack of recourses.

Girls, in particular, suffer from another phenomenon which is child marriage. Minor girls are being married to the members and fighters of those organizations.

Some media sources refer to exploitation of children with special needs or children with mental disability in suicide attacks.

3. Minorities

This section deals with the term of minority as a group whose members have common language, religion or sect. They are aware of their commonalities and other factors that make this minority “a given“. It is not a relationship that may change such as being affiliated to a group by birth, common history, homeland or homeland memories.

This section deals with interaction with the issue of minorities from the perspective of discrimination and marginalization they are exposed to and progress made in addressing such discrimination.

The AOHR notes the great progress achieved on the status of **racial discrimination** in the Arab world. One of its manifestations was the flaring up of conflict in south Sudan; the legacy of the crisis of residents of Senegalese origin in Mauritania; tensions in the Amazighian community in its relationship with North Africa; and resolution of the issue of self- rule of Kurds in Iraq. Some analyses refer to traces of discrimination in Darfour; however, the AOHR considers it as social discrimination and not racial discrimination.

On the contrary, the issue of **sectarian discrimination** represents a chronic disease in the Arab arena. Sectarianism should not be denied in the context of social diversity but its aggravation and substitution with allegiance to the civil state represents an essential problem for building a modern state. It creates types of discrimination that cannot be avoided and may lead to national or even international conflicts.

Unfortunately, the Arab communities suffer from three negative factors: the exacerbation of sectarianism, its negative impact

on unity of Arab communities and turning into armed conflicts. The way some Arab governments deal with sectarian problems adds a fourth dimension to the problem through mismanagement and integration into all partisan or authoritarian conflicts, leading to further conflicts. Foreign interventions represent a fifth dimension which render sectarianism a fatal risk.

Historically, Lebanon concluded that the “sectarian quota system” is the solution for all internal problems related to distribution of power and resources. However, this system remained an obstacle to the formation of a modern state. It represented a key dimension of the bitter civil war the Lebanese society had suffered from for seventeen years since 1974. Though the abolishment of political sectarianism is one of the elements of Taef Agreement, the base to end the civil war, it is still a pending issue and a source of discrimination.

In Iraq, sectarianism is a key driver of incidents. Without delving into the debate about the era of late president Saddam Hussein, the US invasion for Iraq and dismantling the state institutions and restructuring these institutions on the basis of “sectarian quotas” led to flaring up the flames of a sectarian war in which the occupation forces played a key role that did not end with the end of occupation that left behind its project in the country.

Together with those severe phenomena, other Arab countries face sectarian tensions. There are debates in Bahrain about the sectarian components of the state. In spite of the success achieved by KSA in overcoming the problem of the relation with Shiites in the country, a lot of sectarian tensions were surfaced in view of the deterioration of relations between KSA and Iran that extended to other Arab Gulf States with varying degrees.

Although the Arab countries have managed to achieve progress in the field of racial discrimination, they still suffer from religious discrimination that has become a complex phenomenon from which the Arab communities severely suffer.

In the context of 9/11 incidents, a wave of racial animosity towards the Arab and Muslim nations broke out in the world. Arab societies suffered as a result of the condescending stand of the rest of the world, stigmatizing Arab nations as a national terrorist group whose religion and beliefs are loathed. Arabs and Muslims were

stereotyped in a way that ignited feeling hatred and racism against them. Racial discrimination was enhanced in the context of combating terrorism and there were attempts to place the Arab countries under an international mandate, the typical image of classical discrimination. The same scene is replicated within the context of the recent developments in Europe and the USA.

While Egypt managed through 2013 revolution to surmount the tension in relations between Muslim and Christian Egyptians fueled by religious groups that came to power in 2012, the sectarian conflicts based on difference of religious sects flared up in Iraq, and reached its zenith through the marginalization of Sunni sect and acts of violence committed by Shiite militia against Arab Sunnis. This escalated when Daesh seized three governorates and dealt atrociously with religious minorities in a manner similar to war crimes and crimes against humanity as mentioned above.

Fifth: Public freedoms

Freedom of opinion and expression is the key to public freedoms. Without them, other freedoms such as freedom of association and freedom of peaceful assembly cannot be practiced. Freedom of opinion and expression has been enhanced through social mobility that the region has witnessed since 2011. Though governments cannot continue to constrain public freedoms through the same methods they used to use for social regulation; they developed their methods to achieve social regulation.

The main pretext is that “destruction prevailed in the region through protests and demonstrations that harmed the economy and weakened the capabilities of the security bodies in the country; as a result, anarchy governed, work slowed down and production deteriorated”.

The report concludes from the means of social regulation adopted by the governments to regulate public freedoms that it granted rights with one hand and denied people these rights with the other. While it approved the rights of freedom of opinion and expression and ruled out imprisonment in publication cases, it used the same means

through other laws such as anti-terrorism and incitement to hatred laws.

Though numerous constitutions recognize the right of association and prevent public authorities from restricting the right of freedom of assembly unless through legal action, the government puts restrictions on forming associations in a way that render the whole matter under the control of the executive and security authorities. This ignited tension between the public authorities and civil society organizations.

Similarly, the right to peaceful assembly followed the same track. However, the outcome exceeded prevention and ban to security clashes that witnessed numerous detentions and victims who fell during dispersing peaceful demonstrations under the pretext that they may lead to chaos.

The AOHR concludes that restrictions imposed on human rights are the cause of the current conditions of Arab countries. Granting human rights as is the case in democratic countries is the only way out of the cycle of violence used as a means of expression and demanding rights.

1. The right to freedom of opinion and expression

While disputes and divisions in the majority of Arab countries characterize this era due to the difference in opinion regarding the raised issues and ways of addressing the common challenges facing them, and how to prioritize those challenges, the stand of the majority of those countries was identical regarding the freedom of opinion and expression. Differences were quantitative and not qualitative; the degree, and not the type, of difference.

The second part of the report monitors the key features of the path of freedom of opinion and expression in all Arab countries, and it documents various examples of violations that came to the knowledge of the AOHR. This analytical introduction focuses on the key features of this path summarized as follows:

The Arab countries continue to strengthen the legislations that aim at restricting the freedom of expression whether through passing new laws in this direction; through amendment of the existing laws;

through interpretation of the range of incrimination, and aggravation of penalties through putting them in the framework of incitement to terrorism and hatred or insult of the symbols of the state and the army. These include:

The UAE followed the Cybercrime Law issued in 2012 with an anti-discrimination law enacted in 2015. The new law adopted a loose definition of hatred. The two laws are used to prosecute those who criticize the state and its policy on twitter. The penalties for hate speech include imprisonment for 5 years for individuals and for 10 years for founders of associations as well as the authority to dissolve the association.

In Bahrain, the Shura Council approved in March 2016 the amendments of Article 364 of the Penal Code which aggravated the penalty against “any person who publicly humiliates the national council or any state institution, the army, courts or any public authorities or institutions” to be two years of imprisonment. The maximum penalty for the public encouragement of “defamation” shall become three years of imprisonment or a longer period for “libel” on social media.

The Cabinet approved the regulations of September 2015 related to imposing sanctions on the media that publish false or harmful information that shall negatively impact foreign relations. The Cabinet discussed in August 2015 a draft law related to incriminating contempt of religion that shall incriminate the hatred and sectarian discourse that undermine the national unity. The draft law has been submitted to the Ministerial Legal Affairs Committee for further consideration.

Kuwait passed a cybercrime law in mid-2015 and it came into effect in 2016. The law puts more restrictions on the right of freedom of opinion and expression especially on social media.

In spite of the approval by the Moroccan Parliament on June 20th, 2016 of the promulgation of a new press law that includes the abrogation of imprisonment penalty, replacing this penalty with financial fines, providing legal protection for electronic media and judicial protection of confidentiality of sources it was accompanied by a draft law modifying the Penal Code that allows for the trial of journalists in issues of freedom of expression in other media other than

the press and publications. The penalties include imprisonment for any person who shows contempt for religions, instigates against the national integrity or insults the royal regime, the King, the crown prince, or members of the royal family.

Mauritania issued a law regulating the information community, followed by another law on cybercrime. They complement each other, imposing tight restrictions on the internet and the mandate to block websites and take legal action against those who criticize the authorities based on loose phrases such as violating the public order and moral codes.

In Egypt, the anti-terror law issued in 2015 increased the financial fines for the crime of publishing false information in a way that threatens the sustainability of media. This penalty replaced the penalty of imprisonment in publication crimes. The law considers publishing information which is different from official data on terrorism a punishable crime, which made journalists hostages of official data.

In Jordan, the Department of Law Interpretation issued on October 19th, 2015 a decision to arrest journalists and social media users pursuant to cybercrimes law and the traditions of the penal courts. The libel crimes committed in violation of the provisions of Article 11 of the Cybercrimes Law are punishable by virtue of the provisions of this article and Article 14 of the Penal Proceedings Code and not according to Articles 42 and 45 of Publication Law that prevents the imprisonment or arrest of journalists. This decision was faced with a storm of rejection from journalists and media persons.

In Iraq, protest campaigns prevented the approval of a draft law for freedom of expression and assembly in view of the restrictions it imposed on the right of assembly. The draft law contradicts with Article 38 of the Constitution of 2005 regarding the freedom of all forms of expression. The draft law adds new penalties for violation of its provisions, and it imposes geographical and temporal restrictions on the practice of the right of assembly in a way that makes the law represent a reaction to the sit-ins and strikes witnessed by the country in the last three years and deprive participants in protests or sit-ins from any protection.

In the countries of accumulation of crises, the image was worse. It is not only confined to imposing restrictions on the freedom of expression but it also extends to killing and physical assault. The Network of Media Freedom Defenders in the Arab World monitored the murder of 54 journalists in 2015 and 48 media person in 2016.

The armed militias in Libya continued to pressurize journalists through killing and assault and prevention from practicing their tasks. The journalist Khaled Al Zantani, former manager of the local office of Al Zantan channel in Benghazi, was assassinated on June 23rd, 2016 at the hands of a Daesh sniper. He used to cooperate with a number of channels including Al Zantan Channel, Sky News and covered clashes in various districts. The assassination of Khaled raised the number of assassinated journalists in Libya since 2014 to 8 journalists, according to Reporters without Borders.

In Yemen, tens of journalists and photographers were assaulted and threatened of murder at the hands of Houthi-Saleh militias. A journalist at the Yemen News website, Ahmad Al Shibani, was killed by a sniper during the coverage of the clashes in Taiz on March 21st, 2016; the reporter Abdel Aziz Al Kheleifi, at Ma'rib Press Website was murdered at Shabwa while covering events in Began region at Shabwa Governorate. A number of journalists and reporters were killed in an air raid of the Arab coalition air forces and the indiscriminate shooting in the regions under control of Houthi-Saleh militias.

One of the remarkable incidents is the kidnapping of the Al Jazeera Television crew in Taiz which comprised Hamdi Al Bakari, Reporter, Abdel Aziz Al Sabri, photographer, and Monir Al Sebae, driver on January 18th, 2016. They were released a few weeks later.

Reporters without Borders monitored the murder of 9 media persons during 2015 in Syria. The Syrian Network for Human Rights indicated in its annual report that 86 media persons were killed in 2016.

The AOHR monitors the repetitive kidnapping of a number of media persons including the Mauritanian journalist Ishak ibn Al Mukhtar, reporter of Arabic Sky News since 2013. The press photographer John Cantlie has been abducted since 2012 and the

Japanese journalist Jomi Basoda was kidnapped by Daesh that beheaded his Japanese colleague Kenji Goto in 2015.

In Iraq, Reporters without Borders monitored the murder of 9 journalists in 2015 while Media Freedom Defenders in the Arab World monitored the murder of 11 journalists in 2016 including 6 media persons who were shot dead by Daesh and five others were shot dead by other militias.

In Somalia, media sources monitored the murder of one of the state TV anchors through bombing her car.

2. The right to peaceful assembly

The right to peaceful assembly is considered the key political freedom upon which democratic regimes are built. It is incorporated in the International Covenant on Civil and Political Rights; it represents a legal commitment by all Arab countries, and the majority of the Arab constitutions recognize this right although they refer its regulation to laws that usually impose conditions and restrictions that are not in line with the controls mentioned in the International Covenant on Civil and Political Rights and not in line with the constitutional provisions themselves.

Peaceful protests that erupted in several Arab countries starting 2010 that toppled some ruling regimes have led to counter measures to the right to peaceful assembly by Arab governments not just within countries that feared from the impact of those incidents on their stability, but also within the countries that managed to change their ruling regimes and develop their laws.

The report addresses the path of exercising this right through country reports (Part Two). Those practices reflect three levels as follows:

- a. The majority of Gulf Cooperation Council countries continue to restrict this right; however, this does not prevent the eruption of demonstrations especially in the Kingdom of Bahrain.
- b. It is difficult to exercise this right in the context of armed conflicts where competing parties replaced peaceful means with lethal weapons.

- c. The rest of the Arab countries do not fulfill their national and international legal commitments regarding facilitating the practice of this right. The majority of those countries set sorrowful obstacles on the way and aggravated penalties on the exercise of this right and sometimes, dealt with this right through penalties mentioned in the anti-terror law or incitement to hatred laws.

The new developments in the period covered by the report were confined to :

- a. Constitutionalizing this right in the new constitution of Algeria in Article no. 48 that considered the freedom of expression and assembly as guaranteed rights for the citizen. The sources of the Algerian law indicate that the new development in the constitutional text is the usage of the term “peaceful demonstrations” in the provisions of Article 49 that stipulates “the freedom of peaceful demonstration is guaranteed for citizens within the limits of the laws that specify the way of exercising this freedom”. This is considered a precedent as the constitutional legislators used to refer to the right of the citizens to freedom of assembly only.

However, they used to use only Laws no. 28 of 1989 and 19 of 1991 which restrict the right to peaceful assembly as it is usual for Arab countries to divest the constitutional guarantees of their impact through issuing laws that restrict freedoms and rights.

- b. In Egypt, as expected by the AOHR, the Higher Constitutional Court issued a ruling stating that Article 10 of the law is unconstitutional and referred that law to the Ministry of Legal Affairs to reconsider it as a whole in view of previous directives by the President in May 2016, and not Article 10 only. The AOHR is looking forward to the State to fulfill its pledges and aspire that the amendments shall take the recommendations by the Organization and other human rights groups and institutions into account.

3. The right to association

The Ministry of Social Affairs in Jordan closed down 94 associations and issued warnings to 71 others during 2015 under

different pretexts including the appointment of a temporary administrative board, obtaining foreign funding without the approval of competent authorities and fund-raising without permission.

The government issued guidelines in October 2015 regarding foreign funding received by civil society organizations that gave rise to wide-range debates. The guidelines state that any funded project shall be linked to the national development goals. They force organizations to follow certain procedures and obtain a number of approvals that shall put restrictions on the organizations that desire to receive donations and on donors as well. In addition, the proposal by the government to amend the Association Law in March 2016 is considered by civil society institutions as aiming at putting additional restrictions on their work and shall undermine their activities.

In Bahrain, the authorities imposed strict restrictions on the right to association and prosecuted political and religious activists who criticized the government on social media or in public rallies.

Five UN Special Rapporteurs issued a statement in August 2016 including the Special Rapporteur on the Right of Freedom to Association Maina Kiai; the statement touched on the closure of Al Wefaq Association and other religious associations in addition to the restrictions imposed on practicing religious rituals and the right to peaceful assembly, as well as restrictions on movement and access to the internet. The statement criticized an array of charges against a number of people including participation in an illegal gathering, incitement to hatred against the regime, money laundering, practicing terrorist activities regarding the practice of peaceful assembly and expressing opposing points of views and opinions. Experts described those charges as “groundless”.

In Algeria, the public authorities prevented the Coordination Maghrébine des Organisations des Droits Humains (CMODH) in coordination with the Algerian League for Human Rights and the Algerian League for the Defense of Human Rights from organizing a workshop on 11-13 December, 2015 in Algiers. It is worth mentioning that the two leagues in charge of the preparations of the workshop took all regular measures required to organize such meetings.

While receiving participants coming from Mauritania, Morocco, Tunisia and Europe, a participant from Spain was denied an

entry visa. Attendees were surprised to find representatives of public authorities telling organizers that the workshop is banned and they refused to let them enter the meeting hall to start the event in spite of all clarifications provided by the two organizing leagues.

In Djibouti, the civil society organizations continue to suffer from low turnout due to the legal and administrative obstacles facing the establishment of associations and the difficulties facing the ongoing associations in performing their tasks in a free and independent way. The civil society organizations are considered close to the opposition. That is why the authorities marginalize and suppress them. The UN Commission on Human Rights expressed its sorrow for the refusal of authorities to provide any information or take any measures regarding enacting laws or, in practice, guaranteeing the right to freedom of expression, the right to association and the right to peaceful assembly. However, there are reports about continuous violations of those freedoms in a regular way. The Commission's conclusions are an indicator of the absence of serious measures by the authorities to fulfill their international obligations in this field in spite of their regular statements related to the necessity of forming associations and syndicates.

Saudi Arabia continues to restrict the freedom of association and pursue its suppressive measures against civil society activists. The competent Penal Court held its first session on October 30th, 2016 to try defenders of human rights, Mohamed Abdullah Al Otaibi and Abdullah Al Atawi. It charged them of establishing and announcing the inception of an association before obtaining the relevant official license, as well as participating in preparing data, signing and publishing statements that defame the Kingdom and its judicial and security institutions, and publishing information about the investigations conducted with them although they pledged not to with the aim of influencing the public opinion. The court decided to postpone the trial till December 27th, 2016.

The investigation authorities questioned Abdullah Al Atawi and Mohamed Abdullah Al Otaibi in March 2014 after they announced on April 13th, 2013 together with Mohamed Aid Al Otaibi and Abdullah Al Faisal Badrani the establishment of the association "Unity for Human Rights". In its first statement published on the same

day, they stated the objectives of the association which include: enhance the culture of human rights in the Kingdom, defend and assist other human rights associations, and boost the role of women in society. After the investigations, they were forced later on to sign a pledge to close down the association.

Khaled Al Omair, a human rights activist was moved from Al Haer prison in Riyadh on November 3rd, 2016 to Mohamed Bin Naif Counseling and Care Center in preparation for release. It is worth mentioning that Al Omair started a hunger strike on October 6th, 2016 in protest of detaining him in spite of the completion of the period of his imprisonment for 8 years on October 5th, 2016. He continued the hunger strike for 29 days.

In Sudan, the government continues its restrictions against the activities of civil society organizations. The Sudanese Civil Society Organizations Union complained in July 2015 that more than 40 registered organizations failed to renew their licenses in the first half of 2015 due to complexity of legal procedures or due to obstacles created by the competent government authority which is the Humanitarian Relief Commission.

The security authorities also continue to put restrictions on the activities of the organizations and suppress their activists; the national security and intelligence authority stormed Khartoum Center for Training and Human Resources on February 29th, 2016 and it confiscated nine mobile phones, five laptops, leaflets, flipcharts and other office documents. Afterwards, a large number of activists affiliated with the center were summoned and interrogated about the activities of the center and about their connection to Al Khatem Adlan Office for Counseling and Human Resources Development which was closed down in 2012. Its manager was charged of committing penal crimes and was deported.

The measures taken by the state security service against human rights activists included banning them from travel, confiscating their passports, and asking them to pay a visit to the state security authority. Four activists were banned from travelling to Geneva to participate in the preparatory meetings of the comprehensive periodical review. They are Sawsan Hassan Al Shawaya, director of Asma'a Society for Development, Moaweya Shadad, chairman of Human Rights and

Legal Assistance Network, Faisal Mohammad Saleh, a journalist and defender of human rights, and Seddik Youssef, chairman of the Sudanese Solidarity Committee.

The Sudanese security forces stormed in early May 2016 the Legal Counseling Office of Nabil Adib, Chairman of Sudanese Observatory for Human Rights (a member in the AOHR) and arrested 12 visitors who visited the office to initiate legal action against their coercive dismissal with 8 other students from Om Dorman University following the security aggressions that led to the killing of one student and closure of the university. Storming the office was accompanied by the arrest of two of its staff.

The security clampdown on political opponents intensified starting the fall of 2016 till its end associated with the grave social impacts of the economic policies. The Confederation of Sudanese Civil Society Organizations stated on November 11th, 2016 that an organized security campaign was launched at the beginning of the same month to arrest a number of political opponents, human rights activists and trade unionists. The Confederation condemned the campaign related to the substantial increase in the prices of food and basic commodities in the country.

In Egypt, the government attaches great attention to the sector of charities which flourishes in the field of humanitarian aids provided to the poor and the most needy; seeks to coordinate with this sector and provides various forms of support.

The problems arising between the state and the non-governmental human rights organizations have escalated and reached the level of a crisis in 2016. The State started to crackdown on lots of institutions especially those that take the form of “civil companies” and work outside the realm of associations. They issued a ban on the travel of the owners of those institutions and their employees and confiscated or froze their assets and the assets of some of their family members.

In parallel, the administrative rejection continued “for security reasons that are not mentioned in the law” to approve granting a license for registered associations to receive grants and donations or approve some of their activities. This led to a crisis and urged human rights activists to call for observance of the law.

The government resumed the investigations in case no. 173 related to foreign funding which means interrogation of Egyptian nationals after the release of foreign nationals who returned to their countries a few years ago; this is an inappropriate and incomprehensible discrimination.

The investigations also included human rights activists like Hossam Bahgat, founder of the Egyptian Initiative for Personal Rights, Gamal Eid, Manager of the Arab Network for Human Rights Information, Mozn Al Hassan, Nazra Institution for Female Studies, Bahi El Din Hassan, manager of Cairo Center for Human Rights Studies who left the country and started living abroad since 2013, and Azza Sulaiman, Chairperson of Women's Issues Center. The government is still prosecuting Negad Al Borei, director of the United Group and two judges who collaborated with the group to prepare an anti-torture draft law.

The Ministry of Health issued in February a sudden decision to abolish the licensing of Al Nadim Center for Rehabilitation of Victims of Torture for violation of the conditions of licensing as a specialized clinic. The Health Department, in Azbakia district, Cairo, embarked, with the support of Azbakia police station, on implementing the decision which was challenged and the implementation was delayed. The closure attempt was repeated in April 2016 but postponed because of the resistance of the center.

On the other hand, the State continues its clampdown on charitable civil society associations established by the banned group of Muslim Brotherhood to polarize the poorest segments of the population. The State froze the funds of more than 2000 small civil society associations affiliated to the banned group of Muslim Brotherhood. The Ministry of Social Solidarity took measures to guarantee that those associations would continue serving their beneficiaries. The Ministry took final decisions of dissolving more than 100 other association that do not work in charity field and which are affiliated to the Muslim Brotherhood group.

In Morocco, the authorities continue to impose restrictions on associations. They prevent them from organizing public rallies or any internal meetings. They also impose restrictions on the research work

of some international human rights organizations including Amnesty International.

Authorities continue to prevent the legal registration of a number of human rights organizations. By the end of 2015, 41 out of 97 of the branches of the Moroccan Association for Human Rights (a member in the AOHR) remained without registration and had an ambiguous legal status due to the rejection by the local officials of the request of its registration or even to provide a receipt that the registration request has been submitted. The Administrative Court in Fes ruled out that the authorities of Tahil city may not reject the registration documents submitted by the Moroccan Association for Human Rights and that they have to issue a receipt for submission of those documents.

The AOHR is shocked due to what the Association has been facing since mid-July 2014 including restrictions and clampdown that represent a violation of the freedoms and safety of defenders of human rights. They represent as a whole non-commitment on the part of the Kingdom of Morocco towards its human rights obligations, through accession to international agreements on human rights or what is stipulated in the constitution. This has a negative impact on the achievements of the Kingdom on the road of democratic change, maintenance of public freedoms and protection of human rights.

The AOHR requested anew the authorities to stop the restrictions against the activities of the Association and other human rights groups. It addressed the Minister of Justice and Human Rights and the National Council for Human Rights in this regard.

4- The right to political participation

Six Arab countries witnessed various levels of general elections, confined to presidential elections in Djibouti and Lebanon and extended to holding parliamentary elections in Egypt, Jordan, Morocco, Kuwait, Oman, and Somalia. Morocco held local and regional elections; Lebanon and Oman held municipal elections but the Palestinian authority failed to complete the municipal elections.

This report seeks to evaluate those elections. Have they managed to reinstate the role of the ballot box as a mechanism for

rotation of power? Do they enhance the participation of the marginalized segments in Arab communities such as youth, women and minorities? Have they renewed the political elite? Have the new elites, if found, succeeded to express the aspirations of the community?

The team that prepared the report believes that the Arab governments are doing their best to adopt key formality factors in the electoral process in a way that would provide a positive image, while they make those factors relatively void of their essence. This affects the consistency between the elections and its objectives as a mechanism meant to guarantee participation in public affairs. The election legislations remain short of expectations regarding widening the base of participants and urging the voters to participate and select candidates. The independence of the authorities supervising the elections – if stipulated by the law- remains questionable as regards the weight and degree of independence in practice.

When the national and international supervision is available, it is made void of its content through using selective measures in choosing authorities and the number of licenses granted in addition to the unforeseeable roles played by the State to guide the voters to promote the chances of certain candidates or reduce the chances of others.

1. Presidential elections

In Djibouti, presidential elections were conducted on April 8th, 2016 with the participation of the opposition alliance that had boycotted the election since 2013. The number of voters reached 180910 voters, which is a little more than a quarter of the number of the population that is estimated at 875000 persons. The President whose term was about to finish ran for elections together with other five candidates including two opposition members, namely, Mohammad Dawood Shahm and Omar Almi Khairi, and three independent candidates, namely, Hassan Edris, Gamea Abdel Rahman Gamea, and Mohammad Moussa Ali.

Before counting votes, the Minister of Interior, Hassan Omar Mohammad, announced that President Ismael Omar Gili, had won the

fourth term in office with an absolute majority of votes that reached 86.65 while the opposition candidate Omar Elmi Khairi got 7.32 % of total votes.

On its part the national committee supervising the elections confirmed that the electoral process had been conducted in a peaceful and democratic environment and without any problems or violations. It also referred to the fact that the participation rate exceeded 61% without unveiling further details.

In his first statement, President Gili was appreciative of the confidence of the people and pledged to work to address the challenges of unemployment and housing. An opposition candidate declared his complete rejection of the results announced by the government describing them as “false and invalid”. He called on all segments within the community to continue their struggle to restore their rights and freedom, and topple over the despotic regime through all possible peaceful means.

The independent candidate Mohammad Moussa Ali (Tornor) referred to big rigging of the election confirming that he has lots of documented evidence to prove this, for instance, the government did not allow the majority of his representatives to stay in the polling stations. This unveils a comprehensive fraud and act of rigging. He expressed his rejection of the results of the elections calling on the people to defend their sovereignty through various peaceful means.

Missions from the African Union, the Arab League, and the Organization of Islamic Conference participated in monitoring the elections. The three organizations referred to the fact that the election process went smoothly and peacefully and gave the citizens the chance to exercise their democratic right of voting freely. Their criticism was confined to limited observations that do not affect the results of the elections. However, the EU called for conducting an investigation regarding the election results.

In Lebanon, the parliamentary session concluded on October 31st, 2016 with the election of Michel Aoun as a new president for Lebanon after the post had remained vacant since May 2014 as the political powers failed to reach an agreement due to political and sectarian division.

The parliament witnessed an unprecedented situation during the presidential elections. The Speaker of the Parliament repeated the vote for three times because of the discrepancy between the number of ballot papers and number of voters. In the first round, Michel Aoun got 83 votes in return of 6 null votes and 36 blank ballot papers. The result was not enough to win two thirds of the members in the first round. The parliament was obliged to organize the second round to secure a majority of votes. Michel Aoun won in the second round of voting which was repeated for three times. He won 83 votes while there were 36 blank ballots and 7 null ones.

Michel Aoun is the thirteenth president of Lebanon. He assigned the former Lebanese prime minister, Saad El Hariri, to form the new cabinet after completion of the parliamentary consultations regarding the selection of the Prime Minister where 113 members out of 126 voted for him. The opposition of Al Hariri in parliament includes Kutlat al-Wafa Lel-Muqawama which is affiliated to Hezbollah group, did not designate anyone for premiership.

Al Hariri pledged to put an end to the suffering of the country and citizens that continued for two years and half of political paralysis and stalemate through expediting the formation of the new government that would work on drafting a new election law that guarantees fair representation and supervises conducting the parliamentary elections on time. He also pledged to work on forming a government that would help Lebanon to address the livelihood, economic, environmental, security and political problems facing the Lebanese people.

2. Parliamentary elections

The region witnessed six parliamentary elections in Jordan, Kuwait, Egypt, Morocco, Oman and Somalia.

Jordan conducted the parliamentary elections according to the constitutional amendments and as per the new parliamentary elections law through proportional representation list for the first time. The elections were conducted on September 20th 2016 to elect the MPs under international and local supervision by civil society organizations and various media. The independent election authority issued

supervision cards for 13398 local supervisors. 1260 candidates ran for elections within 227 lists representing various political and tribal powers as well as independent candidates in 26 constituencies for the election of 130 MPs. The number of voters who participated in the elections reached more than 1482000 voters with a participation rate estimated at 37% of the total eligible voters (4130000 voters, half of which are females).

The National Alliance for Reform (Muslim Brotherhood group and its allies) got 15 seats (11.5% of the total number of 130 seats). Thus, it became the largest opposition bloc.

The leftist and nationalist parties failed to join the elections with joint lists to the extent that four leftist parties participated in the elections separately. So did three nationalist parties in spite of having common intellectual background and close political stances.

Reliable research sources indicate that the leftist and nationalist parties ran for the elections with 16 candidates including three women. They were distributed on 11 electoral lists. The leftist and nationalist candidates were absent in the rest of constituencies (9 out of 23 constituencies). With the exception of one party that won the votes of tribes, other parties did not manage to win votes for their candidate even through the quota system that usually requires a less number of votes.

The proportional representation open lists on the constituency /governorate level, gave new momentum to the Christian voters and candidates in the parliamentary elections. The results of the elections showed that candidates for the Christian seat got unprecedented number of votes that exceeded sometime the number of votes that the main candidates on the list or its leaders got.

The number of votes the winning candidates got in this category is estimated at around 5000 votes or 10000 votes. In the majority of cases, the candidates of the Christian seat got higher numbers of votes than other members on the list.

As for the women representation, 252 ladies ran for the elections distributed on 218 lists. Only eight lists lacked women representation while one list was exclusively dedicated for women. Another list included 5 women, two lists included 3 women, and 25

other lists included 2 women. However, the majority of lists (149) included only one woman.

All female candidates got 266064 votes. It is an unprecedented figure in the history of Jordanian elections and it was not possible to reach this number without the proportional representation open lists. 20 women won through competition while 5 of them won through the quota system. They got about 30000 votes and the rest was according to the quota system and its calculations (83010 votes) so that the total numbers of votes the female MPs got was 112239 votes which represents 42% of the total number of votes.

The number of women in parliament reached 15.4%, which is the highest rate in the history of the Jordanian parliament. The number of women in parliament was 12% during the previous session of parliament (the 16th parliament). This rate indicates an ongoing improvement though it is less than the international rates and the figures the state pledged to reach as per the national strategy as well as the signed pacts and agreements.

Sources noticed that among the 20 female MPs in the new parliament, five were re-elected from the previous parliament and the rest are new comers which enhances the principle of renewal and sustainability.

In Kuwait, Emir of Kuwait dissolved the parliament on October 16th, 2016 due to a dispute with the government and decided to conduct imminent parliamentary elections. The dissolved parliament was about to finish its session in July 2017. Although its members were close to the cabinet, a crisis erupted between some of the MPs and cabinet regarding raising the price of fuel and allegations of committing financial and administrative violations.

It is worth mentioning that the dissolved parliament was elected in July 2013 after dissolving the parliament for three consecutive times in less than one year and a half during 2012-2013.

The elections were conducted on November 26th 2016. It is the seventh parliamentary election since 2006 as the parliament was repeatedly dissolved for various legal and political reasons.

It was the first elections in which the opposition powers (nationalists, Islamists, and liberals) took part. The opposition used to boycott the elections for four years in protest of amending the election

law based on one vote for each voter. Kuwait is divided into five constituencies, each constituency has ten seats and each voter has the right to vote for one candidate only. As per the previous law, a voter could vote for four candidates.

293 candidates, including 14 women, competed on the 50 seats of the parliament. The candidates who are not affiliated to the government, known as opposition, won 24 seats. As a result, the parties affiliated to the regime lost many seats including two out of three of ministers of the previous government.

The candidate, Safaa Al Hashim, is the only woman who managed to enter the parliament. One third of the winning candidates are youth, which is considered a positive indication of injection of a new blood in the political life in the country incarnated in the parliament..

The public participation was enhanced by the wide participation of the opposition in addition to the increase of the number of unserious candidates who ran for the elections to satisfy the needs of some candidates to fragment the votes of social blocs. The AOHR sources indicate that the participation rate has exceeded 60% while official sources state that it reached 70% of the total number of eligible voters (470000) and that participation in some constituencies reached 80%.

According to the AOHR field sources, and the reports of observers, the elections did not witness any significant violations. A large number of administrative violations, which do not affect the result of the elections, were recorded. Lots of them were judicial challenges by some losing candidates.

In Egypt, the parliamentary elections were conducted on two phases during October and November 2015 under the supervision of the Higher Elections Committee and with judicial supervision at the polling stations. The elections were conducted under local and international supervision in which 81 local and 6 foreign organizations and 63 embassies participated.

The first phase covered 14 governorates while the second phase covered 13 governorates. 2573 candidates competed on individual seats including 3622 independent candidates (66%) and

1810 partisan candidates (33%) competed on 435 seats. The partisan candidates got 200 seats while independent candidates got 248 seats.

20 parties out of 44 parties competing in the elections (from 85 licensed parties) got seats in parliament. They are: the Free Egyptians Party (65 seats), Future of a Nation Party (50 seats), Al Wafd Party (45 seats), Guardians of the Homeland Party (17 seats), the Republican People's Party (13 seats), the Congress Party (12 seats), Al Nour Party (12 seats), the Conservatives Party (6 seats), Democratic Peace Party (5 seats), Democratic Egyptian Party (4 seats), National Movement Party (4 seats), Modern Egypt Party (4 seats), Reform and Development Party (3 seats), Freedom Party (3 seats), My Homeland Egypt Party (3 seats). Other parties got one seat each.

Seven lists competed on the list seats distributed among four main constituencies including all governorates. The majority of seats were obtained by "In the Love of Egypt List" that included former statesmen amid accusations from other lists and parties that the State favors them in light of the flaws in the laws regulating the elections and the unforeseen assistance in forming the list.

The "democratic trend" parties that included the Dignity Party, Socialist People's Party, the Constitution Party, Justice Party, and Free Egypt Party boycotted the elections using the list system because of non-response to their proposals. The Egyptian Social Democratic Party joined after the Higher Elections Committee rejected to approve the results of the medical checkup of its list candidates which were conducted before the former date of elections in March 2015. Due to the high financial cost of the checkup (LE 4800 for each candidate) and the rejection of the administrative court of the challenge submitted by the party of the decision of the Higher Elections Committee, the party decided to boycott the current elections.

Complaints and observers reported a number of key observations related to the whole election process. The most important of which were the weak participation of voters especially in the first round of the two phases. Lots of independent resources estimated the percentage of participation between 16 and 21% of the total number of eligible voters that reaches around 56 million voters. The final statement of the results of the elections indicated that the participation rate was 26%.

The key observations during the election process include:

Using political finance on a wide scale without accountability by the Higher Election Committee; early campaigning before the period allocated for this purpose without taking any measures against violators; no investigations were conducted to address the complaints regarding excess of the ceiling of propaganda expenditure by some candidates; some media used to host some candidates in their capacities as experts in various domains; tens of polling stations in several regions opened late due to the absence or sudden apology of the supervising judges, which led the Higher Elections Committee to merge some polling stations together ; the continuation of the electoral propaganda within some polling stations during the voting process; and statements of some local government executives to the media about the way the elections are going on.

The President enhanced the women quota in parliament through appointing 14 female MPs among 28 members appointed within the 5% that the constitution stipulates. This made the number of female MPs in the Egyptian parliament reach 89 women for the first time in the history of the Egyptian parliament. It was noteworthy that some women got a majority of votes in the competition on independent seats and came on top of the lists in some constituencies.

For the first time, the parliament comprises 39 Christian MPs; some of them joined the parliament through competition over independent seats while others were included in the legal quota.

The parliament included for the first time 2 MPs for Halayeb and Shalateen constituency, in the south east of the country which witnessed the highest public participation in all regions, as well as MPs for Nasr constituency in Nubia, Aswan.

In Morocco, the parliamentary elections were conducted on October 7th, 2016. It is the 10th parliamentary elections conducted in Morocco after independence. It is the second elections after the social mobility of 2011 and adoption of 2011 constitution. 395 seats were contested (in the first house of parliament) including 305 local seats and 90 seats to be voted for on the national level.

The elections were monitored by 37 national and international bodies through 4000 observers including 92 international observers.

Although the security conditions during elections were normal, competing parties had disputes and questioned each other's credibility through social media; there were references to violations by heads of polling stations affiliated to the Ministry of the Interior and preventing some citizens from voting under the pretext that they do not have the notification issued by the Ministry although the law stipulated that it is enough to use ID to vote, and accusation of supporters of the ruling regime of gathering outside polling stations and guiding voters to vote for a certain party.

According to the Ministry of the Interior, the participation rate reached 43% out of 16 million registered Moroccan voters. This rate goes down to 25% according to national analyses calculating the number of Moroccan citizens who are eligible to vote above 18 taking the total number of voters to 23 million voters. It is an indication that the political parties failed to convince the Moroccan voters of the feasibility of the elections.

The elections resulted in the winning of Justice and Development Party that has an Islamic inclination, of 125 seats (including 98 seats on the local lists and 27 seats on the national list) with an increase of 18 seats over the legislative elections conducted in 2011 in which the party got the first place; Heritage and Modernity Party came second with 108 seats (including 81 seats on the local lists and 21 seats on the national lists) with an increase of 54 seats over the elections of 2011 which represents more than 100% increase. The results of the rest of the parties declined in comparison to the results of the former legislative elections; Independence Party got 64 seats, the National Gathering Party got 37 seats, the Popular Movement Party got 27 seats, the Socialist Union Party got 20 seats, the Constitutional Union Party got 19 seats, the Socialist Progressive Party got 12 seats, and the rest of parties got 7 seats.

Some analysts noted the great failure of the Democratic Leftist Federation comprising three leftist parties that boycotted the elections for years (the Socialist Democratic Avant Guard Party, the United Socialist Party, and the Unionist National Congress Party) which got 2 seats. This failure is attributed to the weak communication between the Federation and the public as well as the vague political image of the Federation due to long years of participation and boycotting, and

focusing on issues that, though important, failed to attract the attention of voters.

In the Sultanate of Oman, the Shura Council elections were conducted on October 26th. It is the first elections to be conducted after assigning new legislative and supervisory powers to the Council in 2011.

The number of the registered voters exceeded 611000 voters in all the constituencies of the Sultanate which reached 61 constituencies within 11 governorates. 590 candidates competed on 85 seats including 20 women compared to more than 170 women who ran for elections in 2011.

The period of candidature witnessed banning 70 candidates from running for the elections including 30 for security reasons. Some of the banned candidates were former Shura Council members. Ishak Al Aghbari, one of the banned candidates, stated that he was banned verbally by the ruler of “Al Seeb” region without providing any legal reasons.

The period of candidature also witnessed wide-range debates regarding the legislative and supervisory powers given to the Shura Council and their impact on decision-making. In addition, there were debates about participation of women, banning some candidates, and calls for severance of the elections.

The ballot boxes were sealed in the presence of media, judges and security bodies. Then they were moved to headquarters of ballot stations in each constituency where the votes would be counted with the presence of candidates and observers. The Higher Elections Committee declared the results of the Shura Council elections on October 26th 2015. Only one woman won in spite of the fact that 125000 women participated in voting, according to official sources.

The Higher Elections Committee indicated that the voting turnout in the Shura Council elections reached 56%. This rate could not be ratified through impartial sources as the elections were not conducted under national or international supervision.

In Somalia, in a significant step on the road of completing the transient regional administration at the center of Federal Somali Republic, the parliament of South West Somali Region elected its

president and his two deputies on January 4th 2016. The total number of MPs is 145 in three governorates: Lower Shbeili, Bai, and Bakol.

The Somali leaders agreed on the form of the electoral process that was slated to be conducted in August 2016, but the Somali government decided to postpone it several times. It informed the UN of the postponement. Parliamentary elections were conducted in December 2016 and the presidential elections are expected to be conducted in the Spring of 2017.

The Somali government issued on January 28th 2016 an executive decision stating that wide base electoral colleges would elect the 275 MPs instead of letting the tribal chiefs solely choose them as in 2012, while maintaining the allocation of seats for tribes according to the quota of 4-5 for the share of power between tribes. The Senate shall comprise 48 seats equally divided between the federal states in addition to 6 additional seats, three for Somaliland, and three for Puntland. 30% of the total seats of the Electoral College and the Senate and Parliament seats shall be allocated for women.

The upper house (the Senate) comprises 54 members according to the tribal census. 8 members were allocated for each of Gopland, South West, Ghalmedg, Hiran and central Shipli administration. As for Puntland and Somaliland, each gets 11 members due to the large area of the previous administrations.

On his part, the head of the government of Puntland, Abdel Wali Mohammad Ali Ghas, objected to the item related to sharing power among tribes, explaining that the population of the north-east part of the country disapproves this agreement.

In their meeting, the Somali leaders did not discuss the advantage of Banader governorate (Mogadishu) in which there is around 3 million residents the majority of whom belong to the tribe of “Al Haweya”.

3. Local and municipal elections

In Lebanon, municipal elections were conducted during the period from 8 to 29 May, 2016. It is the first elections to be conducted in the country since 2009. The country did not manage to conduct

parliamentary elections twice and there was a political stalemate that prevented the election of a president.

Observers noted that the Future Trend led by Saad Al Hariri, the former Prime Minister, faced tangible challenges. In Beirut and Tripoli, which is considered the stronghold of the leadership of Al Hariri over the Sunni sect, the results showed that his absolute hegemony is questionable. In Beirut, the list sponsored by him lost more than two thirds of the traditional voters of Hariri compared to the elections of 2010. He also lost two thirds of votes inside the regions with a Christian majority. In Tripoli, Al Hariri list found ferocious competition from a list sponsored by Sunni politicians supported by the Minister of Justice, Ashram Ramzi, who submitted his resignation (that was not accepted by the Prime Minister Salaam) and broke with Hariri. This list managed to deprive Al Hariri's list of half of the votes of the city and caused it an almost complete failure.

Observers analyzed the impact of conducting the elections in view of the military presence of Hezbollah in Syria and the loss of several families of their members in the fight for Shiite domination. They noted that the lists supported by Hezbollah and its traditional Shiite ally managed to achieve victory in their strongholds but this victory was less in range in the cities of the south where the traditional families and former leftist figures managed to impose serious challenges. The same thing applies to Al Beqaa and Al Harmal. As for the Shiite villages in Gebeil constituency (mostly Christian), the alliance between Hezbollah and Amal Movement suffered. Hezbollah was forced to accept a setback. The elections and its aftermath in the Shiite region indicated the wide gap between the two strongest parties there and the difficulty Hezbollah faced to maintain full control over the sect and secure its allegiance. The economic crisis that impacted all parties forced Hezbollah to reduce the social services provided for the wider Shiite community.

The Christian alliance managed to conclude a reconciliation agreement a few weeks before conducting the elections with two main parties: the Lebanese Forces Party and the National Trend. The elections were a test for their ability to monopolize political representation in Christian areas in the future. However, the results were mixed. The alliance did not manage to get more than 50% of the

votes of the Christians in average. In the city of Zahla, in Al Beqaa, which went through the most ferocious battles, the list it supported got only 44% of votes. The smaller parties and traditional local leaders managed to inflict defeats on the alliance lists in several towns in Jabal Lebnan, the North and Akar.

In other cities that have Christian significance such as Gonia, the Lebanese Forces Party and the Free Democratic Trend supported competing lists in a way that caused a setback. In Christian constituencies in Beirut the supporters of the two parties disobeyed the instructions related to voting because they were not satisfied with the alliance made with Hariri. Thus, the results of the elections did not give the Lebanese Forces Party and the Free Democratic Trend a license to impose their political dominance over the Christians at the expense of the local reality.

In addition to those remarkable shifts, the elections showed sudden dynamics by the civil society organizations and social movements. Lists that represent alliances of various political and sectarian powers appeared such as “Beirut my city” list and similar lists in other cities and they managed to attract lots of votes that reached in one of the constituencies around 64% of the votes. Some of them launched campaigns such as “You stink!” that managed to mobilize the public opinion against the mismanagement of the government of the garbage crisis.

In Morocco, the municipal and regional elections were conducted on September 4th, 2015. They represented an important step on the path meant to complete the establishment of a political system following the root changes that took place after introduction of the constitutional amendments in 2011. This election is the first of its kind as it combines the municipal and the regional elections at the same time using one ballot paper. The Moroccans chose their representatives in the municipal and regional councils at the same time. The elections were conducted under the supervision of the government. The Ministry of the Interior conducted the logistical arrangements. The ceiling of the representation of women was raised remarkably in Morocco from 12 % to 27% in implementation of the quota system and for the first time a woman became at the head of an electoral list.

131 candidates belonging to 30 political parties (7 main parties, 4 parties representing the partisan alliance affiliated to the government, headed by the Justice and Development Islamic Party, and 3 opposition parties in the current Moroccan parliament) and 1232 independent candidates competed over 31503 seats in the municipal and regional councils including 7588 candidates competing on 678 seats in the regional councils. Women competed to win the women's list. Laws stipulate that women should form one third at least of candidates in any constituency.

Around 14.5 million Moroccan citizens cast their votes. There was a heated competition between two main parties namely the ruling Justice and Development Party and the Authenticity and Modernity Party. The voters' turnout rate in the municipal and regional councils' elections was 53.67%. Women formed 21.94% of total candidates for local councils and 38.64% for regional councils. Youth under age of 35 represented 29.4% in the municipal councils elections and 26.89% in the regional councils elections.

As for the local elections, the Authenticity and Modernity Party got 6655 seats (21.12%) followed by the Independence Party that got 5106 seats (16.22%) and then Justice and Development Party got 5021 seats (15.94%).

As for the elections of the members of the regional councils, the Justice and Development Party came first as it got 174 seats (25.66%) followed by the Authenticity and Modernity Party that got 132 seats (19.47%), then Independence Party that got 119 seats (17.55%), the National Rally of Independents got 90 seats (13.27%) and the Popular Movement Party got 58 seats (8.55%).

In Palestine, the Cabinet issued a decision on June 21st, 2016 to conduct the local elections within the regions that are under the control of the Palestinian Authority. Following this, the Central Elections Committee declared its preparedness and published a timetable for the electoral process that continued till the stage of preparing the final candidates lists. However, a lawyer submitted a complaint to the Supreme Constitutional Court in Ramallah calling for stopping the electoral process due to the inadequacy of proper security conditions to conduct the elections in view of the practices of the security bodies in Gaza Strip that he described as "illegitimate bodies". Another

reason for the complaint is that there are no courts formed according to the provisions of the law in Gaza Strip to challenge the decisions of the committee regarding the rejection of the request of candidature on electoral lists. He considered this a violation of a legal right of the candidates which illegitimizes the whole electoral process.

The Supreme Court decided (on October 3rd, 2016) to continue the implementation of the decision of the cabinet and conduct elections in all parts of the country with the exception of Gaza Strip due to the current judicial conditions there, in reference to the illegitimacy of the courts in the Strip s they are formed in violation of the law. The Central Electoral Committee then recommended postponing the elections for six months to put the Palestinian house in order and to amend the relevant systems and laws to serve the sublime interests of the Palestinian people. The Cabinet decided on October 4th, to postpone the elections till conditions are appropriate in Gaza Strip to foil the plans of the Israeli occupation aiming at separating Gaza Strip and enhancing divisions to destroy any chance for establishing a Palestinian state.

On December 12th, 2015, the Kingdom of Saudi Arabia, conducted the third municipal elections since 2005. Saudi women participated for the first time as candidates and voters in response to the promises given by late King Abdulla bin Abdel Aziz that were ratified by King Salman Bin Abdel Aziz.

Around 130 Saudi women registered their names in the voters' lists that include 1350000 registered voters. 970 women out of 5930 candidate ran for the elections and they competed over 2100 seats that represent two thirds of the municipal councils that have 3150 seats. The King appoints 1050 candidates. 14 women won seats in the municipal councils in elections that witnessed weak voters' turnout which allowed for a tangible relative turnout of female voters. The late King, Abdulla Bin Abdel Aziz, appointed 15 women in the Shura Council which is supposed to represent a consultative parliamentary chamber. King Salman increased the number to 30 seats by the end of 2016. However, the Kingdom rejects to elect a parliament that would practice legislative tasks.

In the Sultanate of Oman, municipal elections were conducted on December 26th, 2016 for the selection of members for 11

municipal councils for the 11 governorates of the Sultanate. This is the second election of its kind as the first municipal elections were conducted in 2012 within the context of the reforms introduced following the social mobility witnessed by the country in 2011.

The number of candidates for the municipal councils reached 731 including 23 women competing on 202 seats. The number of eligible voters was 624 but the voters' turnout rate was not announced.

The election was first conducted through electronic voting. The votes were counted after the end of the voting process. 7 women got seats in the municipal councils with an increase of 3 seats over the previous elections in spite of the decrease of the number of female candidates by 50% over the past municipal elections.

This report concludes that in spite of the shortcomings of various types of elections, they provided positive indicators in various aspects, the most important of which is that Lebanon overcame its presidential vacuum and the possible grave unlawful situation that would have followed the termination of the mandate of the current parliament that was already extended twice.

The parliamentary elections in the majority of the countries provided a chance for representing some marginalized segments of the population, especially women, youth and minorities, and partial renewal of political elites.

The electoral process in the majority of countries enhanced the philosophy of the supervision of independent bodies on the process and the importance of the provision of national and international supervision.

Some countries, however, are still missing the concept of "elected parliaments" or the concept of the powers assigned to the parliaments to practice their legislative and supervisory roles and they believe it is enough for those councils to give recommendations.

Electoral legislations are still suffering from grave shortcomings including the ability to ousting candidates from the

elections, the inability of the electoral system to provide sufficient representation for various population categories, in addition to the aggravation of the role played by political finance in negatively impacting the integrity of the elections.

Section II

Countries

The Hashemite Kingdom of Jordan

During the period covered by the report, Jordan suffered from the repercussions of the armed conflicts in the region, and rampancy of terrorism and fundamentalism in the adjacent regions bordering Syria and neighboring countries, as well as the recurrence of the penetration of terrorist organizations of the Jordanian borders rendering Jordan a key transit country for extremist individuals and groups due to the long borders with Syria (365 km) and the difficulty to deal with such penetrations. This led the Jordanian authorities to declare the border with Syrian a closed military zone in the wake of a terrorist attack that targeted a border checkpoint.

In another context, the authorities escalated their confrontation with Muslim Brotherhood group in the aftermath of June 30th revolution in Egypt. The confrontation started with forcing the group to be formalized according to the Jordanian laws and apprehension of some of its members. The authorities shut down the premises of the group in April 2016 in the cities of Madaba, Amman, and Jarash and confiscated the property of the group and attached it to the Muslim Brotherhood Association approved by the Ministry of Social Development and is considered the official entity of Muslim Brotherhood which was established by a group of dissident leaders of the group.

On the other hand, the conditions of fugitives, displaced and stranded people suffering on the Jordanian-Syrian border worsened. The international Red Cross Association declared in January 2016 that 16000 Syrian citizens are stranded on the border and they need immediate health and humanitarian aids following security and military measures taken by the Jordanian authorities at the border that made it difficult for them to access Jordan. They only allowed segments are the neediest cases of women, children and patients in a slow and thoroughly scrutinized way.

In the same context, the government abandoned its protection for some asylum seekers who live in Jordan, especially Sudanese citizens, as it took measures to expel 800 Sudanese asylum seekers at once; they were deported to Sudan on December 16, 2015. This measure was taken after the authorities dispersed a sit-in by asylum

seekers before the UNCHR office in Khalda district after the Commission refused to grant them the status of asylum seekers. The majority of asylum seekers belong to armed conflict regions in Sudan, especially Darfur region. Their deportation represented a threat to their safety and freedom.

On March 19, 2016 the Comprehensive National Human Rights Plan (2016-2025) was launched upon directions by the Jordanian Monarch. A committee was formed to develop the plan. It is chaired by Minister of Justice, with the membership of the Government Coordinator of Human Rights, President of Association of Journalists, Secretary General of the National Committee of Women's Affairs, Councilor of Legislation and Advice Department, and the General Commissioner of the National Center of Human Rights. Several consultations with civil society and government sector to develop the human rights system and review all legislations to be in line with international criteria of human rights were conducted. The national plan included three main topics that included the civil, political, economic, social, and cultural rights and the rights of the most vulnerable segments of the community.

First: Legal and constitutional framework

The parliament ratified the constitutional amendments with a majority of 123 members out of 142 members who attended the session on May 2, 2016. The amendments included delegating His Majesty the King to take any decision through his monarchical mandate without the need for the signature of the Prime Minister or the competent ministers in the following cases: choice of the crown prince; appointment of the King's Deputy; appointment of the Speaker and members of the Shura Council; dissolution of the Council; acceptance of the resignation of its members or relieving any of them of their posts; appointment and acceptance of the resignation of the Chief Justice of the Judicial Council ; the appointment and acceptance of the resignation of the Chief Justice of the Constitutional Court and its members ; and the appointment and dismissal of the army commander, chief of the intelligence and chief of the police. The amendments also abolished the condition that the prime minister,

ministers, PMs of People's Assembly and the Shura Council should not have dual nationality. This means that there a number of legislative amendments are to be introduced in line with the constitutional amendments.

On the legal level, the Political Parties Act was issued on June 29, 2015 and it came into effect on September 17, 2015. The Act banned the establishment of parties on the basis of religion, sect, ethnos, faction, race, or origin; revoked the condition that the founders should represent five governorates, and stipulated that all founders may be from one governorate or one clan. It also abolished women quota in association of parties. The Act also included the possible challenge of the decision of the committee before the administrative court concerning rejection of the amendment of the articles of association of the party or merging parties. In addition, dissolution of the party shall only be through a judicial ruling.

The Act was met with some reservations and objections by the political parties and powers. 18 parties objected to reducing the number of party founders from 500 to 150 members as this may lead to "shrinkage" of parties. There were objections on some of the conditions that govern the formation of parties that relate to women, youth and geographical representation and reservations regarding assigning the Ministry of Political and Parliamentary Affairs to supervise parties and form a committee in the Ministry, "Political Parties Affairs Committee" that shall consider the applications for formation of parties and monitor their affairs. The Secretary General of the Ministry shall chair this committee. This contradicts with the aspiration hoped that an independent authority would be established to perform this role. The requests concerning freedom of formation of a party through a notice were ignored. Restrictions were imposed on financing and sending. It also necessitated the prior approval of the Committee 'to amend the statute of a party or merge with another', restricting the freedom of the party to amend its bylaw. The Act allowed for "allocation of an item in the State's general budget to support parties, and determine conditions and value of contribution and procedures of disbursement that shall be subject to regulations issued for this purpose". This gave rise to arguments and criticism of

the suggested 'draft regulation' on support of parties in March 2016 and call for turning it into a law.

On March 6, 2016, the Parliament passed the law on the parliamentary election. It abolished the one-vote system and approved the open list proportional representational at the governorate level, reducing the number of MPs from 150 to 130, while maintaining the women quota which is 15 seats, one seat for each governorate, and allocating quotas for some categories such as four seats for Christians, 3 seats for Circassians and Chechen. One of the underlying reasons for suggestion of the law and abolishment of the one-vote system is the boycott of some opposition parties of the former parliamentary elections in 2013. The parliament witnessed large-scale debates during the discussion of the law synchronous with a sit-in before the parliament called for by "Renovation Movement" which comprises 6 political parties. They had reservations on abolishment of the national list that was allocated 27 seats in the previous elections and called for amendments to the law.

The amendments of the municipal laws have been ratified. The amendments provided that the current elected municipal councils shall remain in office till 2017. In addition, a woman quota of 25% would be allocated for local councils affiliated to municipal councils and one seat at least for the local council.

Decentralization law was also ratified in 2015. It included the formation of a council, "Executive Council", in each governorate to be presided over by the governor and another council called the "Governorate Council". 85% of its members are elected by the governorate voters and 10% quota shall be allocated for women. The Law authorizes the Cabinet to appoint the other members of the Governorate Council on condition that one third of them should be women.

The audio and visual media law was issued and included the establishment of an ombudsman committee concerned with the audio and visual media affairs to be presided over by the Chairman of Audio and Visual Media Commission. The Committee shall include representatives of the Association of Journalists, the National Center for Human Rights, Faculty of Mass Communication, and two experts in legal affairs and media affairs as members. The new law was better

accepted, compared to the previous law which was faced by criticism and objections on , among other things, delegation of the Chairman of the Audio and Visual Media Commission to cancel the license of any radio or TV station on default of payment of fees or penalties without the need for a judicial injunction; to stop the broadcasting of any program on air under the pretext that the said program harms the national security and economy, or violates the public decorum, in addition to inadequate independence of and high penalties on media.

Second: Fundamental rights

As for **the right to life and physical safety**, Jordan faced a number of terrorist attacks and bloody clashes during the period covered by the report. On November 9, 2015, an officer opened fire in a police training center in Al-Mowakar district, near the Capital, killing 6 persons including two Americans and a South African.

On March 2, 2016, clashes took place in the surroundings of Abo Bakr Al-Seddiq Mosque in the city of Irbid to the north of the country between the security forces and a number of militants whom the government announced later on to be “a terrorist cell”. The clashes led to the death of one officer and 7 militants.

On June 6, 2016, an armed person attacked an intelligence center near Al- Baka’a Camp to the north of the capital and killed 5 intelligence personnel and he was arrested.

On June 21, 2016, some militants attacked a border guard camp in the Rakban region bordering Syria by a booby-trapped car. The attack led to the death of 7 military personnel and the injury of 14 others. Daesh organization claimed responsibility for the terrorist attack.

The Jordanian authorities declared that, during the period covered by the report, there were clashes between the border guards and some terrorists who tried to infiltrate the borders. On January 23, 2016, 12 militants were killed and some others were injured while others, coming from Syria, fled during their attempt to infiltrate the border.

In another context, the National Center for Human Rights monitored 30 death cases inside one of the reform and rehabilitation

centers in 2015. The Center attributed 26 cases to natural causes or diseases, while one case was beaten by another inmate and 3 suicide cases.

In April 2015, the anti-drug police forces arrested Abdullah Al-Zoabi in Irbid and accused him of drug crimes. He was physically tortured to confess. He died of torture. The forensic medicine report stated that the cause of death is 'brutal battery on the testicles leading to their explosion and the explosion of one of the arteries. He had heart attack'. Video clips were posted on social media for the body of the victim showing bruises on different parts of his body. This led his family and tribe to refuse to receive his body to bury before bringing those who caused his death to justice. The city witnessed several protests and tribal meetings as well as communications with the security leaders to ease tension.

On July 14, 2015, the police court started to hear the case of Al-Zoabi and indicted 3 officers and 2 police personnel of brutal battery leading to death.

On September 22, 2015, the security forces affiliated to the Criminal Investigation Department arrested Omar Mohammad Kamel Al Nasr for investigation of a crime committed in the district where he lived in Amman. They detained him for 8 days at the General Intelligence Headquarters. His family members were not allowed to visit. Later on, his family received a phone call indicating his death on 30 September. When his family examined his body, there were signs of brutal battery. The family rejected to receive the body for ten days until it was approved to conduct investigations in the causes of death. Medical reports indicated that his death was due to brutal beating. The case was referred to the police public prosecutor and charges were pressed against 5 police personnel.

On December 15, 2016, Ahmad Abdel-Karim Al-Gabar (20 years) died inside the Qoisma police station in Amman. The security forces announced that the young man committed suicide through banging his head against a wall. His family members, however, confirmed that he died of torture after examining his body. The preliminary reports indicated that the death was due to internal bleeding in the head. The family refused to claim the body for more than three months till a serious investigation is conducted in the case.

They called for formation of a 5-member forensic medicine committee to conduct an autopsy. Tens of people organized a sit-in in front of the police station in protest as no investigations were conducted and the culprits were not brought to account.

Within the same context, the government coordinator of human rights at the Cabinet announced in April 2016 referral of the three cases of torture by General Security officers and soldiers to the police court. In spite of this, investigations in torture cases were not transparent or independent and their outcomes were not trustworthy. The investigations of the police are internally conducted and the results are not disclosed to public opinion. In addition, the police are usually accused of less serious charges like “disobedience of orders” to avoid criminal charges related to torture leading to death.

As for the **right to freedom and personal safety**, the security forces continued to prosecute and apprehend a number of activists. On October 7, 2015, five students at the faculty of technological engineering at Balka'a University were detained and interrogated for carrying photos of Al-Aqsa mosque during clashes that took place between worshippers who barricaded themselves in the mosque and Israeli occupation forces.

On December 28, 2015, the security forces arrested the Salfi movement theologians, Abd-Shehada Al-Tahawi, as per a writ from the state security court against the backdrop of absence during the hearings of the case known in the media as “Al-Zarkaa incidents” that took place in April 2011 after Salfis organized a sit-in.

The authorities also arrested the Muslim preacher Amgad Qorsha on June 14, 2016 as per a decision issued by the state security public prosecutor due to his criticism of the participation of Jordan in the international coalition against Daesh terrorist group in a video clip posted on social media.

As for **the right to a fair trial**, the police arrested the political activist, Adnan Abo Arkob, on October 3, 2016 because of his participation in a peaceful demonstration organized by the Popular Front for Defense of Al-Aqsa Mosque. He was charged of instigating the public against the ruling regime. He was put in Marka jail and was referred to state security court. The court passed its ruling on February

16, 2016. He was sentenced to 6 months which he already served during detention in remand.

On July 8, 2015, the state security court arrested Ghazi Mraiat, a journalist at Al- Rai newspaper for 15 days for non-compliance with the decision of banning publication about the issue of “the Iranian terrorist plan against Jordan” against the backdrop of a press coverage made by the journalist which included one of the Iraqis planning to conduct terrorist attacks in Jordan and he was affiliated to the Iranian al-Quds Brigade. He was detained in Marka Reform and Rehabilitation Center for four days and was accused of distorting the ties of Jordan with foreign countries and placing Jordanians at risk of retaliatory and aggressive acts.

As for the **treatment of prisoners and other detainees**, there were media reports at the beginning of 2016 that Ahmad Al-Dakamsa, a soldier serving a life sentence for shooting Israeli tourists in Al-Bakora area bordering Israel in 1997 was maltreated in his cell which led him to go on a hunger strike and refuse to take medications according to his family account. The Jordanian authorities denied that he was on a hunger strike and said he just rejected to eat the main meal provided by the prison.

On October 31, 2015, more than 40 Salafi detainees declared going on a hunger strike inside Al-Moakar 2 and Om El-Lolo prisons in protest of their bad living conditions inside the prisons and they called for moving them from solitary confinements to ordinary prisons and allowing their relatives to visit.

On September 28, 2015, 14 prisoners, detained in cases that relate to terrorist organizations in Al-Hashimya Reform and Rehabilitation Center, announced that they will refuse to take the main meal provided in the Center in protest of maltreatment and bad food. In addition, no hearings were held for ten months for Bassam Mosleh Al-Abbas, also known as Alias Abo Bandar Al-Noeimi, and Mohammad Abd Al Tahawi who were accused in the case of Al Zarkaa incidents and were detained for more than five years.

Third: Public freedoms

As for the **freedom of opinion and expression**, the Law Interpretation Bureau issued on October 19, 2015 a decision on

apprehension of journalists and social media users pursuant to the Cybercrime Law and Law on Criminal Proceedings; and considered libel crimes in violation of the provisions of Article 11 of the Cybercrime Law and Article 14 of Law on Criminal Proceedings and not Articles 42 and 45 of Publication Law that prevents the imprisonment or arrest of journalists. This decision was faced with a storm of rejection from journalists and media professionals. The Association of Journalists indicated measures would be taken and rejected the arrest of journalists in relation to publication cases.

Concerns on the amendments introduced to the anti-terrorism law in 2014 came true as they led to the great expansion of the competencies of the state security court including crimes committed by journalists and media professionals and the possible imprisonment sentence for charges related to “distorting relations with a foreign country” which is punishable as per the Penal Code by 5 years; the penalty might reach 15 years according to the anti-terror law due to the journalists’ views or writings and cybercrimes. Journalists were imprisoned for months pending trial. Courts passed rulings with different penalties and some were acquitted.

The security forces arrested Osama Al-Ramini, editor-in-chief of Akhbar El Balad news website, by virtue of a warrant issued by the Public Prosecutor on October 20, 2015. He was placed under investigation and detained in Al-Salt prison on accusation of violation of the Law on publication and Cybercrimes Law because of publishing some news items at El-Balad news website.

In another context, the Audio and Visual Media Commission issued a decision to close down without prior notice the live broadcasting studios of Al-Yarmok satellite channel that had been working for 3 years under the pretext that of lack of proper licenses. The security forces suddenly closed down the studios in spite of the confirmations of the channel administration that it submitted all necessary documents to obtain the license.

On November 30, 2015, the Commission took the decision to ban the printing of Al-Quds Al-Arabi newspaper in Jordan and abolish the license because of its expiry. A new application should be submitted to renew the license.

As for the **freedom of association**, the Ministry of Social Development closed down 95 associations and issued warnings to 71 others during 2015 on different pretexts including the appointment of a temporary administrative board, obtaining foreign funding without the approval of competent authorities and fund raising without permission.

The government issued guidelines in October 2015 regarding foreign funding received by civil society organizations that caused wide-range debates. The guidelines stated that any funded project should be linked to the national development goals. Organizations should follow certain administrative procedures and should get a number of approvals, which would put restrictions on the organizations that desire to receive donations and on donors as well. In addition, the CSOs considered that the suggested government amendments the Law on Non-Governmental Organizations (NGOs) in March 2016 aim to put additional restrictions on their work and undermine their activities.

As for the **right to peaceful assembly**, the Kingdom witnessed during the period covered by the report measures taken to foil all peaceful gatherings. The security forces dispersed a sit-in organized by a number of parties and political movements in support of Al-Aqsa on October 9, 2015 condemning the violations of the Israeli occupation forces of Palestinian sanctities. The sit-in was organized after Friday prayers near the Israeli Embassy calling for the expulsion of the Israeli ambassador. The security forces arrested participants in the sit-in; dispersed another march for the same reason, apprehended the participants and sent to Al- Shomaisani police station. They were released afterwards.

On October 23, 2015, the security forces prevented the advance of a march in front of the professional syndicates at Al-Shomaisani district which was organized by the Youth Bureau of National and Leftist Parties and other popular movements to condemn the aggression of the Israeli occupation authorities against Palestine. They prevented participants from reaching the Cabinet headquarters as the security forces formed a blockade before the Nafak Al-Dawar district and prevented protesters from proceeding forward.

On May 6, 2016, the security forces dispersed a protest march organized by Mobility Coordination Committee in Irbid that was planned to start from Noh Al- Qodat mosque after the Friday prayers in solidarity with the residents of Aleppo who are exposed to violations by the Syrian regime troops and in rejection of the constitutional amendments ratified by the People's Assembly and Shura Council in the kingdom. The security forces arrested a number of participants in the march.

As for **the right to participation in public affairs**, the parliamentary elections were conducted according to the constitutional amendments and as per the new parliamentary elections law through proportional representation lists for the first time. The elections were conducted on September 20, 2016 to elect the MPs under international and local observation by civil society organizations and various media. The Independent Election Commission issued cards for 13398 local observers.

1260 candidates ran for the elections through 227 lists representing various political and tribal powers as well as independent candidates in 26 constituencies for the election of 130 MPs. The number of voters who participated in the elections reached more than 1482000 voters with a participation rate estimated at 37% of the total eligible voters (4130000 voters, half of which are females).

The proportional representation open lists on the constituency /governorate level, gave new momentum to the Christian voters and candidates in the parliamentary elections. The results of the elections showed that candidates for the Christian seat got unprecedented number of votes. In some cases the votes of quota winners exceeded the number of votes that the main candidates on the list or its main figures got.

As for women representation, 252 women ran for the elections distributed on 218 lists. Only eight lists lacked women representation while one list was exclusively dedicated for women. Another list included 5 women, two lists included 3 women, and 25 other lists included 2 women. However, the majority of lists (149) included only one woman.

All female candidates got 266064 votes. It is an unprecedented figure in the history of Jordanian elections and it was not possible to

reach this number without using the proportional representation open lists. 20 women won through competition while 5 of them won through the quota system. They got about 30000 votes and the rest was according to the quota system and its calculations (83010 votes) so that the total numbers of votes the female MPs got were 112239 votes which represent 42% of the total number of votes.

The number of women in parliament reached 15.4%, which is the highest rate in the history of the Jordanian parliament. The number of women in parliament was 12% during the previous session of parliament (the 16th parliament). This rate indicates an ongoing improvement.

Sources noticed that among the 20 female MPs in the new parliament, five were re-elected from the previous parliament and the rest are new entrants which enhances the principle of renewal and sustainability.

* * *

The United Arab Emirates

During the period covered by the report, the status of the human rights in the UAE took two parallel lines. The first relates to positive reform measures taken especially those related to improving the living conditions of the expatriate labor force and reducing the restrictions of the '*Khafala* (in-country sponsor) system'. The second relates to some restrictive practices on freedoms in a manner that transcends the requirements of combatting or instigating terrorism and does not strike the required balance between these requirements and respect of human rights.

The authorities started to take positive steps to ease the restrictions of the *Khafala* System and work conditions of foreign labor in line with the current trend in the gulf region to ease the restrictions of the *Khafala* system and eliminating all factors that render it close to slavery.

In September 2015, the authorities issued three decrees that came into force in January 2016. The First relates to harmonization of the "work offer" in response to standard conditions to recruit labor where the State is a third party in the contractual relation to avoid manipulation and abuse of labor. The Second guarantees worker the right to end the contract on his own free will. The Third provides for the possibility that the worker may change the employer inside the country with the knowledge and approval of the State through legal means.

Those decrees represented a positive progress; their feasibility is hinged on practice. However, the UAE still refuses to join the International Convention on the protection of the rights of the migrant workers and members of their families.

As for **the right to life**, and within its regional role, UAE continues for the second year in a row to participate in the Arab Coalition to Support Legitimacy in Yemen which is led by Saudi Arabia. UAE lost around 50 of its soldiers; 45 were killed in a big explosion that took place in Ma'areb in September 2015.

As for **the right to a fair trial**, in spite of the rejection of UAE to join the International Covenant on Civil and Political Rights, it

respects the conditions of the right to a fair trial especially after accession to the Arab Charter on Human Rights.

Defendants are still deprived of the right to challenge rulings before a higher court especially those referred to the state security circuit at the Higher Federal Court as a lot of concerns are raised regarding the equity of their trials.

The State still abstains from responding to the calls of retrial of “Emirates 94” group (Muslim Brotherhood branch) or challenge of the ruling issued before a higher court after their conviction in 2013 for the attempt to overthrow the ruling regime by force, including Mohammad Al-Rokn and Abdullah Al-Mansouri.

During the period covered by the report, 41 convicts were tried on charges of collecting donations channeled to Daesh terrorist organization starting August 2015. The trial passed rulings in the spring of 2016: 9 were sentenced to life in prison; two others to five years in prison; others to six months; and four foreigners were extradited.

There were suspicions regarding allegations that around 20 persons were arrested in November 2013 and they stood trial as per the anti-terrorism law issued in mid-2014.

There were a lot of allegations regarding: the continuation of illegal detention by the authorities of suspects who relate to terrorist crimes and organizations; the inability of detainees to contact their family members and their lawyers; and lack of information about the place of their detention and the course of investigations conducted which feeds strong concern about their safety and opens the door to torture incidents.

Concerns on such actions aggravated as some people, including twitter users, were arrested on charges related to criticizing public policies and defaming the State symbols.

In addition to the Law on Combating Information Technology Crimes issued in 2012, the authorities issued a new Law on Combating Discrimination and Hatred Crimes in June 2015.

The penalties of the anti-hatred law included five years in prison for individuals and ten years for founders of associations as well as the possibility of dissolution of the associations.

Nasser Al-Goneibi was sentenced in June 2015 to three years in prison for defaming the State symbols on his twitter account.

Since August 2015, there had been complaints regarding the prevention of the family members of Nasser Bin Geith to contact or visit him. It is worth mentioning that he is detained in a security facility and not in one of the detention prisons. He is detained because of his criticism of the UAE policies and policies of its allies, especially regarding prosecution of the members of Muslim Brotherhood Group which was designated by the UAE authorities as a terrorist organization.

During the year 2016, the UAE doubled the volume of assistance provided in several crises in the Arab region including Syria, Iraq, and Palestine.

The UAE started to prepare for the launch of popular and official campaigns on the national and regional levels during 2017 as it is the year of tolerance. The campaigns aim to propagate the discourse calling for fraternity, mercy, and combat of fundamentalism, extremism and instigation of hatred and violence.

* * *

The Kingdom of Bahrain

The tense political scene in Bahrain had its ramifications on the path of human rights during the period covered by the report. This tension reached a high level of complexity after dissolution of Al Wefaq National Islamic Society (the main opposition party in Bahrain); taking measures to withdraw nationality from men of religion, human rights activists, and journalists; and imposing a travel ban on tens of freedom rights defenders and political opponents.

Grievances about torture in prisons and detention centers continued as well as stifling freedom of expression and opinion, the right to assembly and association.

The opposition organized several demonstrations and protests calling for the release of the opposition leaders. Sometimes, the security forces responded through the use of excessive power. Several terrorist attacks followed, killing several policemen.

First: Constitutional and legal framework

In Bahrain, the Shura Council approved in March 2016 the amendments of Article 364 of the Penal Code which aggravated the penalty against “any person who publicly insults the National Assembly or any state institution, the army , courts or any public authorities or institutions” to two years in prison. The maximum penalty for the public incitement of “defamation” has aggravated to three years or longer for “libel” on social media.

The Cabinet approved the regulations of September 2015 concerning penalties on the media that publish false or harmful information that will be detrimental to foreign relations.

The Cabinet discussed in August 2015 a draft law to incriminate contempt of religion and the hate and sectarian discourse that undermines the national unity. The draft law has been submitted to the Ministerial Committee for Legal Affairs for further consideration.

On October 25, 2016, the Parliament approved the Arab agreements on combatting organized crime and cybercrimes and

transfer of inmates of punitive facilities; the said agreements were referred to the Shura Council.

On October 9, 2016, the Monarch issued five decree laws, and decree no. 19 of 2016 amending some of the provisions of Law No. 32 of 2010 concerning the disclosure of financial position. It stipulated that: “every taxpayer who does not provide the financial return on time shall be fined 500 dinars. The penalty shall be imprisonment or payment of a fine not less than 1000 dinars and not more than 3000 dinars or one of those two penalties if the return includes false or misleading information or if the same deliberately does not submit the return on time”.

Second : Fundamental rights

The right to life and physical safety

In July 2015, policemen were targeted by several terrorist attacks; one of them claimed the lives of two policemen in Sotra Island. In another attack, a third policeman was killed in Karana village in August 2015.

Those explosions put an end to the state of peace that Bahrain maintained away from the violence that prevailed in many countries of the region. However, the authorities used these incidents as a pretext to tighten its security grip in view of the dual pressures the Kingdom faces in the state of animosity with neighboring Iran and the requirements of affiliation to the conservative GCC.

The right to life and personal safety

The suppressive measures taken during the period covered by the report against the protests and demonstrations were accompanied by several violations of the right to life and personal safety. The most obvious of which was the indiscriminate arrest and battery of protesters while on their way to detention centers or to investigation. Some of them were temporarily detained in unidentified places. Some houses were stormed without a court warrant.

The suffering of the human rights activist, Nabil Ragab, continued due to repetitive detention and security and judicial

procedures taken against him because of his tweets on social media on the performance of the government of Bahrain and other Gulf governments. In May 2015, the Court of Appeal upheld the ruling issued against him earlier of 6 months in prison because of public insult of official institutions. In spite of his release in July, he is still banned from leaving the country. He was detained anew in June 2016 and is still in custody.

In July 2016, the security forces detained Ibrahim Sherif, the former Secretary General of National Democratic Action Association (Waad) one month after his release from prison by virtue of a royal decree. He was charged this time of instigation of hatred of the ruling regime and its contempt and the attempt to topple the ruling regime through the use of force and illegal means because of his critical statements. His trial is still ongoing.

On October 30, 2016, the authorities ordered the detention of Sheikh Hani Al- Banna 15 days pending investigations. He was charged with 5 counts of instigation on hatred of the ruling regime, instigation of violation of the law, against the backdrop of his support of the sit-in organized near the house of Sheikh Eissa Kassem who was put under house arrest for more than 4 months and was released on November 2nd.

In the same context, Sheikh Bashar Al-Ali was summoned for investigation in November 2016, after a series of summons against the backdrop of his support of Sheikh Eissa Kassem.

The authorities divested more than 270 persons, including 9 children, of the Bahraini nationality during the period covered by the report for committing crimes related to terrorism. Many have become stateless. The Court of Appeal restored the nationality for 9 only.

In January 2015, the Ministry of the Interior divested the nationalities of 72 persons including human rights advocates, former MPs and other citizens under the pretext of fighting with Daesh terrorist group. One of them was deported and others were asked to hand over their passports and IDs and to settle their legal status as foreigners or leave the country. Some appealed the decision. But the Court of Appeal refused to consider the issue in December 2016.

On June 2016, the decision of the Minister of the Interior to divest Sheikh Eissa Kassem of his nationality represented a large-

scale shock inside and outside Bahrain due to his religious status among the followers of the Shiite sect which is considered a cause for flaring up social tension in the country in relation to political conflicts. Though the Cabinet justified the order of the Ministry of the Interior stating that it relates to his political instigation, thousands of citizens continued to encircle his house in Daraz region to prevent the authorities from reaching him. This sit-in represents a human shield up till the date of preparing this report.

On October 7, 2015, the human rights activists, Mohammad Al-Tager, a lawyer, and Sharaf Al-Mosawi, Chairman of the Bahraini Transparency Organization, and Abd Al-Nabi Al-Akri, human activist, were banned from travelling by an order issued by the Public Prosecution on August 21st. Furthermore, the human rights activist, Samar Badawi, was banned from travelling to participate in the meetings of the Human Rights Council in Geneva. Naziha Said was banned from travelling to Britain. Dr. Taha Al-Dorzi, neurologist, and his wife were banned from travelling to Britain. Ibrahim Al-Dastani, Ibtisam Al-Saegh and Hussein Reda were banned from travelling to Turkey.

The government prevented 18 human rights activists, victims' family members, representatives of Wefaq Society from travelling for the second time to attend the 33rd session of the Human Rights Council in Geneva. They were formerly banned from travelling to attend the 32nd session.

The AOHR expressed its great concern regarding the various measures taken by the authorities against political opposition placing more constraints on political and fundamental rights including divesting opposition figures of their nationality and deporting them for "crimes of violence"; aggravation of penalties on opposition figures in violation of the provisions of the law in addition to mounting doubts about fairness of trials.

It added that divesting tens of political opposition figures of their nationalities after indictment in "crimes of violence" represents a preliminary step for deportation after serving their sentence. The impact of divesting the nationality extended to the sons of the convicts who may become stateless and do not have access to the social services provided to citizens especially health and education services.

On July 12, the National Institution for Human Rights in Bahrain issued a statement in which it expressed its deep concern regarding the increase of the number of air and sea travel bans issued against some citizens without being summoned by any judicial body. It emphasized the necessity of compliance with the right to movement according to the Constitution. It has further indicated that the travel ban without a judicial order violates the constitutional right to movement which contradicts with the commitments of the Kingdom to international and regional agreements on human rights.

Right to a fair trial

Hundreds of people were convicted in trials with charges of rioting and illegal assembly as well as terrorism-related crimes. Lots of suspects were indicted in these crimes due to confessions under torture. Some were convicted in light of those confessions.

In October 2015, one of the courts upheld the ruling against the activist Zeinab Al- Khawaga and mitigated the sentence from 3 years in prison to one year for insult of the King as she tore out the photo of His Majesty in court in October 2014. The court upheld its ruling to indict her for damaging government property and insulting a public officer.

On May 31, 2016, the court aggravated the sentence against Sheikh Ali Salman, the Secretary General of the main opposition party, Al-Wefaq National Islamic Party from 4 years to 9 years which contradicts with the law as it prohibited aggravating the sentence on appeal by defendant. On October 17, the court of cassation overruled this sentence and returned the case to the court of appeal.

The AOHR condemned, in December 2014, the detention and prosecution of Salman. In mid-June 2015, it condemned the ruling issued against him and considered it a step that jeopardizes the political reform in the country.

In June 2016, a court issued a five-year sentence in prison against Professor Fadel Abbas Mahdi Mohammad, Secretary General of the National Democratic Assembly, on charges of providing false information in a statement issued by the Party on the airstrikes conducted in Yemen and led by Saudi Arabia.

Treatment of prisoners and other detainees

Torture and other forms of maltreatment, against detainees and suspects spread especially with respect to suspects in criminal or terrorist cases. Policemen and security personnel used to beat or ill-treat detainees during apprehension or transfer to police stations. The authorities failed to investigate many of those claims.

In April 2016, the court acquitted a policeman of the charge of causing the death of Fadel Abbas Muslim Marhon who was shot dead with a bullet in the head in January 2014. The officer was sentenced to three months in prison on charges of injury of Sadek Al-Asfour, who was with Fadel Abbas, as he shot him in the belly. The special investigation unit appealed the ruling.

In November 2016, the court of cassation ordered the re-trial of two convicted police officers who caused the death of Ali Eissa Al-Sakr in detention center in 2011 and revoked the ruling of the court of appeal which reduced the sentence from 10 years in September 2013 to 2 years in January 2016.

In June 2015, six police officers were sentenced to one to five years in prison for causing the death of Hassan Al-Sheikh during his detention in 2014.

In a positive step related to separating the minors from adults in punitive centers, the authorities built new facilities in the Dry Basin Prison for minors between 15 and 18 years old. In May 2016, the authorities transferred about 300 juvenile convicts from Jaw Prison to the Dry Basin Prison.

Third: Fundamental rights Freedom of opinion and expression

The authorities imposed tight constraints on the freedom of opinion and expression. They arrested and prosecuted political, religious, human rights activists who criticized the government through the social media or public gatherings. Others were prosecuted and convicted for criticizing the Saudi-led air raids. The authorities detained prisoners of conscience who were sentenced in the previous

years. A number of prisoners of conscience were released after serving their sentence.

In July, the authorities declared that the King pardoned Nabil Ragab for health reasons. However, till the time of writing this report, he still faces charges similar to those that led to his detention in April 2016. He is still banned from travelling.

As mentioned earlier, the security authorities detained again Ibrahim Sherif, the former Secretary General of National Democratic Action Society (Waad) one month after release from prison on a pardon decree.

On June 14, 2016, the authorities blocked the website of the Wafaq Society, one of the major political associations in the country, after issuance of a decision on dissolution of the Society; a decision that deepened the political tension in the country.

The Information Affairs Authority issued a decision banning the publication and circulation of Al-Wasat newspaper for violation of the law and repeatedly publishing news that ignite dissention in the society". The National Institution for Human Rights issued a statement in which it expressed its view that the measure taken by the authority raised doubts about violation of the decree-law No. 17 of 2002 regarding the regulation of the press, printing and publication; especially Article 78 that delegates the court only to ban the publication of a newspaper in response to a request by the Public Prosecution or plaintiff and Article 28 that stipulated that " a newspaper may not be confiscated or suspended and its license may not be cancelled unless a court order is issued to this effect."

The Institution stated that such a measure may impact the freedom of opinion and expression that represents the cornerstone in any free and democratic society given that the presence of multifaceted media is necessary to protect the freedom of expression in its various forms.

Right to the freedom of association

The authorities imposed strict restrictions on the right to the freedom of association; it prosecuted the political and religious

activists who criticized the government on social media or public gatherings.

Five UN Special Rapporteurs issued a statement in August 2016 including the Special Rapporteur on the Right to Freedom of Association, Maina Kiai; the statement touched on the closure of Al-Wefaq Society and other religious associations in addition to the restrictions on religious rituals and the right to peaceful assembly, as well as restrictions on freedom to movement and access to the internet. The statement criticized pressing an array of charges against a number of people, including participation in an illegal gathering; instigation of hatred against the regime; money- laundering; and terrorist activities. All these claims relate to peaceful assembly and expression of opposing opinions. Experts described those charges as “groundless”.

The right to peaceful assembly

The authorities imposed strict restrictions on the right to peaceful assembly. It imposed a ban on all protests in the capital Manama. However, protests continued in other villages calling for the release of political prisoners. Excessive force was used to disperse protest demonstrations as well as tear gas. An officer shot a protester who carried the photo of Sheikh Ali Salman at a close range in January 2015 at Belad Al-Kadim village. The court found the officer not guilty in 2016.

* * *

The Republic of Tunisia

The post- revolution (after January 14, 2011) political experience in Tunisia is considered a unique experience in comparison to the current political conditions in the majority of the countries of the region, as regards political vitality, democratic life, civil rights, and the range of the public domain in particular. This significant experience is facing major challenges that weakens the political gains and put the stability in the country and the accumulated gains of the experience at stake.

Terrorism is considered the most dangerous challenge facing realized gains in view of its direct ramifications on the political, economic, and social conditions, in addition to the renewed crises among the key political players, including the political parties participating in the ruling coalition that extend to the core of those parties in a way that threatens their cohesion and weakens their leadership of the country.

The economic and social challenges are the most significant due to their impact on stability that requires political and democratic success.

In spite of the negative impacts of those challenges on the gains related to the conditions of human rights in the country, the Tunisian society is determined to confirm those gains through positive steps that meet the entitlements enshrined in the Constitution of 2014 and underline the open democratic model. The Arab region and human rights movements celebrated the award of Nobel Peace Prize for 2015 to the national dialogue quartet that emanated from the civil society. The quartet includes the Tunisian League for the Defense of Human Rights. An independent national authority for prevention of torture was established in response to the Optional Protocol to the Convention against Torture (OPCAT). The Truth and Dignity Commission, concerned with transitional justice started its first tangible actions before the end of 2016.

First: Constitutional and legal framework

The emergency law is still applicable in Tunisia since November 2015 in view of the terrorist attacks that had a huge impact on the country especially in 2015.

The Tunisian constitutional and legal framework was developed in view of the new constitution that placed the human rights at the core of its various chapters and it stressed the necessity of respecting those rights.

On March 20, 2015, the National Reconciliation Law proposed by President Beji Caid Essebsi raised large-scale debates in the political, social and human rights circles. Some considered it a violation of the constitution, a justification for corruption and a breach of the transitional justice system. On July 14, 2015, the proposed draft law was submitted in the form of a presidential initiative that was submitted, discussed and approved in an extraordinary Cabinet meeting. It was proposed under the title of “an organic law on the procedures of reconciliation in the economic and financial fields”. The project aims to turn a new page and close all files related to financial corruption and misappropriation of public funds.

The Law encountered a large-scale public rejection and a wave of protests. The efforts of the presidency and the Cabinet failed to pass the draft law which was submitted to the parliament at the beginning of July 2016.

In spite of the fact that the final version of a draft law related to the establishment of the Higher Judicial Council was approved on May 14, 2015, with the consent of 131 members, 14 disapprovals and 8 abstentions, the Association of Tunisian Judges continued its rejection of some chapters of the law as it does not provide for an independent judicial authority. Various judicial entities in Tunisia threatened not to deal with the Higher Judicial Council in the form stated in the current law and several judges protested that it is unconstitutional.

30 MPs challenged the new law before the Constitutionality of Laws Commission- a provisional commission- and objected to its composition stating that the powers assigned to the Council shall not

help implement the provisions of the chapter related to the judicial authority in the constitution.

In June 2015, the provisional commission issued a decision to abrogate the law in its entirety and return to the parliament to review. On November 13, 2015 the parliament adopted the final version of the law and observed the recommendation of the constitutional commission that the military prosecution shall not be members on board.

The judges continued their protests in all parts of the country till April 2016 in view of the continuation of the adoption by the parliament of the draft law in spite of the repetitive challenges of the Constitutionality of Law Commission. As a result, the formation of the Higher Judicial Council was postponed till October 2016.

As regards terrorism, the People's Assembly ratified on August 7, 2015 the organic law on combating terrorism and money laundry with a majority of 174 votes. This happened after a terrorist attack in July 2014 in a coastal resort at Soussa city that claimed the lives of 38 tourists most of them were British. A similar attack took place three months earlier at Bardo National Museum in Tunis capital at the hands of militants and it claimed the lives of 22 tourists.

The Law does not protect the rights of suspects and it provides a loose definition of "terrorism". It may limit the freedom of expression and Press. It gives the security authorities wide- scale monitoring and supervisory powers. It also extends the period of detention of a suspect from 6 days to 15 days. This aggravates the danger of torture which is still a common practice.

The Law which contains punishments including death penalty was ratified in spite of the call of human rights advocates and other NGOs to put an end to this penalty in Tunisia.

Article (26) of the new law stipulates that "He who purposefully kills a person who enjoys international protection shall be considered a perpetrator of a crime of terrorism which is punishable by death penalty". Article (27) of the same law stipulates that " he who arrests, detains, or puts a person in custody without a legal permission, or threatens to kill ,hurt, or incessantly detain the said person to exercise coercion on a third party, shall face death penalty if the detention led to the death of the detainee."

Article (28) stipulates that in case of rape, the perpetrator shall be sentenced to death if the victim of rape dies as a result. A person, who rapes, amid a terrorist crime, another person without that person's consent, shall be subject to death penalty.”

On March 12, 2016, the Parliament ratified a law that enables the people to have access to information at the public institutions in response to the provisions of Article (23) of the Constitution. It was ratified by 123 MPs. The law applies, as mentioned in Article 2, to 14 public institutions including” the Presidency with all its structures, the Cabinet with all its departments, the People’s Assembly with all its departments, the Central Bank, various ministries and all entities under their supervision inside and outside the country, public institutions and their representative offices abroad, the local and regional public entities, local groups, judicial authorities, including the Higher Judicial Council, the Constitutional Court, the Court of Audit, constitutional authorities, independent public authorities, justice authorities, private law legal entities that lead public entities, organizations, associations, and all institutions that benefit from public funding”.

Article (24) prescribes some exceptions as follows: “the concerned entity cannot reject the request for access to information unless this is detrimental to the public security, national defense, related international relations, third party’s private life, property, intellectual property”.

“Those fields are not considered absolute exceptions for the right of access to information, and they shall be subject to assessment of the resultant harm, especially if this harm, be it present or future, is grave. This shall also be hinged upon whether provision or denial of information shall serve the public interest. It is incumbent to balance between the interests protected and the purpose of access to information,” according to the Law.

Second: Fundamental rights

During the period covered by the report, Tunisia witnessed several violations of fundamental human rights whether by the authorities or terrorist groups.

The right to life and physical safety

The year 2015 is considered the bloodiest year in the history of Tunisia in view of the escalation of the terrorist attacks and the presence of terrorist groups. On June 26, 2015 an armed attack targeted “Imperial Marhaba” hotel in the well-known tourist area of “Morsi Al Kantaoui” at the city of Soussa in Tunis. The attack resulted in 40 deaths the majority of which were tourists, and the injury of 38 others.

On November 24, 2015 terrorists attacked a bus carrying presidential security personnel at the center of Tunis. The attack led to 12 deaths and 16 injuries. Following this attack, President Beji Caid Essebsi, declared the state of emergency and imposed curfew at night in greater Tunis for a few days.

Al Kasserine witnessed a state of paralysis due to tension resulting from the death of an unemployed young man called “Reda Al Yahyawi” on January 16, 2016 at the university hospital in Safakis because of burns resulting from being electrocuted after he climbed a light post near the palace of the governor of the city of Kasserine in protest of removing his name from the list of new entrants to the public sector. A protest erupted in Al Habib Bourguiba Street on January 18, 2016 where large numbers of unemployed higher studies graduates participated in protest of the death of Al Yahyawi and called for accountability those who caused his death.

On January 20, 2016, a police officer was killed in protests that erupted in Al Kasserine city. The number of the injured reached about 246 citizens, 114 soldiers, and 3 police officers.

On March 7, 2016, clashes took place between the security and military forces and terrorist groups near the border with Libya at the city of “Benkerdan”. The clashes resulted in 45 deaths, including 7 civilians. 6 people were arrested and curfew was imposed for several nights.

In the context of terrorist attacks, the security forces arrested a number of terrorists; and death sentences were issued against some of these terrorists but none was implemented.

The right to freedom and personal safety

On July 16, 2015, the security forces detained “Abdel Fattah Said” after he was kept in custody in the police station for 6 days for posting a video clip on his Facebook page in which he accused the security forces of planning the Soussa attack. He was accused of libel of a civil servant as he published a caricature of the former Prime Minister, Habib Al Sid, on his Facebook page. The public prosecution approved his imprisonment. The case was referred to one of the investigation judges and the detained was moved to Al Marnakia prison.

On September 11th 2015 “Sofian Al Dardiri” was arrested at his arrival to Cartage Airport. The authorities had issued an arrest warrant on his behalf accusing him of committing violent assault in 2011. On September 15th, 2015 “Al Dardiri” appeared in court and was transferred after a hearing to Al Marnakia Prison.

On September 18, his family was informed that he was moved to hospital. When they went to visit him, the medical team denied having any information about him. When they went to court to get more information, they were told that he died of a heart attack. His family members said that when they saw his corpse at the morgue, they noted bruises on his face and body.

In view of the terrorist attacks that Tunisia witnessed, the security forces arrested 40 persons on charges of affiliation to terrorist groups.

On January 23, 2016, the security forces arrested 423 persons for being involved in rioting, looting and sabotage activities. However, the Ministry of the Interior stated that the number of the persons arrested went up to 1105 including 582 persons who were charged with conducting looting and blunder activities and 523 persons were arrested for breaking the curfew.

The Minister of the Interior confirmed that orders were given in November 2015 to place around 138 persons under house arrest which does not allow a person to move except within a certain area, and he has to go to the police station several times every day to prove his presence. It is prohibited to travel outside a certain municipality.

The right to a fair trial

The anti-terrorism law of 2015 weakened the guarantees of a fair trial as it allows putting a suspect in custody for long periods of time, as well as the means of collecting evidence, and violating privacy of courts. It also allows for closed trials. In December 2015, the government stated that courts issued 28 rulings in trials related to terrorism and three convicts were sentenced to death.

On March 3, 2016, the court of first instance sentenced 3 terrorists to death and tens of others were imprisoned on charges of killing the Chief of the National Guard soldier at the end of 2016 in Al Kasserine state, bordering Algeria.

The court issued 75 rulings, of which 37 in absentia against terrorists who were accused of murdering the Chief of the National Guard, Anis Al Galasi, in December 2016 at Al Kasserine state. It sentenced in absentia 3 terrorists to death on charges of “committing or participating in premeditated murder.”

The country suffers from the military trials against civilians including press issues. Rashid Al Khaiari, editor-in-chief of Al Sada newspaper and Gamal Al Arfawi, a reporter, were court martialed on charges of humiliating the military institution on two different occasions, one relates to disclosure of an agreement on establishment of an American military base in the south. The trial goes on in spite of the fact that President Essebsi publicly declared that Tunisia provides facilities to US troops operating in Libya.

Treatment of prisoners and other detainees

A number of cases of torture and maltreatment of prisoners and detainees were documented by human rights sources, on top of which comes the Tunisian Association for Human Rights. On August 4, 2015, 7 detainees suspected of being involved in terrorism filed complaints of being tortured after their release. However, the anti-terrorism police, accused of torture, apprehended them again.

Medical checkup proved that 5 of them had signs that match the torture claims. On August 10, 2015 the public prosecution initiated

an investigation into the matter but the result has not been announced yet.

On September 18, 2015, Al Dardiri died and his family members were informed that he died of a heart attack but they said they noted bruises on his face and body.

In November 2015, the state of emergency was declared for the second time following a deadly attack on the presidential guard in Tunis. The authorities executed thousands of storming and arrest operations, and placed hundreds of people under house arrest.

The law still allows the police to prevent the detainees on charges of terrorism from calling a lawyer during the first 6 days of detention which is the period during which the detainees are pressurized to ‘confess’.

Third: Public freedoms

In November 2015, the Ministry of Justice issued a statement warning journalists that they will be prosecuted if they impede the state efforts that aim to combat terrorism.

On November 24, 2015, around 30 journalists were subjected to physical and verbal assault at the hands of security forces during their coverage of the explosions near the Ministry of the Interior in Mohammad Al Khamis Street. Many were beaten and their equipment severely damaged. Ahmad Sowaid, the photographer of Al Hewan Channel, was violently beaten and insulted. Meanwhile, some policemen in civilian clothes tried to capture him and confiscate his camera. Ramzi Hafiz, a journalist at Al Sahafa newspaper, was vehemently beaten on the shoulder which required moving him immediately to hospital to get first aid help. Amira Hamdy, a journalist in Al Watania Channel was injured in one of her feet and was humiliated by the police.

On January 18, 2016, 9 journalists at the National TV appeared before the Anti- terrorism Squad at Al Ferghani against the backdrop of broadcasting a report on the manslaughter of a shepherd at SidiBozid on November 14, 2015. They are expected to be sentenced from one to five years as per Chapter 31 of anti-terrorism law.

On April 12, 2016, the crew of Nesma Channel was exposed to assault while covering protests in Karkhana Island in Safakis state, leading to the injury of Zohor Al Habib, a journalist and Rashad Al Zawari, a photographer.

The right to peaceful assembly

Though Tunis daily witnesses peaceful gatherings for various issues, some other cities witness non-peaceful protests, leading in some cases into clashes and arrests.

On January 19, 2016, the state of Kasserine witnessed wide-range protests and clashes with security forces against the increase of unemployment rates and lack of transparency with respect to the available job opportunities in the public sector with the increase of tension due to the death of Reda Al Yahyawi. Demonstrators set fire in the headquarters of the Nidaa Tounes Party. Protestors set tyres on fire in Al Zohor district. The security forces interfered to disperse hundreds of protestors using tear gas but protests extended to several governorates: Al Qairawan, Safakis, SidiBozaid, Kebli, Madnin and Qabis.

On January 26th 2016, around 3000 of the security forces demonstrated in a protest called upon by the National Association of Internal Security Forces in front of the presidential palace in Cartage calling for improvement of their living conditions and implementing the agreements signed with the government.

The first ten days of December 2016 witnessed clashes related to the failure of the new government to respond to the former agreements signed with the syndicates and professional associations. During the protest of the lawyers in front of the office of the Prime Minister on December 6, some protestors stormed the office of the Prime Minister.

Protests have not come to an end practically until after declaring that an agreement was reached between the Prime Minister and the Tunisian General Labor Union on December 7 and only stopped on December 11.

* * *

People's Democratic Republic of Algeria

Concerns regarding the return of the specter of terrorism to the country mounted. Terrorist attacks were frequent during the period from October 2015 to March 2016. There were also concerns about the state of political instability that would take place after the vacancy of the position of the President who plays a pivotal role in managing the state affairs, particularly with the spread of information about the poor health condition of the incumbent President Abdelaziz Bouteflika and the whether he is still eligible to undertake his main functions.

In spite of the state of quietude that governed the country in terms of social demands and distribution of wealth, a wave of social protests prevailed in several parts of the country by the end of 2016.

During the period covered by the report, Algeria witnessed the approval of the constitutional amendments passed by the two houses of parliament without conducting a popular referendum. A number of fundamental laws were then issued in line with these amendments which the opposition parties rejected since their discussion in 2014. They considered such a dialogue futile in view of the absence of clear areas of amendments and lack of seriousness.

First: Legal and constitutional framework

The President suggested constitutional amendments after consultations launched by the presidency in 2014, following the re-election of the President for a fourth term in office in an election boycotted by the opposition. In a step taken that was about to risk political stability, the President did not submit the amendments to a public referendum as prescribed by Article 174. He preferred to pass the said amendments through the parliament where the parties in support of the President constitute the majority in the two houses of parliament. The two houses of parliament ratified the constitutional amendments on February 7, 2016, with attendance of 517 MPs; 499 MPs voted in favor of the amendments, two members voted against and 16 MPs abstained. The President ratified the amendments and they were published in the official gazette on March 7, 2016.

The amendments touched on 67 articles and added 23 bis-articles and 4 new articles. The key amendments relate to a maximum of two terms in office for the President and the impossibility of review of this article in any future constitutional amendments; promotion of the status of the Amazigh language; preventing persons with dual nationalities from assuming political or high- rank positions; formation of an independent authority to supervise the elections; the President shall consult with the parliamentary majority on appointment of the Prime Minister; restricting the presidential powers to issue decrees only in urgent matters and at times of parliament recess.

The majority of opposition parties rejected the content of the new draft constitution. They believe that the new draft does not respond to the demands of the people, and include conflicting articles and procedures. It is not known whether the new regime shall be a presidential or parliamentary regime. There are other articles that may lead to the decline of financial gains.

The AOHR expressed its appreciation of the positive content in the amendments especially that they align with the move towards democratization and observance of human rights. However, the Organization emphasized that consensus is the cornerstone of the absolute credibility of constitutions just as the popular referendum represents the key pillar of the legitimacy of the constitution, deemed the contract between the ruler and the citizens.

The Organization called on the authorities to respond to the democratic requirements on the one hand and legitimate social demands on the other through two main parallel tracks: the first is to guarantee the separation of powers; regulate the performance of the executive institutions according to their competencies; meet the conditions of the judiciary independence; and open the public domain for fundamental freedoms. The second is to combat corruption inside the state institutions through adoption of good governance principles; enable the citizens to protect their interests and combat monopolies; and secure the participation of citizens in formulation of economic plans and development policies in a way that serves the interests of all segments of the population.

On May 11, 2016, the Constituent Assembly ratified the new internal regulation that set the rules that govern its work with respect to monitoring compliance and constitutionality of the laws before promulgation. In case of a text that contradicts with the constitution and cannot be separated from the other provisions of the law, the law thereupon shall not be promulgated. In case this provision can be separated, the law is issued void of the contradictory provision or the parliament is requested to have a new reading of the text.

The Assembly shall also decide upon compliance of the internal regulation with the two houses of parliament; and monitor the constitutionality of the conventions, laws, and regulations as well as the validity of the presidential and parliamentary elections and referendums including announcing the results. The decisions of the Constituent Assembly are final and binding to all public, administrative, and judicial authorities by virtue of the Constitution; in addition, the members of the Assembly shall enjoy immunity.

On June 19, 2016, the authorities amended the Penal Code through aggravation of the penalties provided for in the anti-terrorism law from five years in prison to ten years in prison and a penalty ranging between 100000 and 500000 Dirhams against every Algerian, or a foreign resident who travels or tries to travel to another country with the purpose to conduct, plan, participate in, receive training to carry out terrorist attacks; intentionally collect money, fund the travel of individuals to other countries or use ICT to commit the said acts. As for the internet provider, the same shall in this case receive a sentence of 3 years in prison and a fine ranging between 2 million and 10 million dirhams or one of the two penalties.

On August 25, 2016, the election law was issued and indicated that a voter should be over 18 years but should be registered in the electoral rolls in the municipality where the same lives. Each voter should hold a voting card which is used in any elections; the election committee shall be in session for three months before the elections by a presidential decree; elections are held on one day and this may be amended on certain conditions; voting is personal and confidential; any voter who suffers from a disability that prevents him/her from voting shall have the right to delegate someone on his/her behalf. Further, the sorting out of votes is conducted in public and shall begin

immediately after the end of the voting process and continue till it is completed. Three copies shall be made of the sorting out minutes: a copy in the office, another to be provided to the Chairman of Municipal Election Committee and a copy to the governor or the head of the diplomatic mission.

The members of the popular councils of municipalities or states shall be elected for 5 years through the proportional list voting. The seats to be filled in are to be distributed equally on lists according to the number of votes each list got; “survival for the fittest” shall apply where lists that do not get 7% at least of valid votes shall not be considered.

The members of the National Popular Council are elected for five years through the proportional representation lists. Candidates are registered according to the available seats and three additional candidates are added. Lists that do not get 5% of the valid votes are not taken into consideration when distributing seats. The right of candidacy is guaranteed for every person above 25 years of age who proves to have completed the military service or have been exempted. The same shall not be convicted in any offense.

The members of the People’s Assembly are elected for 6 years, renewed every three years. They are elected by majority of votes according to the multi-name ballot form in one phase at the state level through an electoral college comprising the total number of the members of the popular council at the state and municipal levels. The Electoral College is summoned 45 days before the ballot. Each member of the popular council at the state level has the right to run in the elections if the said member is 35 years or above; he has a clear criminal record and has not been convicted.

Presidential elections are conducted within the 30 days prior to the end of the President’s term in office through voting for one candidate only on two stages based on the absolute majority of votes. If no candidate got absolute majority of votes, a second stage is organized and only the two candidates who got the highest number of votes in the first stage shall participate. The Constituent Assembly shall decide upon the nominations through issuing a decision maximum within 10 days of the date of deposit. The candidate provides a support list containing 600 signatures by elected members

in popular, state, or parliamentary councils distributed on 25 states at least or a list comprising 60000 signatures of voters registered on the electoral rolls in 25 states at least. The acceptable number of required signatures from each state should not be less than 1500. Withdrawal during the first and second stages is not taken into account and the electoral process continues.

The electoral campaigns start 25 days before the ballot day and end 3 days before its beginning. In case of re-run, the campaign starts 12 days before the re-run and ends 2 days before the ballot day. It is forbidden to use foreign languages in campaigns; candidates should abide by their individual election platform or by party election program. All audio and visual media shall participate in covering campaigns and guarantee fair balanced allocation of time for candidates. Public places in each constituency shall be allocated to post propaganda material and shall be equally distributed among candidates. Gatherings and public assemblies shall be regulated by the provisions of the laws on public assembly and demonstrations.

The state shall cover the expenses of the elections except for the electoral campaigns which should be financed by political parties in addition to the potential support by the state; candidates should not receive direct or indirect financing. The ceiling of expenditure of each candidate is one hundred million dinars in the first stage and one hundred and twenty million in the second stage. Further, the ceiling of expenditure for each electoral list in the legislative elections should be one million five hundred thousand dinars for each candidate.

Second : Fundamental rights

The right to life

During the period covered by the report and in view of the continuous terrorist operations and the deterioration of security conditions in Libya and tensions in Tunisia, the authorities sent thousands of soldiers in June 2015 to the southern and eastern borders to confront what it called “the infiltration operations by jihadist groups and smuggling of weapons from countries that witness a state of security instability”.

In spite of the decline in acts of violence committed by armed terrorist groups in Algeria, some districts such as Pomerdas, and Tizi Ouzou witness aggressions that are attributed to groups that declare their affiliation to Al Qaeda in Islamic Maghrib or to Daesh established in Algeria in August 2014. In July 2016, the authorities confirmed that Daesh organization is dying.

On June 18, 2016, the Ministry of Defense declared that during the first five months of 2016 it killed 73 militants; detained 111 other terrorists and elements that support terrorism; and seized hundreds of weapons and ammunition in different operations in various parts of Algeria.

On July 17, 2015, military men with different ranks were killed and others injured in an ambush set up by a group of militant terrorists in Tifran in Ein Al- Dafla province which occurred during Lesser Bairam.

On July 19, 2015, the army killed 16 militants, including foreigners, after sieging a group comprising between 20 to 25 terrorists.

On January 29, 2016, the Algerian army announced the death of 4 militants who were among the terrorist group that conducted this operation.

On August 23, 2015, joint army forces killed two terrorists during an operation conducted in the suburbs of Ein Laksar district, in Ein Al-Keshra region. It is the same region where the armed forces besieged a number of terrorists stationed in the mountains and forests separating between the Sakikda and Gigel provinces in the east of the country during their attempt to move between the two provinces in mid-August 2015.

On October 7, 2015, the Ministry of Defense announced the death of Bokari Ali, known as Abu El-Hassan in an operation conducted near the borders with Tunisia.

The second threat to life was in south Algeria in the Ghardaia Province due to the conflict between Arab and Amazigh tribes. The two sides traded accusations of committing provocative acts. In July 2015, clashes in Ghardaia led to the death of 18 persons and tens of injuries as well as burning houses and shops. Clashes were renewed in August 2015 and led to the injury of more than 60 persons including

20 security personnel and 4 others because of a football match. Some of the residents of Al- Karara city were displaced.

These incidents are not new in this province. Clashes used to start with skirmishes of a sectarian nature; however, the underlying reasons behind clashes are quite vague each time. Observers give varying explanations for what is going on in Ghardaia stating that they emanate from ethnic differences between Arabs and Amazigh, or between Sunnis and Abadeen. Some others attribute clashes to social and economic reasons given the need to improve the standard of living of citizens in this province.

On November 2015, a fire erupted in a center for African migrants, leading to the death of 18 refugees because of burns and 50 others were injured in Warkala Province. The head of the Red Crescent explained that the fire erupted because of a human error due to cooking inside the center.

The government deported African refugees in various refugee camps to avoid the recurrence of similar incidents.

Right to freedom and personal safety

President Bouteflika forced General Mohammad Mazian, Chief of Intelligence, also known as Tawfik to retire on September 2015. The decision raised a lot of debates. In January, the President issued a decree changing the designation of “Département du Renseignement et de la Sécurité” (DRS) that reports to the Ministry of Defense, to the “Direction des Services de Sécurité “(DSS) which includes Internal Security Department, External Security Department, and Technical Department, and made it directly report to the Presidency.

The coordinating committee of the families of special courts’ detainees requested a presidential pardon for around 80 detainees still in prison as they are not governed by the National Reconciliation Charter. The detainees belong to the (banned) Islamic Rescue Front. They were court-martialed or prosecuted before special courts during the crisis of Algeria during the nineties in which 200000 persons were killed according to the government statistics. The Committee emphasized that the exemptions provided for in the law do not apply

to those detainees, as they did not commit murder, violate sanctities, or use explosives in public places.

The right to a fair trial

Prosecution of critics and opponents of the government continued due to practice of the right of expression. In November 2016, a court convicted the journalist and human rights activist, Hassan Boras, on charges of insult of public officers, and defamation of an official institution. He was sentenced to one year in prison in connection with media reports he made about corruption and embezzlement cases in the police and judiciary sectors in a program on Al Magharibia TV channel. Boras is a journalist and a leading member of the Algerian League for Human Rights and he had various investigative reports on corruption and violations in Algeria.

On November 19, 2016, in the city of Lemghair, south Algeria, the Court of Appeal sentenced Al -Taher Geheish, a cartoonist, to 6 months in prison and a penalty of 500000 dinars on charges of “insult of the President” and “inciting demonstrations”, in connection with posting cartoons on social media. Geheish described his trial as “political” saying: “I do not know up till now the body that challenged the previous acquittal in the case in May 2016”.

On November 26, 2016, a court martial sentenced the former chief of Anti-terrorism Department in the Intelligence Service, General Abdel Kader Ayat , also known as General Hassan, to 5 years in prison, in an unprecedented ruling against a senior official in the Intelligence. The court martial in the city of Wahran convicted him of disobedience of military instructions and damage documents. After the trial of the retired General in a closed session – the hearing session included 7 prosecution witnesses – the defense of the General decided to “challenge the ruling”.

It is worth mentioning that General Hassan who was arrested in August 2015, was one of the key officers who were involved in confrontation of the fundamentalist groups for 20 years and he was the main focal point for Foreign Intelligence Service. General Hassan was placed under custody since President Abdel Aziz Bouteflika forced him to retire at the end of 2013.

Third: Fundamental rights

The right to freedom of opinion and expression

During the period covered by the report, Algeria witnessed a large-scale escalation in violations of the freedom of opinion and expression that amounted to imprisonment and huge penalties, stay of execution of the sentence, closure and harassment of TV channels.

The security forces closed down the studios of the comic program “Roof Residents” and “We are all alike” broadcast on KBC channel affiliated to Al- Khabar Group. The National Security Commissioner summoned Mahdi Bin Eissa, director of the Channel, Riyadh Hartoof, production manager, and Nora Nagai, an official in the Ministry of Culture, for interrogation regarding licenses granted by the Ministry of Culture and how far the content of the two programs is compatible with the licenses.

On July 18, 2016, the court sentenced Mahdi and Hartoof to 6 months with stay of execution and a fine of 50000 dirhams on charges of “provision of false statements”. Nora Nagay was sentenced to one year in prison with stay of execution and a fine of 50000 dinars. Observers believe that this kind of cases fall under the remit of the Audio- visual Regulatory Authority formed on June 20, 2016 and this should not lead to the penalty of imprisonment even with stay of execution.

Al-Watan TV channel that has an Islamic inclination was coercively closed down on October 12, 2015 because of hosting Madani Mezrak, the former commander of the Islamic Salvation Army. The Algerian news agency quoted official sources as saying that the closure of the channel was due to broadcasting “an instigating content against state symbols”. The police stormed the channel studio, seized its equipment and evacuated the staff.

On October 2, 2015, the human rights activist and journalist, Hassan Boras, was apprehended for posting a video clip on his Facebook page for destroyed houses in Bashar Province, in the south of Algeria. He was kept in custody for insult of an official institution.

Al-Arabi Al-Shaanabi, member of Rejection Front, was arrested when he tried to communicate with the police to inquire about the destiny of Boras. He appeared before the Prosecutor and was

accused of insult of an official institution. He was put in custody till he referred to court on October 12, 2015. As mentioned earlier, the court sentenced Boras to one year in prison.

Media institutions are subject to pressures exercised by the government on freedom of the Press. On May 3, 2016, the Minister of Communications gave statements against some media and described them as “arrogant” and “domineering”, expressing “defeatist” views that aim to breed “dissent”, in an attempt to justify the strong and mounting pressures practiced against freedom of the Press.

Due to the financial problems faced by Al-Khabar newspaper affiliated to Mogamaa Al-Khabar media complex, the newspaper management sold some of its shares, on March 2016, to Nice Brod, affiliated to Cevital Agro-industrie owned by the businessman Yasaad Rabrab, regarded as “an economic opponent “from the government’s perspective. On April 2, the Ministry of Communication announced that it filed an urgent legal action to verify whether the sale transaction is consistent with Article 25 of the Media Law that stipulates that “a legal person may not possess two newspapers”. It is worth mentioning that Rabrab owned a French speaking newspaper, Al Horia. On July 13, the Administrative Court passed a ruling that the contract signed between the media complex “Al Khabar” and Nice Brod is revoked; it sustained the precautionary action taken by the Ministry of Communication.

The right to freedom of association

The public authorities in Algeria prevented the Coordination Maghrébine des Organisations des Droits Humains(CMODH) in coordination with its two member organizations in Algeria -the Algerian League for Human Rights and the Algerian League for the Defense of Human Rights- from organizing a workshop on 11-13 December, 2015 in Algiers. It is worth mentioning that the two leagues in charge of the preparations of the workshop took all regular measures necessary for this purpose.

While receiving participants coming from Mauritania, Morocco, Tunisia and Europe, a participant from Spain was denied an entry visa. Attendees were surprised to find representatives of public

authorities telling organizers that the workshop shall not be held. They refused to let participants enter the meeting hall to start the event in spite of all clarifications provided by the two organizing leagues.

The right to peaceful assembly

The law bans any assembly without a prior permission. Article 97 of the Penal Code incriminates the organization of any unlicensed assembly or participation, even if it is peaceful.

Various regions and towns in Algeria witnessed protest marches against the new budget law for the year 2016, the high cost of living, and the increase of the price of foodstuffs. In January 2016, activists organized a protest march demanding to cancel the measures that relate to increase of taxes, and the price of water, fuel and electricity. They perceived this law as cause for the additional suffering of the middle class and rendering the country under the control of businessmen.

Though this right is constitutionalized in the new constitutional amendment no. 48 that secures the freedom of expression and assembly for the citizens, Algerian legal sources stressed the fact that the new development in constitutional text is the use of the term “peaceful demonstration” in the provisions of Article 49 that stipulated that “the right to peaceful demonstration is guaranteed for the citizens within the framework of the law that specifies means of practice”. This is deemed a precedent as the legislator used in all previous constitutions to stress the right to assembly only.

However, focus was on the use of Laws No. 28 of 89 and 19 of 91 which restrict the right to peaceful assembly as it is usual for Arab countries to divest the constitutional guarantees of their impact through issuance of laws that restrict freedoms and rights.

The right to freedom of participation in public affairs

In implementation of the constitutional amendments, the Law concerning the establishment of the Independent Higher Commission for Election Monitoring was issued. It comprises a chairman and

fourteen members to be appointed by the President equally from among judges (to be suggested by the Higher Judicial Council) and independent competent figures chosen from the civil society (to be suggested by a special committee headed by the Chairman of the National Economic and Social Council (CNES)). The Commission is chaired by a national figure to be appointed by the President after consultations with political parties. Independent figures from the civil society should meet the requirements of geographical representation of all states and communities outside the Capital. They shall have the right to vote; shall have no criminal record or final conviction; shall not be an elected member; shall not belong to any political party; and shall not be assuming a senior post in the state.

The mandate of the Commission starts before the ballot by guarantee of the impartiality of the “delegated assistants” in the election process; and adoption of measures to review and validate the electoral rolls. The Commission shall monitor how far the law is observed and the places allocated for display of electoral rolls; honor the provisions of the law to enable parties and independent candidates to appoint their delegates; and shall secure the fair distribution of the time allocated for campaigning in the media.

During the ballot, the mandate of the Commission shall take the necessary measures to allow the delegates of candidates to exercise their right to attend the ballot process; respect the order of voting cards ratified at the office level; provide adequate voting cards and the necessary documents as well as transparent boxes and partitions; and guarantee the observance of the time allocated to start and end the voting process.

Following the ballot, the mandate shall include the measures related to observance of the measures taken for sorting out, counting and recoding of votes; respect of the provisions of the law to enable the eligible representatives to record their protest in the sorting out minutes; and delivery of copies of various minutes to the eligible representatives.

The general mandate of the Commission is confined to supervision and monitoring through the interference of the Higher Commission in case there is a violation of the provisions of the law according to a complaint filed. The Commission may decide to

undertake and take all measures to insure that the public authorities are informed and prepare a general assessment of the elections. To achieve this, the same shall demand all the documents and information from concerned institutions and notify the authorities assigned to manage the election process of any note, deficiency or shortage.

* * *

Djibouti Republic

Violation of political and civil rights aggravated in Djibouti during the period covered by the report especially after President Omar Gila announced that he would run for the presidential elections held in April 2016. The opposition criticized this announcement; the authorities violently suppressed and excluded the opposition from the political activities in the country and even suspended its participation in the elections. The situation became more intricate after the President had won a fourth term in office.

The opposition is represented in particular in the Union for National Salvation; however, it do not have enough space for expression of opinions in spite of signing an agreement by the end of December 2014 regarding the settlement of relations with the ruling authorities and launching a political transition process in Djibouti.

Early 2015 marked the beginning of implementation of the Agreement. The roadmap of the said agreement provides for the return of 10 elected opposition MPs in the legislative elections of 2013 to the National Parliament, after they boycotted it considering that the opposition got the majority of seats.

The rest of the items of the Agreement focused on the establishment of an independent national committee and a joint parliamentary committee to supervise the presidential elections. Though there were several attempts operationalize this agreement, this part of the agreement had not been implemented, undermining the principle of conducting free and transparent elections. In addition, no suitable legal status had been assigned for the opposition as provided for in the agreement. Those numerous failures were accompanied by the recurrent violation of international obligations, especially the International Covenant on Civil and Political Rights which Djibouti ratified in 2002.

Djibouti attracted the world attention after the increase of Somali piracy operations near its coasts due to its unique strategic and security position. As a result, USA and Japanese as well as French military bases were established to protect the ships sailing in the important strategic waterways such as the Red Sea, Gulf of Aden, and Bab El Mandeb Strait. A Saudi military base was also set up in the

context of the requirements of the war in Yemen. Observers considered this as international and regional support for the ruling regime at the expense of the respect of human rights.

First: Fundamental rights

The right to life

The authorities persistently violated fundamental rights. Many residents of Balbala city, which is close to the city of Djibouti, gathered in commemoration of the annual death anniversary of Sheikh Yonis Moussa on December 21, 2015. However, the police interfered to disperse the gathering without an obvious reason. Due to the rejection of the participants to leave the place, a large-scale clash took place and the police and armed forces shot live ammunition. 19 persons were killed and ten others injured in addition to some injuries among policemen.

The police stormed the house of Jama Amarih Moidal, member of the Union for National Salvation, while hosting an opposition meeting. The police used excessive force as well as tear gas against participants leading to the injury of a number of the opposition leaders including Said Houssein Robla, opposition leader, Ahmad Yousif Hemid, the Chairman of the Union for National Salvation, and Hamoud Abdi Soltan, former Minister of Islamic Affairs. They were moved to the French military hospital Bovard where they were put in intensive care unit. The security forces conducted several security operations against the opposition since President Ismael Omar Gila officially announced running for a fourth term in office.

The Yemeni refugees continue crossing the Gulf of Aden to Djibouti due to the intensity of the conflict in Yemen in search of safety and security. Some of them had settled in Marazi camp to the north east of Djibouti on November 25, 2015. According to the UNCHR, around 28000 refugees and migrants had arrived there since the beginning of the conflict in March 2015. Around 3000 refugees settled in Marazi camp where the Commission and its partners provide assistance to the refugees through aids such as shelter, water, food and basic healthcare.

In spite of the harsh living conditions in Djibouti given the high weather temperature, and sand storms that make it difficult for the refugees to adapt, the Commission believes that with the increase of the intensity of the civil war in Yemen, thousands will flee to Marazi camp. The Commission thereupon plans to expand the camp to host more refugees.

Right to freedom and personal safety

The apprehension and detention of members of the Union for National Salvation raise a lot of concern. Further, there is continuous harassment against political parties and civil society. During the International Human Rights Day, December 10, 2015, the police stormed café Historel located in Minlik square in Djibouti where a number of the members of the Union for National Salvation were convening. The meeting included opposition leaders such as Said Robla Hussein, Ismail Aswa and Zaher Ahmad Farah, the spokesman of the Union for National Salvation. They were arrested and detained for several days. The police violence led to the injury of a number of attendees; they were transferred to hospital before their released on December 14. They were placed under house arrest on December 18, 2015.

The security forces detained 38 persons during the period from December 13 till December 15, 2015. Several activists of the Union for National Salvation were moved to Gabodi prison and other centers and they were detained under harsh conditions as their families and lawyers were not allowed to visit.

On November 1, 2015 six minors between 13 and 15 years old gathered at the main headquarters of the Movement for Democratic Renewal and Development (one of the parties of the opposition alliance) to peacefully celebrate the African Youth Day; they were Mohammad Feirah Kala, Hamza Mohammad Fod, Abtidon Osman, Abdel Rashid Hussein Farah, and Mohammad Adan Ahmad. The police vehemently apprehended all of them and took them to the police station after full destruction of the furniture of the offices. The six minors were detained in Gabodi prison on November 4, 2015. At the court hearing held on November 9, their lawyer – the Chairman of

the Djibouti Association for Human Rights, Mr. Zakaria Abdalla Ali-called for their temporary release but the judge refused the demand and the trial started on November 16, 2015.

On November 2, 2015, the police stormed the house of Mahmoud Kadi Moussa. He was beaten front of his family before taking him to police station on the claim of affiliation to the Shabaab opposition movement. He was later charged of “participation in an illegal demonstration” and “damage of public property” as well as “assault of policemen”.

The treatment of prisoners and detainees

The UN Committee on Human Rights records the incessant failure of the authorities to investigate the claims of the victims of torture and to initiate legal action against the culprits. The Committee expressed its sorrow for lack of an independent mechanism to receive and investigate the complaints of the victims of maltreatment at the hands of the police forces.

The report approved by the UN Human Rights Council confirms that Djibouti has not fulfilled its international obligations in the field of human rights and that its citizens are still prone to continuous violations and harassments by the security forces that enjoy impunity.

The Djibouti Association for Human Rights condemned the detention of 6 participants in a peaceful protest march in Dakhil region on September 18, 2015 in addition to the decision of the judicial authority on October 4, 2015 to sentence the protesters to one year in prison with stay of execution in a trial that did not respect the rules of a fair trial as it violated the right of the defendants to a lawyer.

The Djibouti Association for Human Rights called on the authorities to cease the coercive detention of Ali Abdel Karim Gomaa Kadi, Hamza Rih Hassan, Yehya Almi Younis, Ibrahim Hassan Abdi, Said Migel, and Mahmoud Rola Miri; to abolish the rulings against the first five; to stop the harassment and intimidation of the opposition members; and guarantee a space for democracy and dialogue without fear of arrest or intimidation.

Second: Public freedoms

The freedom of opinion and expression

The annual report of Reporters without Borders issued on August 28, 2016 revealed that Djibouti declined to the 172 rank in 2016 after it was in the 170 rank in 2015 due to the increase of violations committed against journalists.

On July 20, 2016, at dawn, policemen stormed the house of Abdi Al Sheikh Ali in the Subaih village, south of Djibouti; arrested him without a judicial warrant because of posting a video in which he complained of scarcity of water and difficulties faced by the residents of the region in this regard.

Abdi was put in custody for three days. He was not allowed to contact his family or get a legal assistance from a lawyer. He was not even informed of charges against him. On July 23, 2016 he was referred to the public prosecution and then moved to Gabodi prison. On July 31, he was interrogated once again without allowing him to get a lawyer and was sentenced to three months in prison.

The authorities continue to restrict the activities of journalists and media professionals. They coercively apprehended Kader Abdi Ibrahim, Publishing Manager at Al Fagr newspaper, on August 9, 2016 because of his media coverage of the travel ban of the former Minister of Islamic Affairs, Hamoud Abdi Salman. He was released on August 11, 2016. During the three-day detention, he was deprived of food and water or meeting his family members or a lawyer. He was harassed due to his journalistic activities amid an environment of mounting suppression against any criticism of the government.

Kader Abdi was detained for the second time on January 11, 2016 for publishing the photo of a seven- year- old girl who was killed during the violent dispersion of a religious celebration by the police on December 21, 2015. Djibouti court sentenced him to two months in prison with stay of execution. It also ruled the suspension of the newspaper for two months.

Peaceful assembly

Opposition mounted against President Ismael Omar Gila as he announced running for the presidential elections in 2016. The

authorities responded through intimidation campaigns and detention of numerous opposition members who participated in the peaceful assembly organized by their parties. The government depended on a decree published in November 2015 that provides for a number of extraordinary security measures – under the pretext of combatting terrorism – such as banning any public gathering during a preliminary period of two months. The emergency state law approved by December 2015 included similar measures.

On June 2015, the opposition alliance called for a peaceful assembly in Djibouti city in preparation for receiving a popular female singer who joined the opposition and migrated to Canada five years ago. Many citizens participated in this gathering. Security forces affiliated to the third circuit police station intervened in Nelson Mandela Street and violently arrested 8 people including minors and women including Mako Wais Boh, Hasnaa Ahmad Ibrahim, Habado Shirdon Doghsia, and Mr. Faisal Mohammad Ibrahim. All of them were transferred to the third circuit police station where they were detained for 48 hours without allowing them to contact their families or lawyers. During their detention, they were exposed to battery, maltreatment and torture. Two days after their arrest, four of them were transferred to Gabodi prison.

They were later referred to the court of misdemeanor that sentenced them, in the absence of a lawyer, to eight months in prison. The sentence was suspended. They were charged of participation in an illegal demonstration and disturbing public order. The court did not address the claims of their being tortured and mistreated.

Participation in public affairs

On April 8, 2016, the presidential election was organized in Djibouti in which 6 candidates competed, the most prominent of whom was the incumbent President Ismael Omar Gila, two opposition leaders (Mohammad Daoud Shahm, and Omar Elmi Khairi), and independent candidates (Hassan Idris Ahmad, Mohammad Mossa Ali, and Gamea Abdel Rahman Gamea).

Around 187000 voters, a little less than a quarter of the population, (875000 persons), were invited to cast their votes in 455 polling stations in the country.

The opposition was divided in this election although it managed to unite during the legislative elections under the banner of unity for national salvation. Three opposition parties decided to boycott the elections claiming that it is “a farce”.

Prime Minister Abdel Kader Kamil Mohammad announced that President Ismael Omar Gila won the elections with 74 to 75% of cast votes.

* * *

Kingdom of Saudi Arabia

The intervention of KSA in the regional crises of neighboring countries had a negative impact on the status of human rights in the Kingdom during the period covered by the report. The severity of security policies aggravated with the aim to confront the terrorist threats on the domestic level and sectarian wars in the neighboring countries. This led to minimizing the partial positive impacts of some slow domestic reforms introduced.

The positive steps taken by the Kingdom during the past two years 2015-2016 include: the inclination towards limiting the powers of the Commission for Promotion of Virtue and Prevention of Vice that represents one of the most critical manifestations of the “religious power”, and stripping the said commission from its powers of arrest and prosecution; promotion of the participation of women, allowing them for the first time to vote and run for the municipal elections; appointment of 7 women in the composition of the governmental “Human Rights Commission”; and increasing the number of women in the Shura Council from 15 to 30 before the end of 2015.

On the other hand, in districts located in the south bordering Yemen tens of civilians and military forces were bombarded by Houthi-Saleh militias in retaliation of the support of the KSA to the Yemeni transitional government. Those districts remain under permanent threat due to being targeted by highly destructive ground-to-ground ballistic missiles. This led to displacement of a large section of the population of the regions exposed to risks.

Estimates indicate that the Kingdom was involved in killing hundreds of civilians during its participation in the Arab coalition in support of the transitional government. Sources documented 25 incidents since the beginning of the armed conflict in March 2015 during which 1500 civilians died due to air raids. Furthermore, 17 air raids targeted tribes that ally with the Kingdom due to wrong targeting.

Two incidents in particular that took place during the period covered by the report led to calls for conducting international investigations and accountability of wrongdoers: the incident of Thursday Market in Hajjah in March 2016 which claimed the lives of

107 civilians, and the shelling of a funeral in Sana'a in October 2016 that claimed the lives of 140 persons including 100 civilians at least. The promulgation of the Justice Against Sponsors of Terrorism Act (JASTA) represented a major crisis in the US-KSA historical and special relations. It represented one of the major risks on equality and sovereign immunity of states which are two of the key principles governing international relations.

Though this US Act does not address KSA in particular but it was issued in the context of demands to penalize the Kingdom as 19 of its citizens were involved in the 9/11 terrorist attack on New York. The Act was issued in spite of disclosure of the classified parts in the report of the US Investigation Committee propagating during the past years that some Saudi officials were involved in the attack which proved to be a totally groundless rumor. The Act was passed in spite of the objection of former US President Barak Obama though not seriously.

Observers believe that the Act aims to prevent KSA from using its investments in the USA for several decades by virtue of the lawsuits filed by the families of the victims of 9/11 incidents. This shall curb the KSA's efforts to withdraw its blocked investments in western countries that the Kingdom failed to use during the past decades.

The Act represents a real threat to international stability. The major country in the world is establishing a legal precedent allowing every country to take measures to domestically confiscate the property of individuals or other countries.

During the period covered by the report, the authorities expansively executed death penalty against convicts. The number of executed persons during 2015 reached 157 persons. A grave international crisis flared in January 2016 when the KSA declared that it executed death penalty against 47 persons convicted of terrorism.

The crisis took other dimensions related to the Sunni-Shiite conflict in the region led by KSA and Iran. The Iranian and regional reaction led to a special focus on the execution of the Shiite man of religion, Nammur El Nammur, and three Shiite Saudis. As for the other 43 persons, they did not get similar attention. All of them were indicted for affiliation to Al Qaeda terrorist organization.

The AOHR condemned at the time the execution of the 47 persons stressing that the Kingdom expands in death penalty and executes the penalty in violation of the international norms. AOHR also referred to the fact that 157 persons were executed in 2015; and though the KSA has not acceded to the international Covenant for Civil and Political Rights but this does not relieve it from the international commitment to minimize the use of death penalty and confine to the more serious crimes; move towards suspension of the death penalty or confine its execution to the minimum. The AOHR has also expressed its concern regarding the performance of the courts as they do not meet the considerations and requirements of justice. It warned that deprivation of life does not represent a deterrent and does not provide security.

During the period from 2015 till the spring of 2016, the Organization reacted to the issue of the Palestinian poet, Ashraf Salman, who was living in the Kingdom. He was detained and prosecuted by the police due to a complaint filed against him by one of the leaders of the Commission for Promotion of Virtue and Prevention of Vice in 2013. He was charged of blasphemy in one of his poetic collections published in 2008. The court ruled that Salman should be flogged and imprisoned. Salman challenged the penalty but the court of appeal aggravated the penalty to death sentence.

The Organization sent a note verbal to King Salman and other human rights organizations sent His Majesty appeals to suspend and reconsider the penalty especially because the court should follow the principle of “Istitaba (repentance)” according to Islamic Sharia. Each judge interprets this principle differently in the absence of a legal text. Salman confirmed that he is Muslim. The AOHR indicated that the appellant had the right to challenge the ruling and should not be harmed for this. The Organization learned that the penalty was reduced in February 2016 to 8 years in prison. The Organization has been pursuing its efforts since March 2016 to guarantee the release of Salman.

In another context, the Kingdom witnessed some terrorist explosions that led to deaths and injuries. Among those explosions were the successive explosions that took place in Medina in the west and Qatif in the east in early July 2016. Daesh was accused of being

behind the two explosions. The Medina explosion took place a few meters away from Prophet Mohammad's Mosque while the other took place in a region where a Shiite minority lived in the east of the country. This coincided with a series of explosions that targeted Shiite mosques in Kuwait and Iraq.

The eastern part of the Kingdom, especially the cities of Qatif and its surroundings witnessed a series of protests and acts of violence starting from January 2016 after announcing the execution of Nammar Al Nammar, the Shiite man of religion. Sources indicated that a number of police officers were killed and some were injured due to targeting a patrol in the region as security patrols were more intense following the protests.

Saudi sources, quoting official bodies, stated that KSA foiled around 140 terrorist operations during 2016 alone and the number of victims of those operations declined to 21 citizens and regular soldiers during 2016. Sources referred to the fact that the largest number of terrorist operations was conducted by Daesh. However, the most serious of those operations were conducted by "Al Qatif cell" that started to target many regions in the Kingdom. It conducted armed robberies, kidnapping and torture and attempted to target stadiums during major sporting events as well as crowded coffee shops.

The constant arrest and detention of people under the pretext of suspicions of being associated with terrorist groups or organizations affiliated to Iran represents a major source of violation of rights of detainees especially in the absence of legal guarantees. There are lots of claims that detainees are tortured during investigations and are maltreated during detention. The cases are referred to court after a long time and it takes several years to settle.

The KSA lacks transparency in the field of combating terrorism. Estimates vary in terms of the number of people detained on suspicion of involvement in terrorism. Some sources refer to hundreds of detainees while other uncertified sources say that there are 4000 people tried before "terrorism" courts.

Some documented cases indicate that defendants who have been found not guilty confirm that investigations may continue for several years; there were accusations of torture during investigations and deliberate maltreatment during detention, lack of any guarantees

of contact between suspects in such cases and their family members, and difficulty of contacting their lawyers. In addition, such trials may last between six months to three years. In one of the cases, the authorities sought to reach a financial agreement with the victims who were found not guilty of charges of terrorism and the agreement included waiving of the right of initiation of a legal action.

One of the documented cases is that of Mr. Hamad Abou El Nil, a Sudanese citizen, who moves between several Arab Gulf countries for diverse commercial activities. He was arrested in one of the Saudi airports for suspicion. He was kept in detention for 9 years. A Saudi court found him not guilty. The Organization received a complaint from him in 2015. The Organization requested in an official note the KSA authorities to investigate the complaint of years of detention, secure the accountability of those involved in his torture and consider indemnity for what he was exposed to. The Organization received an official reply in early 2016 that included an authorized agreement between the complainant and the authorities proving that an amicable settlement of damages was reached and that he obtained financial compensation in return of waiving the right of initiating a legal action.

This file raises a lot of concern regarding the lack of any fair trial conditions in the Kingdom of Saudi Arabia. On the one hand, courts are doing their best to apply the Islamic Sharia law in view of the rejection of KSA to codify the penalties through written text. On the other, challenging a ruling against a suspect requires the approval of the Minister of Justice in his capacity as the Chief of the Higher Judicial Council which represents an overlap between the executive and judicial powers, without implementation of the principle of prohibition of aggravation of sentence on appeal by defendant.

While the Higher Judicial Council reported first to Minister of Interior, started to report to His Majesty the King in 2006 and then to the Minister of Justice, the Public Prosecution still reports to the Ministry of the Interior which deprives the investigating body of its due independence.

During the period covered by the report, several bloggers on the social media were prosecuted by the police especially those using twitter. They were tried for charges related to expressing their points

of view in public affairs, political issues and some religious interpretations. Several people are being detained pending trial. One of the key cases in 2016 is that of the detention of the writer Ibrahim Al Sakaran who is likely accused of “justification of terrorism” in his tweets on twitter in which he stated that the adopted policies ignite terrorism in spite of his various efforts to refute the points of views adopted by terrorist groups meant to polarize and recruit young men.

As for the political participation, municipal elections were conducted for the third time since 2005 in Saudi Arabia on December 12, 2015. Saudi women participated for the first time in voting and running for the elections in response to promises made by the late King Abdulla bin Abdel Aziz which were approved by King Salman.

The names of more than 130000 Saudi women were put on the voters’ lists that include around 1350000 registered voters. 970 women ran for the elections among 5930 candidates competing for 2100 seats that represented two thirds of the municipal seats that amount to 3150 seats while the King appoints 1050 seats.

14 women won seats in the municipal councils that witnessed a weak turnout that allowed for a tangible relative turnout of female voters.

The late King Abdulla Bin Abdel Aziz appointed 30 women in the Shura Council which is supposed to be a consultative parliamentary chamber. However, the Kingdom does not allow for the election of a parliament that practices legislative powers. But it raised the number of the seats allocated for women to 30 in December 2016.

* * *

The Republic of the Sudan

On the verge of a new era, the decline in the status of human rights is a clear indicator of the inability of the authorities to address internal problems, settle armed disputes and respond to the requirements of social change and development. During the past ten years, the country went into the opposite direction of all expectations related to reaching a peaceful settlement for the conflict in the south that ended with the separation of the south in 2011.

The political crisis in Sudan aggravated due to the systemic suppression, autocracy, ousting of key political parties, the constant social and economic marginalization policies, rampant corruption in the macroeconomic performance and the increase in the abject poverty rates to unprecedented levels.

The period covered by the report witnessed a sad ending for the national dialogue project launched by the President at the beginning of 2014 emphasizing the need to conduct a national dialogue between various political powers to negotiate the political affairs in the country including the issues of war and peace, public freedoms, and living conditions. However, this was not materialized. The President started to put the opposition leaders in jail and refer to anti-terrorism competent courts. He also conducted lame elections on April 13, 2015 that ended with the common result of re-electing the President for a new term in office and selection of 354 MPs and members of the state councils. The President then pursued that came to an end in October 2016.

On October 17, 2017 the first national dialogue document was signed. The document was the outcome of the national dialogue and it is expected to constitute to be the basis of the permanent constitution of the country. However, the key opposition parties and militant groups boycotted the national dialogue and asked for holding a preparatory conference abroad as a precondition for their participation.

In an expressive reaction, Ms. Mariam Al Mahdi, the deputy president of National Umma Party(NUP) considered this dialogue a waste of time and stated that a real dialogue is a comprehensive process that has clear objectives to reach more positive results, which

are absent in that dialogue. She added that a national dialogue that rescues Sudan has not been conducted yet but the road is paved for Sudan to go ahead with the roadmap.

On the other hand, the African Mechanism held a strategic meeting in Addis Ababa during the period from 18 to 21 March 2016 by four opposition parties: Justice and Equality Party, Sudan Liberation Movement (Minnawi wing), Sudan People's Liberation Movement (SPLM) - Northern Sector, and National Umma Party (NUP) to expedite the termination of the conflict in Darfur in south of Kordofan and the Blue Nile. All parties stressed their commitment to end the conflict immediately in an amicable way and ensure that citizens in conflict areas have access to humanitarian aid. They also confirmed their commitment to the vision that all the Sudanese people should participate in a comprehensive national dialogue to address various challenges facing the country. This led to the announcement and extension of ceasefires unilaterally and without an agreement.

Fundamental rights

The armed conflicts still detrimentally impact fundamental rights including the right to life, freedom and personal safety, the right to physical safety and other rights. The report of the independent human rights expert revealed a substantial increase in the armed conflicts waged by government and non-government troops alike in Morrah Mountain (in Darfur) and the states of South Kordofan, the Blue Nile, and tribal clashes as well as the large- scale displacement of civilians because of conflicts.

Darfur

During the period covered by the report, fighting between the government troops and Sudan Liberation Movement - Abdul Wahid faction - witnessed escalations leading to grave violations that included indiscriminate killing, destruction and burning of villages, kidnapping and sexual violence against women. According to the information of the independent expert, it is reported that there are 80000 displaced persons during the first five months of 2016 in

addition to 142000 displaced persons. However, the independent expert could not validate those figures due to the difficulty to reach the affected regions.

The majority of the cases of displacement in 2016 resulted from the ongoing dispute in Morrah Mountain, and the tribal clashes that escalated in an unprecedented way due to the stealing of cattle, attempts to control national resources, and the spread of the sophisticated weapons used by fighters.

Based on the report of the UN Humanitarian Affairs Coordination Office, Darfur hosts 3.3 million persons in need of humanitarian aid including 1.6 million living in camps. Still, the government continues its pressure to reduce the role of the humanitarian community in the country and imposes restrictions on the movements of those humanitarian organizations. Sometimes, it expels the staff in these organizations.

Sexual violence and criminal violence are some of the grave concerns in Darfur in spite of the measures taken by the government to confront through assigning a special prosecutor for violence against women in North Darfur State, and distributing 20 general attorneys all over Darfur within the framework of the government efforts to avoid criticism but their role is restricted due to lack of resources and the security conditions prevalent in the areas where they were deployed.

South Kordofan and the Blue Nile

The resumption of the military battles between the government troops and the Sudan People's Liberation Movement – Northern Sector, in the states of South Kordofan and the Blue Nile and the accompanying air raids conducted by the government jets against civilians, had led to the fast deterioration of security conditions in the two regions since January 2016. It also led to deaths and injuries among civilians, demolition of houses, destruction of crops, death of livestock, and destruction of civilians' property. The most damaged region was Al Karmak district in the Blue Nile state and Hiban and Dalami districts in South Kordofan.

The independent expert stated that the Humanitarian Aid Commission (HAC) in the state of the Blue Nile indicated that around

1476 families escaped from Al Karmak to different locations during April 2016. Country reports indicate that there are around 47000 internally displaced persons in the regions under the control of the government in Blue Nile State and they are in need of help. It also refers that there are 545000 internally displaced persons reported in parts controlled by the Sudan People's Liberation Movement – Northern Sector, of South Kordofan and the Blue Nile.

The Sudanese government declared that all hostilities should be suspended for four months starting June 18, 2016. The Sudanese Revolutionary Front declared a unilateral ceasefire for six months in South Kordofan and the Blue Nile on April 28, 1992. The ceasefire extended till the end of 2016.

Public freedoms

Suppression of the freedom of expression and opinion continued during the period covered by the report, including :

The National Security Services confiscated all the printed copies of nine newspapers in Khartoum on May 25, 2015 and confiscated Al-Tayyar newspaper on December 13, 2015 which was shut down the following day. Al Jarida newspaper was also confiscated for unknown reasons on May 9, 10, 12, and 13 2016, and journalists were interrogated and harassed.

Several journalists were repeatedly summoned for investigation in the security offices and were defamed and offended. The security services of the state of Khartoum arrested journalist Heba Abdel Azim on September 10, 2015 for publishing a report on water pollution in Khartoum; and summoned Manal Abdullah, the journalist in Al-Siasi newspaper on October 12, 2015 and questioned her because of publishing an article about the possibility of the presence of Daesh elements in Sudan. Rokeya Al Zaki, a journalist at Alray-Aam newspaper was summoned for questioning in March 2016 following the publication of an article on financial corruption in the trade union.

Restriction of the **freedom of assembly** continued. The National Security Services prevented Sudanese Congress Party from holding a political seminar and arrested three of its senior leaders in

August 2015; the Ministry of Justice dissolved one of the oldest labor unions in the country – Sudan Farmers Union – during the same month and arrested tens of people; and closed the offices of the Republican Party in Omdurman in September 2015.

Tens of students were arrested for participation in a peaceful demonstration. The police arrested 9 students from Darfur because of participation in a peaceful sit-in on October 26, 2015. They were accused of participating in riots that led to the disturbance of public peace. They were released on bail after three days of detention. The independent human rights expert documented three other cases including 8 students in November 2015, five students in April 2016 and 28 students in late April 2016.

The government resorted to Rapid Support Forces of the National Intelligence and Security Services (NISS) to disperse the peaceful demonstrations. It even opened fire purposefully on peaceful protests using live ammunition and targeted upper parts of the bodies of protesters. Those measures led to the killing of a student in Khartoum University and Kordofan University in April 2016 and another student was killed in Omdurman University in May 2016.

The right to freedom of association

The government continued its restrictions against the activities of civil society organizations. The Confederation of Sudanese Civil Society Organizations (CSCSOs) complained in July 2015 that more than 40 registered organizations failed to renew their licenses in the first half of 2015 due to complexity of legal procedures or due to obstacles created by the competent government authority which is the Humanitarian Relief Commission.

The security authorities also continued putting restrictions on the activities of the organizations and suppressing their activists; the National Intelligence and Security Services stormed Khartoum Center for Training and Human Resources on February 29, 2016 and confiscated nine mobile phones, five laptops, leaflets, paper screens and other office documents. Afterwards, a large number of activists affiliated with the Center were summoned and interrogated about the activities of the Center and about their connection to Al-Khatim Adlan

Center for Enlightenment and Human Development which was closed down in 2012. Its manager was charged of criminal offences and was deported.

The measures taken by the National Security Services against human rights activists included travel ban, confiscation of passports, and the need to check with the National Security Services. Four activists were banned from travelling to Geneva to participate in the preparatory meetings of the Universal Periodic Review. The list included Sawsan Hassan Al Shawaya, Director of Asma'a Society for Development; Moaweya Shadad, Chairman of Human Rights and Legal Aid Network; Faisal Mohammad Saleh, a journalist and human rights advocate; and Seddik Youssef, Chairman of the Sudanese Solidarity Committee.

The Sudanese security forces stormed at early May 2016 the legal firm of Nabil Adib, Chairman of Sudanese Observatory for Human Rights (a member in the AOHR) and arrested 12 people who happened to be at the Office to initiate legal action against their coercive dismissal with 8 other students from Omdurman University following the security attacks that led to the killing of one student and closure of the University. Storming the Office was accompanied by the apprehension of two of its staff.

The security clampdown on political opponents became more intense as of the Fall of 2016 till its end; this is associated with the aggravated social impact of economic policies. The Confederation of Sudanese Civil Society Organizations (CSCSOs) stated on November 11, 2016 that an organized security campaign was launched at the beginning of the same month to arrest a number of political opponents, human rights activists and trade unionists. The Confederation condemned the campaign related to the monumental increase in the prices of food and basic commodities in the country.

Economic, social and cultural rights

National and international reports reflect a very gloomy image in terms of the economic, social and cultural rights in Sudan. The independent human rights expert noted that the national budget allocated for defense, police and various security sectors amounted to

78% of the total budget against 7% only provisioned for agriculture, health, industry and education. He called on the government to implement a comprehensive method for development and devise national strategies for the protection and development of production sectors. In addition, it should implement a new strategy to reduce poverty and address the root causes of disparity in this country.

The AOHR warned against the risks of the prevalence of corruption on the economic conditions in the country and referred to reports about huge investments of the ruling regime outside the country, especially in Ethiopia and Malaysia.

The Organization condemned the attempts of displacement of residents of Al- Qorayef, east of Khartoum, because of investment and not public interests.

It also recorded complaints of the residents of Nubia, north of Sudan, against forced displacement to establish industrial projects that are not environment-friendly. It has been reported that thousands of the residents have been displaced to establish factories that produce poisonous waste, leading to the contamination of the surrounding environment including the death of the fish in the Nile River and the dependence of tens of thousands of families on humanitarian aids after losing their residences and sources of livelihood.

* * *

Arab Republic of Syria

As the armed conflict in Syria enters its sixth year, after the international and regional players usurped the peaceful people's revolution that erupted in Syria, the conflict aggravated through the direct involvement of numerous parties in the armed commotion in Syria; the Russian military intervention in support of the ruling regime in the autumn of 2015 represented a key turning point; in addition to the lead of the international alliance against terrorism, the USA provided direct military support to the Kurdish people protection units, entitled "Syrian Democratic Forces".

During the period covered by the report, all international efforts in the vein of political settlement have failed. Successive ceasefire and truces failed to save the lives of civilians except in a partial and limited way; bloodbaths increased and the number of casualties, according to the most balanced estimates, reached 400000 persons by mid-December 2016. More than half of the casualties were Syrian civilians and the rest were members of armed opposition factions, and international terrorist groups that comprise members belonging to tens of foreign nationalities under the banner of Jihad all over the country.

The Syrian government continued its rejection of cooperation with the International Investigation Commission affiliated to the UN Human Rights Council. However, it cooperated, under Russian pressures, with the investigation committee on the use of chemical weapons, whose mandate does not include identification of responsibilities and entities involved in using chemical weapons in the conflict.

The Syrian authorities also rejected to cooperate with the Arab and international human rights organizations and continued to harass Syrian human rights activists and reject the activities of the local human rights organizations which they do not recognize in the first place. The armed opposition and terrorist groups against the Syrian authorities participated in killing, kidnapping and harassing human rights activists.

All this did not allow for sufficient documentation of the grave violations committed by all parties within the ongoing conflict

especially cases of torture and forced disappearance as well as detention without any legal guarantees or monitoring of unfair trials.

The constant dissolution of the opposing armed groups, dissensions in their ranks, restructuring of these groups as well as the formation of hundreds of these groups had a significant impact on the inability of the victims and survivors to identify the potential criminals accurately.

In spite of the efforts exerted at various stages to initiate a peaceful political settlement for the situation, considered the worst worldwide, several parties constantly changed their statements and acted contrary to their stated pledges in addition to providing direct and indirect endless support for fighters which turned the situation into proxy war and led to igniting violence and undermining any chances of a favorable settlement.

Changes of the political scene:

The direct military intervention of the Russian and American sides represented a turning point on the military and political levels. Direct interventions inevitably made each a direct party to the conflict and consequently undermined any hopes hinged on reaching a Russian-American accord that would put an end to the conflict and start the process of settlement. This direct intervention greatly complicated the situation in spite of the statements during the meetings of both sides that aimed to reach an accord in view of their direct intervention.

Although the US intervention had been confined since the end of 2014 on leading the international coalition against terrorism, mainly aiming to destroy the Daesh terrorist group, and sometimes groups affiliated to Al -Qaeda, such as Al-Nusra Front (currently the Fatah Al-Sham Front), the US intervention in support of the “Syrian Democratic Forces” represented a turning point that changed the political and military scenes. On the one hand, this intervention boosted the powers of a faction mainly consisting of militias protecting the Kurdish people, considered the counterpart of the Kurdistan Workers’ Party (PKK); this faction was not against the

Syrian regime and even signed understandings with the regime at certain stages.

On the other hand, this situation led to significant field penetration against Daesh and stripping tens of regions out of the control of this terrorist group in the north east of the country, especially after the US military troops supporting the Syrian Democratic Forces used Al-Rmelan Airport in Al-Hasakah as a military base.

In addition, this led to indefinite changes in the Turkish policies; the priorities turned from support of the anti-Syrian regime militant groups towards measures to prevent the Kurdish military expansion that received infinite Russian support as well as US support that extended along the Turkish-Syrian borderline except for limited pockets. This was a decisive factor in the decline of the capabilities of the militant groups supported by Turkey especially after the Turkish jet fighters dropped a Russian jet fighter. The Turkish-Russian animosity turned from the outspoken political dispute and the undeclared military confrontation into reaching an accord to redistribute the areas of influence in Syria. This entailed a direct Turkish intervention in some areas located in the north of Aleppo under the pretext of fighting Daesh accompanied by military measures against the Kurdish military expansion that receded to areas behind the east bank of Euphrates River.

The direct Russian military intervention in September 2015 represented a key factor in changing the political and military scenes. Russia strengthened its permanent military deployment through Tartus base; was involved in support of the Syrian regime troops through its air force and missile capabilities to restore various regions, preventing an expected fall of the regime; and boosted its capacity to secure the Capital and regain full control over areas that it lost, especially in Rif Ddamshq, Homs, Hama and Aleppo.

Amid this backdrop, all parties were involved in atrocities amounting to war crimes and crimes against humanity against civilians. The criminal intent is available in the majority of crimes. The concept of justice has become absent in Syria in spite of its grave implications on international conditions.

Field situation

In view of the direct Russian military support, the government troops restored most regions especially in Damascus, Rif Damshq, Homs, Hama and Aleppo. They also managed to secure Latakia and its surroundings though it was about to fall.

Government troops restored the historical city of Palmyra from Daesh terrorist group on March 27, 2016 but lost it again in December 2016.

Tens of regions remained under the control of government troops, Shiite, Iraqi, and Lebanese militias supporting these troops till the surrender of militants. Around a million persons remained under siege for prolonged periods in 68 regions without receiving the necessary humanitarian relief until the UN endeavors succeeded to provide aid to the besieged areas.

Some efforts succeeded in convincing the regime to open safe passages for the exit of besieged civilians but the militants impeded their exit to use civilians as human shields against bombardment. In most cases, endeavors succeeded to reach agreement to guarantee the exit of the militants with civilians from besieged regions with international guarantees to transport militants to other regions inside the country with their light arms or to Turkey with Qatari support in some cases.

In some other cases, it was announced that safe passages were provided by the regime and supporting militias, but the civilians who fled from the siege were executed especially in east Aleppo at the hands of the Iranian militias.

Armed groups opposing the government continued fighting on various fronts in spite of the decline of their power in the most regions. The agreement on evacuation of militants from east Aleppo and some other areas in December 2016 led to confining them with similar troops in Idlib border governorate and some other regions. Those groups relentlessly seek to achieve some media gains through maintaining control over some besieged pockets and partial infiltration in some areas of Rif Damshq.

In spite of its international designation as a terrorist group, Al-Nusra Front still plays a pivotal key role in battle fields and has

operational links with some anti-government militant groups. However, from time to time, it has disputes with other groups over control of some areas. In some other times, it receives various types of support. Al-Nusra Front controls Idlib since it concluded an agreement with Ahrar al-Sham Brigade (Muslim Brotherhood group) to transfer control to the Brigade on the region that witnessed the turn of the revolution into an armed conflict. Still, the region has not been under the control of the ruling regime since the beginning of 2011.

Daesh terrorist group still controls various parts of Syria, especially Raqqa Governorate. It seeks to regain control over Al-Hasakah and Aleppo. It has pursued by the end of 2016 its fight against Turkish troops and some other militant groups in Al-Bab city, to the north of Aleppo.

In spite of its retreat under the direct Turkish military pressure in the fall of 2016, the Syrian Democratic Forces still maintain some of its field achievements in the southern region of Al Hasakah city and eastern regions of Aleppo Governorate benefiting from the direct US field support and the airstrikes of the international coalition against terrorism.

Endless crimes

As mentioned earlier, civilians are number-one victims of the armed conflict in Syria. Since the end of 2011, the number of casualties due to the armed conflict ranged between 400000 and 430 thousand persons: 250000 of whom are civilians, around 90 thousand are affiliated to the ruling regime forces and its militias, about 20 thousand affiliated to foreign Shiite militias in support of the regime, about 70 thousand are affiliated armed opposition groups and terrorist organizations and half of them at least are Syrians.

AOHR estimates indicate that around 15000 persons died in prisons and it is believed that a large number died under torture. Around 7000 persons forcibly disappeared. These numbers do not include unregistered detainees in security institutions and prisons which the world is unaware of.

The report failed to provide adequate estimates of injuries especially what mount to a disability or permanent infirmity.

The types of crimes committed by parties to the conflict varied. They are topped by air strikes against civilian residential areas under the control of the anti-government troops, leading to huge human losses that escalated due to the quantitative and qualitative Russian intervention since September 2015 in the form of air strikes and use of long-range ballistic missiles.

The Syrian regime dropped incessantly explosive barrels in its indiscriminate bombardment especially in air strikes as well as missile targeting of sites and buildings. Shelling violated the principles of discrimination and proportionality and surpassed due diligence in civilian regions where opposing fighters are stationed.

Russian military forces also launched several air strikes that claimed the lives of thousands of civilians including Doma massacre committed on August 17 in which 110 persons were killed and 280 injured; they were mostly civilians not involved in the conflict.

Syrian regime troops also shelled a children playground in Al-Waar district in Homs during the Greater Bairam celebration on September 26, 2015 which claimed the lives of 27 children. Sources stated that the artillery shelling was through the regime forces stationed in the Military Academy.

This shelling occurred within the framework of several battles in different regions of Homs, Aleppo and Rif Damshq. The belligerent parties exchanged shelling of civilian regions by heavy or medium artillery. This led to the death of hundreds of civilians and hundreds of fighters in August and September.

After the Syrian regime received substantial Russian support, the Syrian regime and the Russian air forces committed several crimes including the large-scale shelling of the Eastern Ghouta and Western Ghouta in Rif Damshq which led to the killing of hundreds of civilians during the period from November 27 to December 15, 2015. Russian shelling at dawn on November 29, 2015 led to the killing of around 50 civilians in one of the markets in the Syrian Jericho including the human rights activist Safwan Akel, member of the AOHR and a leading member in its branch in Syria.

Air jets, believed to be Russian, bombed a human relief convoy of the International Committee of the Red Cross, the UN Mission and the Syrian Red Crescent in Rem al-Kubra district in

Aleppo on September 21, 2016 leading to the killing of 12 relief workers.

On March 31, 2016, the government troops shelled Deir Al-Asafir district, outside Damascus, under the control of anti-government groups. They hit a school, a hospital, and a mosque which led to the killing of 31 persons including 3 children and their father. It has been reported that the children died in hospital after being evacuated.

On April 19, 2016 an airstrike hit a shop in Kafr Nabl in Idlib and led to the killing of 7 persons including 3 children. A few minutes later, another attack was launched against Maarat Al-Noman, 12 km away from that place and led to the killing of 37 persons in the vegetable market.

Eastern Aleppo witnessed the largest number of such operations during the second half of 2016. They affected the residential areas, medical centers, public service utilities, and supply stores. Shelling during this period claimed thousands of lives of civilians as the Russian and Syrian jets hit civilian targets and the militant groups barricaded themselves in civil districts and medical centers to avoid being targeted by airstrikes.

These crimes escalated during the second part of April 2016 in Aleppo. More than 200 civilians were killed including 160 persons in artillery shelling by the Syrian regime forces for Eastern Aleppo districts for 10 consecutive days. 45 others were killed in artillery shelling by armed opposition in adjacent western Aleppo districts.

The crimes further escalated during the period from mid-August till mid-November 2016 in Eastern Aleppo where intensive air raids took place synchronous with the failure of humanitarian truces. They led to the killing of thousands of besieged civilians. They ended by forcing militants to move to Idlib according to international arrangements and the Syrian regime imposed its full control over Aleppo and its southern, eastern and western regions.

Anti-Syrian regime armed groups executed car and suicide bombings in Western Aleppo and in utilities and medical facilities.

The opposition groups and terrorist organizations committed grave violations against civilians in the regions that were under their control whether to impose their hegemony; obtain gains and spoils or

retaliate from some minorities. A case in point is that Al-Nusra Front that set a house on fire after locking 20 Dorzi citizens inside when they opposed seizure of their house on June 13 at Kalb Alloza village and they were burned alive as Al-Nusra Front prevented any attempts to save their lives.

In addition, those groups prevented civilians from exiting areas of belligerency under the pretext of potentially being targeted by government troops and supporting militias. They also executed civilians who tried to flee from these areas after announcement of arrangements for safe exits as they intended to use them as human shields to prevent the progress of the government troops. This was quite evident in Eastern Aleppo during October and November 2016.

Civilians were subject to field executions while exit through safe passages mainly at the hands of the militias supporting the ruling regime, especially the Iranian Revolutionary Guards. The regime troops arrested hundreds of civilians on suspicions of being associated with armed groups and terrorist organizations.

In the context of air raids conducted by the international coalition against terrorism, several crimes related to violation of the principles of indiscriminate and proportionality were committed in shelling civilian areas. On September 2015, jet fighters, probably French, shelled a school for children affiliated to Daesh terrorist group in Mayadin District leading to the killing of between 50 to 55 children. It is worth mentioning that Daesh took those children between 12 and 14 years old coercively from their families to train them on using weapons and later recruit in the organization. Many queries were raised about the reasons of targeting the school and not the other well-known Daesh concentrations in the same district.

The Israeli occupation forces in Golan Heights seized the opportunity of the chaotic situation in Syria to continue its skirmishes with adjacent districts. In addition, it executed air raids to destroy military supplies of Hezbollah in Lebanon when passing across Syrian territories or to assassinate members of Hezbollah that incessantly supports the Syrian regime and participates in committing war crimes.

Israel launched an air strike against Germana town in Rif Damshq in mid-December 2015 leading to the killing and injury of 18 persons including the released prisoner of war Samir Al Kentar

involved in the activities of Hezbollah and responsible for the sustainability of the supply lines through Az- Zabadani in western Damascus.

The occupation government held a meeting for its cabinet in the occupied Golan Heights in April 2016, aggravating the Syrian crisis. The AOHR condemned this meeting in one of its statements and considered a declaration of war. It called upon the Security Council and the international powers to bear their responsibilities in this regard.

The scene was even complicated and there is a risk of the expansion of war due to the incident of Turkish jet fighters dropping a Russian jet fighter in the Syrian- Turkish border on November 24, 2015. This raised tension to unprecedented levels. According to field sources, Russian jet fighters targeted Turkish military checkpoints and smuggled oil convoys inside Syria and inside Turkey. The most dangerous impact of this is the large-scale shelling by the Syrian regime, under Russian protection, of the regions where Turkmen citizens were stationed in Syria to the north of Latakia and Aleppo.

Following the Russian-Turkish accord at the beginning of July 2016, the Turkish military troops intervened on larger scale in September 2016 in the north of Rif Aleppo under the pretext of combating the terrorism of Daesh in the north and east of Aleppo. The priority was to stop the Kurdish military expansion in the border areas that are located behind the eastern Euphrates bank. However, they started to get involved in large-scale clashes with Daesh in Al-Bab city in Aleppo. While the international US-led coalition against terrorism refrained from supporting its operations with an air cover, it got support from the Russian air force at the beginning of December 2016.

The Turkish troops undertook retaliatory air raids against one of Daesh's biggest concentrations in Al- Bab city; however, the majority of their victims were civilians. The Turkish air force conducted an air raid on December 23, 2016 that led to the killing of 88 persons including 72 civilians 21 of which were children. The air raid came in retaliation of a suicide attack by Daesh that led to the killing of 24 Turkish soldiers. These crimes were recurrent at varying degrees during the period from December 15, 2016 and afterwards.

The internally displaced persons are still the most vulnerable segments to attacks. They flee their homes seeking safety. However, many are exposed to aggression in the camps they resort to. On January 30, 2016 the pro-government troops launched missiles at Oben camp in Latakia killing two people. On the same day, Al-Yamedia camp in Latakia was shelled. In spite of the fact that the shelling did not result in any casualties, all residents of the camp fled in fear that shelling would be repeated.

On June 2, 2016, shelling of the border crossing point of Al-Yamedia camp led to the killing of two internally displaced persons and the injury of an NGO worker.

The indiscriminate attacks launched by Daesh led to several deaths and injuries among civilians. They all included booby-trapped cars and suicide bombers. On June 26, 2016 a booby-trapped car exploded at a checkpoint of security forces. It was followed by a suicide attack among the persons who gathered after the first attack leading to the killing of 22 people and the injury of 100 others in Al-Zahra'a residential district in Homs.

On February 21, 2016 a series of attacks in Al-Sayeda Zainab district in Damascus and in Homs led to the killing of 140 persons. A double attack took place on January 31 and led to the death of 40 civilians.

On May 23, 2016 a series of suicide attacks and booby-trapped cars led to the killing of around 120 persons and the injury of 200 others in Gebla and Tartus in Latakia.

Living under siege

The international law bans using starvation as a method of war or preventing civilians from safely exiting the besieged areas. The parties to the conflict continue using the delivery of humanitarian aids as a tool of political bargaining. In view of conclusion of several ceasefire agreements a minor improvement took place in the access of humanitarian aid to the besieged areas. However, the absence of continuous cooperation by the parties to the conflict led to severe malnutrition and mounting mortality rates.

War resulted in siege economies blackmail with devastating impacts. The check points which are considered the only access points to besieged areas represent an opportunity used by fighters for extortion given the despair of the besieged residents. Residents of the Eastern Ghouta, Deir Al- Zor and Homs talk about the extremely high prices of commodities and profits realized through the siege economy, and the provision of financial incentives for disapproval of truces or ceasefires.

There are still 600000 civilians besieged in pockets in Damascus governorates, Rif Dimashq, Deir Al- Zor, Homs and some parts of Idlib. They suffer from harsh conditions because of a long siege. There are more than 6 million civilians struggling for survival and they are hard to reach. The UN Office for Coordination of Humanitarian Affairs (OCHA) noted that the number of Syrians living in the besieged areas increased by 103500 persons and the number of civilians lives in areas where it is difficult to reach increased by 870000 persons.

The responsibility of the siege in various areas lies on the government troops. They besiege Darya town in western Ghouta in Rif Dimashq since November 2012. They have disrupted water supply of the city since 2013 which made residents use unhealthy wells for health requirements and for consumption alike. They have besieged parts of Doma in eastern Ghouta since 2013; the chronic diseases medications are not available there. The government troops do not allow access of more than 25% of the required medical supplies.

The government troops prevented access of medical supplies to Al-Waar district in Homs for three years till a ceasefire agreement was reached in December 2015. The government troops currently impose restrictions on fuel. Residents in the neighborhood say that they are using electric heaters to burn wood, plastic or clothes for cooking. During the winter of 2015-2016, some elderly people passed away due to the harsh weather conditions. In July 2016, staff in the UN, the Red Cross, and Syrian Red Crescent managed to deliver vital shipments of food and health items to Al- Waar district.

The government troops and Hezbollah militia have besieged Madaya and Az-Zabdanai mountainous cities in Rif Dimshq since mid-2015. The number of malnutrition cases in that district is on the

rise. The independent international investigation committee still receives reports about incidents of deaths because of starvation in Madaya. The government troops persistently use starvation as one of the weapons of the war. At least 3 children at the age of 5 die in Madaya due to malnutrition and diseases. Hungry women suffer from inability to provide enough milk for breastfeeding and lack of baby foods.

Al-Nusra Front, designated on the international level as a terrorist organization, and some armed opposition groups have besieged Al- Foua and Kefraya towns in Idlib since March 2015 as their residents have Shiite affiliations. The two towns suffer from lack of food, fuel, power cut and water disruption.

In September 2015, an agreement was concluded between government troops and anti-government militant groups through an accord between Iranian troops and Ahrar Al-Sham Brigade (Muslim Brotherhood) regarding Madaya and Az-Zabadani towns in return for Al- Foua and Kefraya towns. The parties to the agreement incessantly exploited humanitarian aids as a means of political bargaining. As a result, the four towns have been deprived of any humanitarian aid since April 30, 2016.

Daesh terrorist organization has besieged Deir Al- Zor district, which is under government control, since June 2014. It managed to have control over Menbeg city in Aleppo which is still under siege by the US- supported Syrian Democratic Forces.

Attacks against healthcare facilities

The medical care facilities have remained a target of attacks by various parties since the beginning of the armed conflict in Syria. The medical field staff, such as physicians, nurses, drivers of ambulances, and lab technicians, was exposed to assault because of attending to the injured. Many were killed and injured. Hospitals, clinics and ambulances were destroyed. The medical care infrastructure has started to suffer from severe weakness especially in the districts not under the control of the government.

This had a catastrophic impact on civilian residents and grave consequences on the newly born, young children, pregnant women, mothers, the handicapped, and persons with chronic diseases.

According to the report issued in August 2016 by the independent international investigation committee on Syria, numerous attacks targeted medical care staff and institutions. The Security Council Resolution in May 2016 that called for putting an end to attacks against health care workers and utilities did not have a major impact on battlefields. Attacks against medical facilities continued.

The report added that the majority of attacks were conducted by the pro-government troops. The pattern of attacks, especially the recurrent shelling, indicated that it was systematic and intended targeting of hospitals and other medical facilities. Some anti-government groups and terrorist groups including Daesh attacked medical staff and health care facilities in the regions under government control.

Government troops launched several attacks on medical facilities in the regions under the control of the opposition, especially in Aleppo. Around 20 hospitals and medical clinics were destroyed in Aleppo alone from January to July 2016.

The attacks resulted in the death of medical staff, paramedics, and patients. According to reports, there were no military targets near the hospitals attacked. It was reported that the attacked hospitals and clinics were performing their humanitarian mission.

On February 15, the government troops shelled a street in front of the Obstetrics hospital in Izaz east of Aleppo. Around five civilians were killed including the guard of the hospital.

On April 27, 2016 three air strikes targeted the district surrounding Al- Kods hospital, the main children hospital in Aleppo which is supported by Doctors without Borders. Shelling got gradually closer to the hospital till the final attack destroyed a residential building 10 meters away from the hospital. It was a residence for medical staff. Shelling claimed the lives of 6 people (a physician, a dentist, 2 nurses, maintenance technician, and a security guard) and more than 100 people were injured; medical equipment were destroyed including seven incubators, in addition to medicines. The damage inflicted on the hospital led to its closure.

On February 15, 2016 the government troops shelled twice a medical center run by Doctors without Borders in Maarrat Al-Noman; around 9 people were killed and several others were injured. The second attack took place 15 minutes later. It targeted the medical staff and 16 patients. They were held in the debris for 8 hours before being rescued.

On March 31, 2016 the government executed an air strike on the only hospital in Deir Al-Asafir in Damascus. 30 people were killed, half of them were children, and tens of people were injured. During the same day, the pro-government troops shelled the hospital of Al-Yamdia camp for displaced persons in Latakia. In spite of the absence of a record of injuries, the attack put that hospital out of service.

Some medical staff was killed by snipers too. On March 25, 2016, a sniper killed Dr. Mohammad Al-Khos while leaving a field hospital in Az-Zabadani in Rif Dimashq. A sniper also shot dead the persons trying to rescue him. Dr. Al-Khos was the last doctor staying in Az-Zabadani. Civilians were killed too due to injuries by snipers in Az-Zabadani because of shortage of doctors and medications in the hospital.

Syrian civil defense personnel providing medical care and transferring the injured to close medical centers were also killed in air raids executed by the pro-government troops. On April 26, 2016 an airstrike hit a civil defense center in Al- Artab in Aleppo; five civil defense volunteers were killed and three others injured.

On June 15, an airstrike hit a national defense center in Kafr Takharim in Idlib leading to the killing of a boy and the destruction of all the vehicles of the national defense center used in rescuing and transferring the injured.

The anti-government militant groups attacked the medical facilities too but on a smaller scale. In February and March 2016, militant groups shelled Al-Sheikh Maksod district in Aleppo under the control of popular protection units.

On March 6, 2016, missiles hit an area near the hospital but the hospital itself was not targeted. However, the fires caused by the explosion of the missiles led to the collapse of a number of adjacent buildings and the killing of 12 civilians including 4 children.

On May 3, 2016, a militant group at Bani Zaid district in Aleppo fired missiles close to Al-Dabit Obstetrics Hospital and destroyed the façade of the hospital and adjacent shops. 15 persons were killed including 3 hospitalized persons and 20 others injured including hospital staff. The hospital was closed down shortly after.

Daesh group also attacked the hospital as part of a wave of suicide attacks launched against civilian targets to intimidate the residents. On March 23, 2016, five suicide attackers blew themselves up in various districts in Gebla in Latakia. It seems from the injuries resulting from the first two explosions that were transferred to hospital that the third suicide attacker blew himself up in front of Al- Asad hospital and the fourth blew himself up inside the emergency room in Gebla National Hospital. 15 medical staff and a number of patients were killed including those who were injured in the first two attacks and were moved to hospital for treatment. More than 50 persons were injured and the emergency room was totally destroyed and the hospital was closed down for some time.

All parties to the conflict in Syria committed crimes against prisoners and other detainees. The status of detainees represents a large-scale pressing and critical crisis on the human rights level. Tens of thousands of persons are in prisons at all times. The matter requires taking urgent steps by the government, militant groups, other supporting foreign countries and the international community as a whole to prevent more killings or crimes to be committed against detainees.

Eyewitnesses and evidence strongly indicate that the Syrian government detains at all times tens of thousands of civilians who supposedly support the opposition or do not have enough allegiance to the government. Residents in the regions under the control of the opposition or the relatives of persons suspected to be affiliated to militant groups, dissident activists or military personnel suspected to sympathize with the Syrian revolution and the persons who supposedly provide medical care for the opposition are apprehended.

Thousands of other people disappeared after arrest by the government troops. Detainees by the government are subjected to beating to death, or death under torture or due to inhuman conditions

of detention. Military requirements cannot be considered as a legal justification for the deaths in detention.

According to the report of the international investigation committee on Syria, the Syrian government committed crimes against humanity represented in genocide, murder, rape and other forms of sexual violence, torture, detention, forced disappearance and other inhumane actions. Based on all this, war crimes were also committed. The anti-government militant groups established temporary detention centers where the imprisoned government soldiers and fighters of other competing rebellious groups were maltreated and executed. Others were executed in the field after conducting illegitimate trials. Some other persons who were taken hostages by militant groups died in detention. Thus, anti-government militant groups committed war crimes represented in murder, brutal treatment and torture.

Al-Nusra Front established detention facilities in Idlib where deaths in detention were documented. The terrorist group had also conducted mass executions of the captured government soldiers. It committed war crimes represented in murder, brutal treatment and torture.

Daesh group subjected the detainees to grave assaults including torture and field executions. In many cases, detainees were executed after ineligible courts issued death penalty against them. Deliberations which have nothing do with fair trails preceded executions. Brutal executions are conducted on a large scale in public for retaliation. The group targets civilians whom it considers as “infidels”, the government soldiers, and fighters of the other competing rebellious groups. Daesh committed crimes against humanity represented in murder, torture, and war crimes.

There is no available information about the human rights activist Basel Khartabil ever since he was re-detained by the regime on October 3, 2015.

The Syrian human rights activists- Razan Zaitouna, Samira Al Khalil, Wael Hamada, and Nazem Hammadi have been kidnapped since December 9 by a militant group.

Human rights activists - Khalil Maatok, and Mohammad Dada, disappeared since the regime arrested the two on October 2, 2012.

* * *

Federal Republic of Somalia

The status of human rights in Somalia kept deteriorating due to the incessant acts of violence in various parts of the country. The Somali federal government troops and the African Union Mission in Somalia (AMISOM) still control Mogadishu. They expanded the regions under their control through the establishment of federal departments in the states of Galmudug, the Southern State, and Jubaland. The joint attack conducted by AMISOM and Somali armed forces led to pushing Al Shabaab movement away from some parts of Hiraan, Bay, Bakool, Gedo, and lower Shebelle.

Somalia has witnessed continuous progress on the road of building a federal state. A decision was issued determining the impossibility of conducting elections on the basis of “one vote for every person” in 2016. On December 16, 2015, Mogadishu declaration was issued confirming that the mandate prescribed by the law may not be extended.

The dispute between AMISOM- supported federal government troops against the militant group known as Shabaab movement continued. The attacks led to the displacement of many people and the killing of civilians. The humanitarian conditions in Somalia are very disgraceful. Al Nino phenomenon has led to floods since October 2015, which inflicted harm on around 145000 persons and displaced around 6000 persons in the south and middle of Somalia. By October 9, around 3.2 million persons were in need of aids and more than 850000 were in need of food security.

In August 2015, the country witnessed a political crisis as the parliament proposed to cast a vote of no-confidence in President Hassan Sheikh Mahmoud. Due to political dialogue in this regard, the proposal of the parliament was abandoned. Shabaab movement also faced internal divisions regarding whether to be linked to Al Qaeda or Daesh. In October 2016, the group leaders leaning towards Al Qaeda arrested 30 persons presumed to be Daesh members.

The status of human rights remained despicable due to the ongoing acts of violence in various parts of the country especially the south and the middle. Fighting had impacted civilians besieged in the regions of crossfire. The right to freedom of expression and opinion,

especially for journalists, was violated in spite of the promises to end such violations.

First: Legal and constitutional framework

On the constitutional level, the process of reviewing the constitution was too slow. On September 15, 2015, the Federal Parliament Speaker submitted a proposal to review the provisional constitution, and conduct consultations and activities for communication and civil outreach. Upon the proposal of the Prime Minister, three international experts in constitutional affairs visited Mogadishu during the period from October 26 to October 30 to participate in a high-level workshop facilitated by the UNDP and the United Nations Assistance Mission in Somalia (UNSOM). The Independent Constitutional Review and Implementation Commission, the Supervisory Committee and the Federal Ministry for Constitutional Affairs, and some MPs participated in the workshop that provided a platform for conducting an open dialogue on review of the constitution.

In January 2016, constitutional affairs experts supported by the UNSOM and the UNDP visited Mogadishu. They held a meeting with the President. The expert helped stakeholders reach an agreement about key issues. They suggested options to address some disputed issues, including the role of the Senate, the mandate of the executive power, distribution of power on the federal level and state level, revenue-sharing, and the status of Mogadishu.

On February 15, 2016, the Speaker provided a briefing about a roadmap to review the constitution that includes consultations led by the supervisory committee with regional committees with the participation of executive bodies and the civil society. A national constitutional meeting was held in Ghrawi and Puntland during the period from May 25 till June 5, 2016. The Independent Commission held a permanent drafting session to review and implement the constitution to reach a final version of draft amendments.

On February 15, 2016, the Supervisory Committee submitted to the Parliament the amendments of 10 chapters out of 15 of the provisional federal constitution the majority of which addressed

technical issues. The first outreach and civil education process regarding the constitution took place during the period from March 14 to 17, 2016.

With a view to promote women's rights, the Ministry of Women and Human Rights decided on August 3 to promulgate a law to ban female genital mutilation (FGM) spread across all the regions in Somalia. A UNICEF report indicated that around 98% of the women between 15 and 49 years old in Somalia underwent FGM.

On November 24 and 25, 2015 the ministers of information in the federal government and the provisional regional departments ratified a cooperation protocol on communication mediums and information within the framework of the first universal conference on communication mediums. The protocol included an agreement that aims to increase exchange of information and set up a unified communication strategy to combat terrorism and violent fundamentalism and cooperate with communication mediums.

On December 26, 2015 the Parliament ratified the law on anti-money laundering and combating the financing of terrorism.

On December 28, 2015, the Parliament passed the Media Law. The Ministry of information and National Union of Somali Journalists (NUSOJ) asked for support from AMISOM to enact this law.

On December 29, 2015 the federal parliament ratified the press law and the law received an overwhelming majority of votes of the 139 members.

Second: Political rights

All parties to the ongoing conflict in Somalia, represented in AMISOM, Kenyan troops, Shabaab movement in the southern and central parts, committed grave violations of the right to life through killing and injuring many civilians.

On January 21, 2016, Shabaab movement attacked a number of restaurants on one of the beaches of Mogadishu which led to the killing of several people and the injury of others.

On January 15, 2016, Shabaab movement which is associated with Al-Qaeda stormed the largest bases of Kenyan troops in AMISOM at Ail Adi district in Ghado, in south Somalia. Al Shabaab

movement managed to control the base completely. The number of the injured was estimated at 180 Kenyan soldiers according to the statements of the Somali government and the different mass media.

On January 3, 2016, the court-martial sentenced a Somali soldier to death for the predetermined murder of a civilian.

On December 31, 2015, Shabaab movement executed 5 Somalis on charges of espionage with the US and Somali intelligence in regions affiliated to Juba region. These Somalis ranged between 18 and 25 years old.

On December 28, 2015, 24 people were killed and tens others injured because of ferocious battles between the Somali troops in cooperation with the peacekeeping forces on the one hand and the Shabaab movement fighters on the other in Karoli village.

On December 26, 2015, militants assassinated Ayras Zobeir, a Somali army officer in Mogadishu.

On December 1, 2015, Shabaab movement attacked a hotel for journalists in Mogadishu killing 10 people including the former army chief of staff Abdel Karim Youssif.

On November 22, 2015, five people were killed and several others injured in a military operation executed by a drone in Balad Amin region, south of Mogadishu, to target fighters of Shabaab movement. It is not possible to verify whether those killed were only from Shabaab movement.

On September 5, 2015, a group of military personnel of AMISOM was exposed to a suicide attack by Shabaab movement on one of the roads in Mogadishu. It is worth mentioning that more than a thousand soldiers from the AMSOM were killed between 2009 and 2012 while conducting military operations against Shabaab movement and 96 soldiers were killed in 2014.

During the period from May 1 to August 31, 2015, several civilians were killed because of disputes among clans and the military operations conducted by AMISOM, the Ethiopian National Defense Troops, and the Somali National Army. Attacks led to the killing of around 133 persons. The operations conducted by AMISOM in Marka at lower Shebelle on July 21 and 22, 2015 led to the killing of 22 civilians.

The death penalty is still imposed at an alarming rate in Somalia. In 2014, 22 persons were executed. In June 2015, 16 persons were executed and in April 2016, 6 prisoners were executed.

Shabaab movement implemented extrajudicial executions in its own courts after charging victims of collusion with the government, AMISOM or of espionage.

In April 2016, Mogadishu witnessed an increase in the number of assassinations. Somali civil servants were the most common targets of those assassinations.

On January 24, 2016, the Kenyan troops killed 50 persons and injured 100 others through indiscriminate shelling in Ail Adi region.

The deterioration of the political and security conditions cast its shadow on the conditions of the displaced persons living in camps whose numbers are estimated at hundreds of thousands. In 2015, the number of internally displaced Somali persons was over 1.3 million persons. The attack launched by CNAF and AMISOM led to the disruption of trade routes.

Similarly, Shabaab movement shut down supply routes after they were driven away from cities at the hands of AMISOM which led to disruption of humanitarian aid supplies. The ongoing conflict and el-nino rains that started in October 2015 represented a risk of having more negative impacts on the humanitarian conditions.

In January and February 2016, the National Security Troops evacuated around 25700 persons and displaced them from public and private lands in Mogadishu without following the due legal procedures. In March 2016, the troops evacuated 21000 other persons. The majority of displaced persons went to the suburbs of Mogadishu, especially Sarkosta and Tabilaha districts, where they faced despicable living conditions.

It is worth mentioning that Ethiopian troops working in Somalia, which are estimated at 4000 soldiers, had started withdrawal from Somali cities in October 2016 which coincided with the popular protests in Ethiopia. The AOHR used to call for the withdrawal of the Ethiopian troops from Somalia or occupation of Somali territories in the south of Somalia. There are still Ethiopian military formations within AMISOM.

Right to freedom and personal safety

On December 27, 2015, armed men from Shabaab movement kidnapped three Somalis working in a local relief organization during their presence in Bartiri district in Gedo southern Somalia.

On December 31, 2015, some of the rebels of Shabaab movement kidnapped two persons, one was a doctor and the other was a driver of an ambulance in Tosmarib city. According to the UN Secretary General report, around 185 relief workers were kidnapped in various parts of Somalia for security motives during the period covered by the report.

Three other relief workers were kidnapped in Bartiri region at the hands of Shabaam movement in March 2016.

Right to a fair trial

Informal courts still govern Somalia. Journalists and human rights advocates were targeted. The Somali government continued to use and execute the death penalty in spite of its ratification of the UN General Assembly resolution titled “Moratorium on the use of the death penalty”.

Members of the Somali armed opposition were shot dead by Shabaab movement; government soldiers as well as persons convicted of murder were also executed.

The courts-marital did not meet the international norms of fair trials and the capital punishment was hurriedly implemented. In the Somaliland region, civil courts issued death sentence against no less than 70 persons in February 2016. In July 2015, a civil court in Sol issued a death sentence for a mentally disturbed man after convicting him of killing his friend.

In February 2016, the government decided to resume execution of the death penalty after a nine-year stay of execution. In April 2016, 6 prisoners who were sentenced to death were shot dead in Mandira complex.

Third: Public freedoms

The severely chaotic environment in Somalia continued to impose restrictions on public freedoms there, on top of which comes the freedom of opinion and expression.

Freedom of opinion and expression

On December 24, 2015, the government took a decision to ban the celebration of Christmas and New Year's Eve because this represents a violation of the Islamic culture.

On August 1, 2015, the Sufi militant group in central Somalia arrested three journalists working for local radio and satellite channels.

In August 2015, the police of Tosmorib arrested Mohammad Daik Mohammad, a reporter in national television in central Somalia, in addition to Bashir Sanka, and Abd Gamal Moalam Ahmad.

On September 27, 2015, the authorities of Somaliland arrested four artists of the group of Hadghaha Ghisk in Hirghisia (singer Noman Halaa, Mohammad Ahmad Bakal Airo, Abdel Rahman Adwi and Al Shababa Hamdi Kween) during their return to the region after performing "love" songs during the celebration of the lesser Bairam.

On December 3, 2015, the car of one of the famous anchors of Mogadishu Radio and the federal state television was attacked by a booby-trapped car at a crossroad 4 km away from central Mogadishu and she was killed.

On February 20, 2016, the federal government blocked internet websites on charges of spreading information that harm the state institutions and instigate security turmoil in the country.

Local media stated that the Ministry of Post and Communications managed to block around 35 websites administered from abroad.

On November 12, 2015, the Ministry of Information in the regional state of Puntland in the north east of Somalia issued an order to ban Gamea Yussif Al Deperani, anchor of Deperani Show in Somalia Satellite Channel, from working in the regions under the control of the authorities of the state of Puntland that enjoy semi self-rule in Somalia.

Participation in public affairs

On July 26, 2015, the parliament elected Ghalmadgh Ali Ghal Asr as a new Speaker of parliament.

In a significant step on the road of completing the transient regional administration at the center of Federal Somali Republic, the parliament of South West Somali Region elected its Speaker and his two deputies on January 4, 2016. The total number of MPs is 145 from the three governorates: Lower Shebelle, Bay, and Bakool.

The Somali leaders agreed on the form of the electoral process that was slated to be conducted in August 2016, but the Somali government decided to postpone it several times. It informed the UN of the postponement. Parliamentary elections were conducted in December 2016 and the presidential elections are expected to be conducted in the Spring of 2017.

The Somali government issued on January 28, 2016 an executive decision stating that wide-base electoral colleges would elect the 275 MPs instead of letting the tribal chiefs alone to choose as was the case in 2012, while maintaining the allocation of seats for tribes according to the quota of 4-5 for the share of power between tribes. The Senate shall comprise 48 seats equally divided among the federal states in addition to 6 additional seats, three for Somaliland, and three for Puntland. 30% of the total seats of the Electoral College and the Senate and Parliament seats shall be allocated for women.

The upper house (the Senate) comprises 54 members according to the tribal census. 8 members were allocated for each of Jubaland, South West, Galmudug, Hiraaan and central Shipli administration. As for Puntland and Somaliland, each gets 11 members due to the large area of the previous administrations.

On his part, the head of the government of Puntland Abdel Wali Mohammad Ali Ghas, objected to the item related to sharing power among tribes, explaining that the population of the north east part of the country disapprove this agreement.

In their meeting, the Somali leaders did not discuss the advantage of Banader governorate (Mogadishu) in which there is around 3 million residents the majority of whom belong to Al Haweya tribe.

* * *

Republic of Iraq

Efforts made so far to improve the human rights situation in Iraq is still hinged upon regional and international rapacity which plays the leading role in provoking internal conflicts and dissensions based on creed, race or sect. This situation creates an environment that fosters terrorism and leads to its extension across the Iraqi territories for thirteen years in a row.

Efforts exerted to liberate areas occupied by Daesh terrorist organization in 2014 mark the period covered by the report. However, this did not adequately help distract attention from the real crisis Iraq faces since occupation in 2003. The battle of Mosul in October 2016 disclosed the size and nature of regional and international roles that negatively impact the country, deepening the internal divisions, empowering terrorism and leading to the aggravation of terrorist crimes.

It is no more feasible to hide the current social division. . Thus, the regions where sectarian and ethnic groups merged turned into areas that expel the most vulnerable identities or areas in-between cantons where residents have only unilateral identities. This division is a typical response to the distorted “Federal Division” that led over the years to “a velvet division”, apparently turning into “hard division”.

It is no longer acceptable to conceal the central government failure to control its military and security institutions and terrorist militias of “People's Mobilization Forces (PMF)”. Moreover, the Prime Minister had to refer to a commander in the “Guardian of Iranian Revolution” as the official military consultant after the latter appeared in Fallujah battles.

The central government failure is not only manifest in the rejection of majority of the parliament but also in imposing such government by force due to temporary agreements between regional and international parties that will collapse once their interests conflict. The actual deficiency in the parliamentary and governmental structure extend to the distorted “political process” introduced by the US occupation in Iraq with quotas based on race, creed, and sect

which contributed to the division within the society amid its diverse identities.

Prime Minister, Haider Al-Abadi, failed in his attempt to form a neutral technocracy to transcend these quotas because the parliamentary blocks continued to hold on to their doctrinal or racial gains in ministries and public positions.

Al-Abadi's plan failed to implement governmental structure reform as the MPs rejected many of the pivotal steps towards reform.

Fundamental Rights

Right to Life

Conflict on the basis of race and creed continued to be the main reason for violation of the right to life, especially in central and west Iraq, including terrorist crimes and crimes committed by mistake in the context of fighting terrorism; extralegal killings; spread of torture in detention centres; unfair and extraordinary trials that sentence thousands to death every year.

According to the United Nations Assistance Mission for Iraq (UNAMI), 8242 individuals were killed and 14172 were injured during the period from August 2015 to October 2016; those estimated numbers were based on the available statistics documented.

However, the unofficial estimates of human rights organizations stated that at least 30 thousand individuals were killed and 45 thousand were injured during the same period.

Several people fell victims during the conflict in Daesh-controlled areas whether at the hands of Daesh which killed hundreds of people to intimidate the residents and prevent any potential rebellion, or through using those victims as human shields against the Iraqi government forces. Furthermore, many citizens were killed during US-Iraqi air raids which allegedly targeted Daesh centers in these areas. The air shelling killed hundreds of civilians because it basically targeted civilian areas including educational and medical institutions, prisons, detention centers, residential buildings as well as water and electricity utilities.

In March 2016, at least 15 civilians were killed and several citizens were injured in Mosul by one of the US international alliance

air raids against Daesh, targeting civilian districts including university dormitories, commercial markets, water desalination networks and health services centers.

On July 2, 2016 the US air jets of the international alliance against Daesh shelled the prison area in Mosul targeting to assassinate Daesh leaders which resulted in the killing of about 200 detainees and injury of other 100 persons whom are mostly civilians detained by Daesh for violation of Shari'a Islamic law according to Daesh perverted interpretations of the provisions of the Islamic law, such as smoking or break-fasting in Ramadan.

Thousands of individuals were killed by artillery shelling launched by the Iraqi government and PMF militias in their battles against Daesh on residential districts or by PMF militia's attacks to kill civilians suspected to belong to Daesh. Such crimes are not less heinous than similar crimes committed by Daesh.

At the end of May 2016, the PMF militias committed a series of terrorist crimes against the residents in the vicinity of Fallujah city during the Iraqi government-PMF militias' battles against Daesh. During these attacks, field sources monitored that the Iranian-led PMF militias killed a number of male youth in cold blood for racial reasons; in what could be described as genocide. One of these documented crimes included the decapitation of 13 young men in Garma village near Fallujah.

The destiny of 56 young men arrested and detained by the PMF militias in an educational facility outside Garma city has not been disclosed. It is expected that they were subject to extra-legal killing.

There were concerns about the safety and destiny of 600 suspects who were arrested and transferred by the government forces outside Fallujah amidst contradictory news about being tortured during investigations to identify whether or not they belong to Daesh. The Iraqi government was reluctant to decide upon the participation of the PMF militias in the operations against Daesh and their law enforcement activities in other areas, particularly after these militias committed crimes against the residents in Tekrit battles (see the previous annual country report).

However, the government did not only acknowledge the need for the PMF militias participation in Fallujah but the Head of the government, “the Prime Minister, Haider al-Abadi, to end this debate , also announced the appointment of t General Qassem Solimani, a commander in the Iranian Guard, as military advisor to the Iraqi government in Fallujah battles particularly after ensuring that Solimani and his other subordinate Iranian military officers shall lead the PMF militias in Fallujah. The government statement did not indicate that Solimani would quit his post in the Iranian Guard Corps and did provide any explanation for his leadership to Iranian forces and Iraqi Shiite militias simultaneously in the vicinity of Aleppo north of Syria in line with the Iranian support to the government of Bashar al-Assad.

Thousands of civilians fell victims to more than 100 terrorist operations including explosions or car bombings launched by Daesh and other terrorist groups mostly against Shiite districts including the center of Baghdad.

The most horrendous crime was a massive explosion by a booby-trapped car in the commercial district of Karrada in the center of Baghdad on July 3, 2016 during the holy month of Ramadan. The explosion resulted in destroying several buildings, death of 292 people and severe injury of 200 which enraged the citizens because of the failure of the security system to protect the center of the Capital.

Daesh claimed responsibility for most of those crimes; a tradition adopted by the extremist terrorist groups since October 2005 after a few days of committing ethnic cleansing crimes against as-Sunna at Tal Afar in September 2005. The terrorist groups, mostly formed of foreigners, were more zealous in benefiting from the ethnic conflict. They sought a popular Sunni incubator for their terrorist crimes to ignite doctrinal, sectarian and racial the conflict; which contributed to relieve the pressure on the US occupation back then.

Thousands of people were killed in official and non-official detention centers by both the Iraqi government forces and PMF militias due to torture or deliberate mistreatment. Sometimes, there were allegations about physical liquidations in detention centers.

Nasiriyah prison south of Iraq is considered one of the most horrid prisons in which torture is widely used. Convicted Sunnis and

individuals suspected to belong to terrorist groups are detained in that congested prison. According to the testimony of some released convicts, torture is not necessarily associated with investigations as much as it relates to ethnic-based retaliatory actions which in some cases lead to deaths due to the systemic excessive torture, poor living and health conditions or humiliating detention conditions.

Although the Iraqi government repeatedly denied that there were secret detention centers, several detainees who were released after long period of detention without trial or a court order said that they had no idea about where they were detained.

Moreover, the results of investigations carried out over the past years in secret detention centers at some Iraqi security and military facilities have not been announced. Also, no measures were taken to ban the secret detention centers. Contrarily, the Shiite militias continued to run their own prisons in respectively known military premises in violation of the law issued by the Iraqi authorities that prohibited the political parties from establishing military wings.

Both Daesh and PMF militias adopted the scorched-earth policy in areas of confrontations including Ramadi, Al Anbar, Fallujah and Mosul. This has led to forced internal displacement and prevented residents from voluntary return to their homes. All this led to the conclusion that identity-based division of the country has taken more serious dimensions in re-drawing the maps of Iraq and the whole region.

Daesh adopts the policy of destructive shelling of residential districts, mosques, and major services facilities during withdrawal under the pressure of Iraqi and foreign military strikes.

Similarly, the PMF militias destroyed facilities in the areas they invaded after Daesh withdrawal, targeting mainly mosques, residential and services buildings in addition to looting and seizures.

The number of the internally displaced reached about 3 million; 2 million of which were displaced during the period covered by this report. That number is expected to increase after Mosul battle which started in October 2016 though the government declared adoption of measures to secure the voluntary return of the displaced particularly in Fallujah.

The Iraqi refugees are said to represent at least 22% of the flows to west Europe countries by land over the past 15 months. The AOHR field sources confirmed that 30% of non-Syrian refugees seeking asylum in Europe hold new Syrian passports.

Right to a fair trial

Law no. 13 of the year 2005 on anti-terrorism is still in force. That law resembles the emergency law and undermines the guarantees of protecting suspects and detainees. Also, penal codes and court proceedings still disregard the requirements of a fair trial and result in execution of death penalty against thousands of people every year.

The United Nations confirm that the Iraqi Criminal Courts ignore the claims of torture. In a few cases, the convicts were summoned to prove the incidents of torture and were asked to submit medical reports they do not have! In all cases, no investigations were carried out to validate the torture claims.

The worst thing is the indictment of defendants on the basis of confession under torture; fabricated unreliable confessions; use of doubtful evidence; and many a time conviction is based on preliminary testimonies of witnesses who deny such testimonies once they appear before the court and claim they were given under torture.

In most cases, at least 70% of those defendants were convicted and sentenced and about 60% were sentenced to death.

Lawyers are too cautious in dealing with or making statements about lawsuits. Most lawyers stated that they were verbally threatened or directly harassed by sectarian and security forces to prevent them from doing their job or to ensure they would not make statements about the violations against the defendants they represent.

Since the US occupation of Iraq, quotas in assuming public positions had been the underlying reason for lack of impartiality, integrity, independence and efficiency within the judiciary though the Iraqi Judicial Law provides for some positive aspects.

It has been noticed that though detention periods extend for a long time; for years in many criminal cases, the criminal trials take at best of times three months and normally indict the majority of

detainees based on doubtful evidence that constantly defies sound logic.

Public Freedoms

Protests prevented voting on the draft law on freedom of expression, peaceful association and assembly as the law places restrictions on the right to assembly and association contradicting the provision of Article no. 38 of 2005 Constitution on freedom of expression by all means.

The protesters called for abolishment of the penalties stated in the Law on Publication as well as abolishment or amendment of the aggravated penalties in the Penal Code. The draft law adds new penalties in case of violation of provisions and imposes geographic and time restrictions on practicing the right to assembly. In this way, the Law seems as a kind of a response to the protests and strikes organized in the country over the last three years and will eventually deprive the protesters and sit-inners from the right to protection.

The Law also restricted the freedom of access to information. Thus, it stipulates that government database will be established which means that citizens would not have access to information other than that available on the database.

Protests against the poor living conditions since August 2015 had been suppressed by security forces with extreme violence which resulted in deaths and injuries among protesters. In addition, there were suspicions about mysterious assassinations of a number of protest leaders and advocates, and the investigations did not reveal who is accountable for their deaths.

Protests were against deteriorating services, particularly power cuts as well as frequent water-supply disruption in many areas which synchronized with the decline in oil prices to less than half of the prevailing international price over the past years. Consequently, the revenues could not cover the government financial needs including salaries.

This situation has aggravated due to two key factors:

First: foreign partners in the oil sector receive the lion's share of oil returns due to the wide-scale corruption since the US occupation in 2003; breach of contracts in violation of the applicable law by using the main oil reserve sites such as Basra fields as well as the conflict between Kurdistan regional government and the central government on oil shares. Practically, this situation escalated later after Kurdistan controlled the main oil fields in Kirkuk which was occupied by Daesh in 2014.

Second: the inflated Iraqi government body which turned to be seven times the international average because of the quota system used in recruitment in favor of the governing powers.

* * *

Sultanate of Oman

The Sultanate of Oman witnessed three important human rights situations:

First, in November 2015, the second round of Universal Periodic Review (UPR) was conducted. Meeting the commitments related to the UPR, the government signed some international human rights charters as well as fully or partially approved 169 out of 233 recommendations.

Second, the elections of the Shura Council and municipalities were held on November 26, 2015 and December 26, 2016 respectively.

Third, a new act on anti-money laundering and countering financing of terrorism was introduced.

In return, typical violations particularly against the freedom of opinion and expression were increasingly committed.

Legal Framework

The Omani national report submitted to the UN UPR presented a number of positive legislations and procedures taken by the Sultanate since the first UPR round which covers the period from 2011 to 2012, in which some reforms have been made after the protests in the country.

The national report did not identify any significant achievements during the period of this report (2014-2015). Most of the positive aspects mentioned in the report were in the fields of economic, social and cultural rights, namely, promulgation of the child act; rendering elementary education mandatory; incorporation of human rights in the school curricula; and development of national policies and strategies meant to fight human trafficking, support women and protect children and senior citizens.

In the context of voluntary undertakings and approved recommendations in the first UPR round, the Sultanate of Oman stated that its council of ministries agreed, in principle, to enter into the International Covenant on Economic, Social and Cultural Rights, the United Nations Convention against Torture, and the International

Convention for the Protection of All Persons from Enforced Disappearance.

The countries participant in the UPR made 233 recommendations. More than one third of these recommendations relate to inviting Oman to ratify the international instruments it promised to accede it as well as other international instruments on human rights and the ILO conventions nos. 87, 98 and 189 ; remove the reservations on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); and strengthen cooperation with the Special Procedures of the Human Rights Council.

A great number of recommendations were on women's rights whether in terms of equality, empowerment, right to pass citizenship to her children if married to a non-citizen spouse as well as protection of women against FGM, human trafficking, and domestic violence. The recommendations particularly mentioned domestic female workers.

Also, a great number of recommendations called for the amendment of national laws in accordance with the international standards and the Constitution. Some laws disregard rights and freedoms guaranteed by the Constitution. Recommendations on the fundamental rights included fair trial; detention under remand; violation of legal procedures in detention facilities, and treatment of prisoners and other detainees.

With respect to public freedoms, the recommendations stressed on right of opinion and expression; right to peaceful assembly and association. The recommendations also asked the state to reduce the age of voters to 18 with a view to involve youth in the election process as well as enhance women's right to participate.

The recommendations included, as usual, some issues outside the scope of the International Bill of Human Rights, disregarded by the Omani government.

During the period covered by this report, **a new Anti-Money Laundering and Counter-Terrorism Financing Act** no. 30 of the year 2016 was promulgated. It included broad statements to criminalize terrorism financing and defined terrorist crime as every deed committed in violation of related international conventions

ratified by the Sultanate of Oman. Although the Act identified the wrong deeds, it broadened the scope of criminalization by referring to the Anti-terrorism Act.

In identifying the terrorism financing crime, the Act stated that incrimination shall cover everyone who knows or “who should have known” that the funds provided through the same targeted financing terrorism. Therefore, the Act incriminates almost anyone even in absence of criminal intention. The Act provides for varying penalties, namely, 5-10 years for financing terrorism, 10-15 years for committing terrorist acts in addition to exuberant financial penalties

With respect to **women’s rights**, the law does not allow passing citizenship to the children of Omani women married to non-citizen spouses. In 2014, Sultan Qaboos issued a new decree no. 38 in which he stressed that the Omani woman married to a non-Omani is not entitled to pass citizenship to her children. However, according to Article 18 of the decree, the Omani woman is entitled to pass citizenship to her minor children in case ten years have elapsed since her divorce and/or widowhood. The decree delegated the Ministry of the Interior solely to “grant, lose or withdraw” citizenship, where courts are not entitled to be a party in the case of complaints or grievances.

With respect to **public freedoms**, Articles 29, 30 and 31 of the Omani “statute” stress freedom of opinion and expression while such rights are undermined by other laws. The government restricted online and other criticism by virtue of Article 26/2002 of the Telecommunications Act which stipulates the incrimination of anyone who publishes a message via any communication medium that contradicts the regime or public morality.

The police stormed the houses of a number of social media activists because of their online activities on August 3, 2015 and confiscated their passports. Activists Aly Hilal Elmeqbally, Taleb Elsaadi and Dr.Saleh Elazari, a physician, were arrested and then released on August 24 and 26, 2015 respectively.

Activist Muhammad El-fazari, the Editor-in-Chief of Al-Watan online magazine, sought political asylum in Britain on July 17, 2015 upon his illegal flight from Oman away from the prosecution and security harassment , mainly, prevention of travel and seizure of

his passport since December 22, 2014. He was put under house arrest for 7 months because of the well-known case of “insult of His Majesty the Sultan, and assembly in 2013. The security forces arrested his brother, Mahmoud El-fazari” for collusion with his brother, and helping the latter flee from the country. His brother was released on August 6, 2015 with no charges brought against him.

On November 18, 2015 Salalah Court of Appeal approved the ruling against Saaed Gadad, an activist,; sentencing him to one-year in prison with a penalty of OMR 1000. He was detained in Arazat prison in Salalah for committing IT crimes after he posted on his Facebook page some views criticizing the security authorities and corruption of the government and some religious institutions. He was first arrested on January 21, 2015, and was referred to First Instance Court which issued the abovementioned ruling on March 31, 2015.

Activist and ex-diplomat Hassan El-Basham was arrested many times during 2015 and 2016 by security forces. He had also undergone many trials. On June 13, 2016 Salalah Court of Appeal approved the ruling against him and he was sentenced for 3 years because of social media activities. He was charged of “blasphemy, insult of His Majesty,, and misuse of the internet in a way that undermines the religion values”.

The security forces prosecuted and detained a number of journalists of Ez-zaman Newspaper that published reports and press releases criticizing the performance of the government authorities and corruption of some judicial institutions. On July 28, 2016, the editor-in-chief and CEO of the newspaper Ibrahim El-Maamari was arrested because of a news report published on July 26 entitled “Supreme agencies shackle the hand of justice”. On August 3, the journalist in charge of local news Zaher El-Ebry was arrested for criticizing the security forces for arrest of the editor-in-chief. On August 9, the journalist and managing editor Yusuf El-haj was arrested for a news feature with the Vice President of the Supreme Court in which he supported the news published earlier on corruption.

On August 9, the Minister of Information issued a decree close down Ez-zaman newspaper and block its website claiming that the newspaper violated the Act of Publication as well as the Royal Decree no. 35/ 2009.

The three journalists were referred to trial and charged of: disturbance of public order; misuse of the internet; publishing the proceedings of a personal status lawsuit; undermining the prestige of the country. The managing editor was also accused of publishing information on a lawsuit though a ministerial decree was issued banning publishing such information, and defamation of the President of the Supreme Court.

On September 26, 2016, Muscat First Instance Court sentenced both the editor-in-chief and the managing editor to 3 years in prison and penalty of OMR 3 thousand each; prohibiting them from practicing the profession for one year; and paying a bail of OMR 50 thousand each. The Court also sentenced a local news officer to one year in prison; a penalty of OMR one thousand and paying a bail of OMR 5 thousand. The Court of Appeal mitigated the penalty to 6 months for the editor-in-chief Ibrahim El-Maamari, a year for the managing director Yusuf El-haj, and acquitted the local news officer Zaher El-ebri. The Court of Appeal also revoked the decision of closing the newspaper.

In the same context, the security forces detained the author Hamod El-Shekeely for posting a poem on Facebook in solidarity with the two journalists of Ez-zaman newspaper. He was referred to Muscat First Instance Court that sentenced him to 3 years in prison, a penalty of OMR one thousand and a bail of OMR 5 thousand.

By virtue of the Code of Criminal Procedure of the year 2011 that allows possible detention by the security forces of persons up to 30 days with no charges, the security forces arrested and detained pro-reform activists and prevented their access to lawyers or families. Detentions have become a usual practice since 2011. Thus, security forces arrested and detained many opposing activists and others who used the social media and other internet channels to criticize the government.

On January 8, 2015 UAE security forces abducted the Omani citizen Hilal El-Bosaedi, an ex-prisoner of conscience, and extradited to the Omani authority. He was then released in early June 2015 but banned from travelling abroad. The security forces seized his passport for criticizing the government as the Prosecutor General, the Head of the Homeland Security Department, and the President of the Supreme

Court were not prosecuted for “suspicious transactions with an Omani trader.”

On June 16, 2015 Ahmed El-Mokhari, one of the organizers of the Second Green March in February 2011, was detained because of his posts on Facebook. He received a letter from the Omani security forces summoning him to investigation for personal reasons. He was released later in July 2015 with no charges.

On August 4, 2015, Mokhtar El-Hanaay, prisoner in “- the assembly” case, as well as Ahmed El-baloshi were arrested. El-Baloshi was released the day later. Mokhtar was released on August 24^h, and got his passport again after 4 months on December 27, 2015. Mokhtar still has a difficulty finding a job because of the constant security harassment.

On December 20, 2015 Nasser El-badri, poet and TV producer, was detained because of tweets he posted on Tweeter in which he addressed the Sultan. Although El-badri deleted his tweets, he was summoned to investigation where he spent 12 days in one of the homeland security prisons. He was released on December 31, 2015. According to the comment he posted on his Facebook account, no charges were made against him.

The Homeland Security Department had detained the writer Dr. Saud El-Zadgaly since October 5, 2016, because of a number of articles and discussions addressing the history of “Ibadism” in Oman. According to sources, the writer was exposed to “defamation and moral assassination campaigns” due to his ideas and articles posted generally on his Facebook account or in local online newspapers and magazines. El-Zadgaly has recently received orders from the Ministry of Endowment and Religion Affairs to stop delivering Friday sermons.

The Department detained Saqr El-Baloshi, ex-member of the municipal council of Liwa Province, Al Batinah North Governorate without disclosing the reasons of detention or charges against him. On October 5, 2016 El-Baloshi received a call from a homeland security officer summoning him to appear before the division in Qurum, Muscat Governorate. El-Baloshi participated in a demonstration on August 22, 2013 with a number of citizens protesting against the emissions of poisonous gas from industrial enterprises in Sohar Port.

It is the same case for which Dr. Taleb El-Amri, former -member of the Shura Council of Liwa Province, was detained.

Afterwards, the Ministry of the Interior issued decree no. 248/2015 to replace El-Baloshi in the Municipal Council and appoint another member; and denied him the right to run for the next elections. Since his detention, he communicated once with his family to inform them of his detention. However, he was not allowed to communicate again with his family or his attorney. His family was not allowed to visit him or know where he is detained. Some members of his family submitted a request to the division concerned to meet him, but the request was rejected.

The Homeland Security Department launched a massive campaign to summon many activists and ex-prisoners of conscience because of WhatsApp messages as well as some posts on Facebook or tweets on Tweeter on February 26, 2011 published in commemoration of Sohar Protests.

Hilal El-Alwi, a poet and one of the prisoners in Sohar protests, was summoned many times; the last of which was in August 2016. He was previously summoned to investigation and was detained on February 29, 2016 because of posting in a WhatsApp group a poem in commemoration of 2011 Sohar Protests. Hilal was released later on March 10, 2016 with no charges filed against him.

Both Awad El-Sawafi, ex-prisoner of conscience, and Ammar El-Hannai, an ordinary citizen, were summoned on March 12, 2016 because of their posts on Facebook that praised Sohar protests and glorified the martyrs.

On October 26, 2015 the elections of the **Shura Council** were held. It was the first election held after assigning the legislative and regulatory mandate to the Council in 2011.

The number of registered voters exceeded 611 thousand across the 61 provinces in 11 governorates. 590 candidates competed on 85 seats in the Council including 20 women versus 170 women in 2011 elections.

70 candidates were disqualified; 30 of whom for security reasons. Some of disqualified candidates were ex-members in the Shura Council. Isaac El-Aghbari, one of the candidates, stated that he

was disqualified because of an oral notice from Assib Governor with no legal justification.

During the nomination period, a wide-scale debate arose about the legislative and regulatory mandate of the Shura Council and their impact on the decision-making process in addition to the debate over woman participation, candidate disqualification, and the calls to boycott elections.

The ballot boxes were sealed in the attendance of the mass media, judges and security forces then were transferred to the election constituencies of related provinces where votes were counted with the attendance of the candidates and election observers. On October 26, 2015 the Supreme Committee for Elections announced the results of the elections. Only one woman won a seat though 125 thousand women voted in this election according to the information of the official sources.

The Supreme Committee for Elections indicated that the participation percentage was around 56%. However, this percentage was not validated through impartial sources particularly that the elections were not under national or international observation.

On December 26, 2016 municipal elections were held to elect members for the 11 municipal councils. That was the second time to hold municipal elections; the first municipal elections were held in 2012 in the context of reforms introduced after 2011 social protests. 731 candidates including 23 women ran for elections competing on 202 seats in municipal councils. Only 624 thousand were eligible voters. However, the participation percentage in this election was not disclosed.

The e-ballot system was used for the first time in this election. The votes were counted after the completion of voting. 7 women won municipal council seats with 3 seats more than the previous elections though the number of female candidates in this election was less than half the number of female candidates in the previous municipal elections.

* * *

State of Palestine

Palestine's accession to Rome Statute of the International Criminal Court (ICC) at the end of 2014 constitutes a turning point in the struggle of the Palestinian people against the Israeli occupation. That accession is as important as both the international recognition of Palestine on November 29, 2011 (the UN General Assembly Resolution no. 19/67) and the Security Council Resolution no. 2334/2016 recently issued that called for cessation of the frantic expansion of settlements; condemned the demographic changes in the occupied Palestinian territories including East Jerusalem; held Israel, as an occupation authority, accountable; stressed the illegitimacy of settlements that constitute a violation- of the Fourth Geneva Convention relative to the Protection of Civilian Persons in time of War.

The recent resolution is a turning point in the history of the Palestinian struggle. It was the first Security Council resolution issued (with a majority of 14 votes and abstention of the United States of America) that champions the legitimate Palestinian rights since 2003 and surmounted the stumbling block of the veto exercised by successive US Administrations including Barack Obama's that aborted a similar resolution related to settlements at the end of 2011; prevented Palestine from having full membership of the United Nations and mobilized parties to decline the resolution meant to set a ceiling for termination of the occupation at the end of 2014.

However, the realized gains only moved Palestine from the illusions of endless negotiations with the Israeli occupation to the tunnel of serious political and legal action. Such gains are mere strides on the right path; however, this could have been enhanced by early movement and tangible Arab support rather than verbal statements and ineffective resolutions. The Arab League has been in a status of inaction since summer of 2015. Thus, no further actions were taken by the Arab League towards the Israeli aggression during summer of 2014. The most important action was the Arab movement before the UN General Assembly utilizing the majority vote in support of the Palestinian right in drafting a resolution that set a ceiling for the termination of the Israeli occupation. However, this movement was

unjustifiably stopped during autumn of 2015. The draft resolution is still under the review of a panel of experts formed by the Arab League Council which does not explain the underlying reason for delay of action.

Moreover, the Palestinian leadership has not tried anew to restore the right of recognition of the State of Palestine as a fully-fledged member of the United Nations. Observers attribute this to the desire of Arabs and Palestinians to avoid potential punitive measures by the US Administration; particularly freezing economic assistance that would impact the living conditions of the Palestinian people at a time when Arab economic support has retreated and Israeli economic sanctions mounted.

Therefore, the Palestinian movements failed to deter Israel from committing war crimes that escalated during the period covered by the report. During that period, the Israeli occupation frantically built more settlements, seized land, demolished houses, arrested thousands of Palestinians, and pursued all different sorts of blockades, starvation war and economic squeeze.

Violations of the right to life were the most prominent of the Israeli crimes, especially the extra-legal killings of 270 Palestinian young people in the occupied Jerusalem and the West Bank claiming that some Palestinian youth used to target occupation soldiers and Israeli settlers in the West Bank; this came as a reaction to the practices and horrid crimes of the Israeli occupation. The occupation authorities scaled up the killing of Palestinian citizens whether there was evidence of attempts to stab or run over Israelis with their cars or not

In all cases that were documented, most Palestinians were killed without evidence to support their attempt to do anything. In all cases, the occupation forces could have arrested the suspects alive, but the forces chose to kill them in cold blood. Human rights organizations regarded this action as extra-legal killing, which constitutes a sort of “punitive collective measures” that aim to intimidate People. What proved that these are “punitive collective measures” is demolishing the houses of young Palestinian men and women and refraining from provision of their bodies to their families.

On October 17, 2015 Israeli settlers killed three Palestinians in East Jerusalem and Hebron under the suspicion of attempting to stab settlers in three different incidents on the same day. The field sources confirmed that two of the murdered Palestinians did not pose any tangible threat and that all three could have been arrested alive, but this was an extrajudicial liquidation.

On November 7, 2015 an Israeli soldier killed the Palestinian young man Malek El-Shrief at Etzion crossing point in Hebron claiming that he tried to stab the occupation soldiers. The Israeli media commended the murderer (19 years old) because he had previously killed two Palestinians in Hebron in cold blood claiming that they tried to stab Israeli soldiers as well.

On March 19, 2016 the Israeli soldiers also killed a Palestinian young man in Hebron claiming that he tried to stab the occupation soldiers next to the Cave of the Patriarchs, known by Muslims as the "Sanctuary of Abraham". According to eyewitnesses, Israeli soldiers showered the Palestinian young man with bullets while they could have arrested him. The occupation authorities did not provide any evidence to support their allegations.

According to media estimates, the occupation forces and the settlers killed around 270 Palestinians claiming that they tried to stab or run over Israeli soldiers while only 30 Israeli soldiers and settlers as well as three foreigners were either killed or injured in some of these incidents.

The occupation forces refused for long to deliver the bodies of the Palestinians to their families and they still procrastinate in the delivery of a number of bodies. Furthermore, the occupation forces demolished the houses of tens of murdered Palestinians under their adopted punitive collective measures which are considered war crime by virtue of the provisions of the Fourth Geneva Convention.

On April 4, 2016 the occupation forces demolished the houses of 7 Palestinian martyrs - 3 houses in Jenin, and 4 houses in Jerusalem, Hebron and Nabulus -. They also delivered a warning to demolish the eighth house in Jenin as this is the common procedure pursuant to the decisions of Israeli courts.

Despite the intense Israeli pressures, the **Investigation Committee of the United Nations Human Rights Council (HRC)**

specialized in investigating crimes committed during the aggression in the summer of 2014 -asserted in the report submitted to the UNHRC at the end of June 2015 that the Israeli occupation deliberately targeted civilians. The occupation forces did not, for instance, change their aerial shelling strategy in spite of its disastrous effect on civilians. Therefore, this action could at least be “a part of an implicitly agreed-upon broader policy” even if targeting densely populated areas led to “indiscriminately” killing fighters and civilians alike.

The report indicated that the occupation forces launched six thousand air raids on the occupied Gaza Strip using about 50 thousand artillery shells for 51 days which resulted in the death of 2251 Palestinians including 1462 civilians (about one third were children); injury of 11234 Palestinians; and demolition of one third of the houses in Gaza Strip.

The report stated that 67 soldiers of the occupation forces and six Israeli “civilians” were killed.

The report further noted that the Israeli occupation authorities adopted an intransigent stand towards the Committee, whether with respect to access to the occupied Palestinian territories or reply to the committee’s requests and inquiries.

The report refuted the Israeli occupation allegations of “self-defence” and “unilateral withdrawal from Gaza” affirming that the withdrawal is a mere redeployment and that Gaza Strip is actually and legally occupied. The report also replied to the occupation claim that their aggression was a response to launching missiles from Gaza indicating that the official Israeli statements asserted that the missile attacks were less frequent due to diplomatic efforts and understanding between the occupation forces and Hamas Movement. In addition, the allegation that “the occupation has tried to avoid the civilians” is a falsehood as manifest in the losses of civilians. In essence, the Israeli occupation controls the situation because it has one of the strongest armies in the world.

The report refuted the occupation’s allegation that the Palestinian resistance used some witnesses and civilians as human shields. The report accused the occupation forces of using Palestinian

detainees, especially boys shackled to the front of tanks and vehicles as human shields upon the invasion of Palestinian districts.

The occupation forces, determined to commit systematic crimes and prevent accountability, have exercised international political pressures and directed immediate life threats to the human rights advocate and chairman of the HRC Investigation Committee, Professor William Schabas. The occupation authorities prevented the Committee from completing its mission and from access to the occupied Palestinian territories. Schabas resigned in early February 2015 because of the Israeli pressures and serious life threats.

The Israeli occupation authorities accused Schabas of supporting the Palestinian cause and of friendship with the Palestinian human rights advocate **Shawan Jabarin, President of Al-Haq Palestinian Human Rights Organization**. However, Schabas did not deny his efforts in defending human rights or his friendship to Jabarin based on their common activities in defending human rights in international forums.

Jabarin and his colleagues had received constant death threats since September 2015 because of the movements of Al-Haq Organization in front of the International Criminal Court (ICC). Those threats significantly mounted along with campaigns to tarnish the reputation of Al-Haq organization from March to June 2016 through phone calls to the relatives and colleagues of Nada Kiswanson, the representative of Al-Haq Organization to the Hague, who works closely with the Prosecutor General's Office at the International Criminal Court (ICC).

Moreover, leaders of the Mezan Center for Human Rights received various threats via telephone and email; which confirms that the staff of Palestinian human rights organizations is under sophisticated electronic control that reveals all their movements in and out of the occupied Palestinian territories.

These campaigns synchronized with the preliminary investigation conducted by the Prosecutor General's Office at the ICC on the note submitted by Palestinian human rights organizations. Three notes were submitted until December 2016 addressing Israeli settlement as a continuous and prohibited crime as per the

International Humanitarian Law and the prohibited war crimes according to Rome Statute.

Consequently, the Israeli occupation government held emergency meetings to discuss and contain the impacts of such Palestinian movements before the ICC.

About 570 thousands of Israeli settlers live in the West Bank and East Jerusalem on vast areas exceeding 50% of the territories under the pretext of security considerations where they make use of large areas for construction and the adjacent wide spaces; racial segregation wall built in the West Bank; restricted areas; narrow ring roads and fixed and mobile barriers.

Around 2.5 million Palestinians live in an area that does not exceed 22% of their occupied territories; as if they are permanently punished.

The Israeli occupation authorities launched a major political campaign against the South African Judge Richard Goldstone who chaired the 2009 HRC Investigation Committee with respect to 2009 aggression. This campaign forced the judge to release a personal statement, with no legal validity, in which he denied all the accusations made by the Committee under his chairmanship against the Israeli occupation for the war crimes committed during the aggression.

It is also noted that the Israeli occupation authorities still penalize the Palestinian human right advocate Ameer Makhoul, director of *Ittijah*, the Union of Arab Community-based Associations, since 2010 for his activities in defending human rights. Makhoul was convicted through an unfair trial of cooperating with Lebanese Hezbollah organization and was sentenced to 12 years in prison.

Makhoul led various activities to confront the attempts of the Israeli occupation to obtain an international recognition as a “Jewish State”, particularly since 2007 Minneapolis negotiations in the United States. Thus, that recognition could deepen the crisis of and blatant discrimination against the 1948 Palestinians in addition to being a preliminary step to the occupation strategy in order to expel the 1948 Palestinians (Transfer Plan). Also, Makhoul was assigned by the AOHR to chair the Arab Civil Coordination Committee during the 2009 Durban Review Conference against Racism and Discrimination

in which Israel withdrew for the second time; the first time was “Third Durban Conference” in 2001.

The progressive approach of the Israeli occupation against the Arab and International human rights defenders indicates how the safety and freedoms of human rights advocates are at stake; an issue that requires the attention of the United Nations and the international community. This approach does not relate to the human rights defenders as individuals but to their safety in the first place; it secures impunity of the Israeli criminals in terms of their recurrent crimes and violations as well as strengthens the occupation’s ability to continue perpetration of such crimes and violations.

The number of Palestinian captives and prisoners in Israeli prisons amounted to seven thousand in early January 2016. Most of them are from Jerusalem and West Bank and about 350 captives are from Gaza Strip.

This number includes 450 children, 57 women and girls and 600 administrative detainees from all segments of the Palestinian community including women, children, senior citizens, Members of Parliament (MPs) in the Legislative Council, and tens of released captives.

The Israeli occupation forces arrest thousands every year from East Jerusalem, West Bank and Gaza Strip in addition to tens of 1948 Palestinians. Many of them are released; some of them are detained for periods exceeding a year; and some of them are subject to trials with long-term penalties or are administratively detained by virtue of military orders for periods ranging from 3 to 7 years though administrative detention should be 3 to 6 months however it is repeatedly renewed.

Since 1967, the Israeli occupation had detained more than 700 thousand Palestinian captives including at least 10 thousand women and thousands of children. 197 Palestinian captives died in the occupation prisons.

In 2015 only, the Israeli authorities detained around 6800 Palestinians whose age range between 10 and 73 years old, including 200 children and girls and about 200 women.

During the same year, the occupation authorities issued 1248 administrative detention orders, including 498 new orders.

Defence for Children International (DCI) mentioned that 1250 Palestinian children were detained in 2016 including 330 between 12 and 15 years old.

Hundreds of Palestinian captives, especially those administratively detained, held indefinite hunger strikes protesting against their detention and mistreatment. The occupation authorities feed them by force when their lives are endangered to avoid their death on one hand, and to avoid meeting international standards that regard administrative detention as the most serious violation of human rights.

In the aftermath of the “Empty Stomach” Battle, the Israeli authorities issued a law in 2012 that allows feeding captives on hunger strike by force. That law was unanimously regarded by different Arab and international human rights organizations as well as world medical references as a grave violation of human rights.

Anas Shideed and Ahmad Abu-farah were two of the captives who held indefinite hunger strike on September 23, 2016 and in the 80th day they also stopped drinking water.

Belal Kayed started a hunger strike on June 15, 2016 after the court –marital refused the appeal concerning the administrative detention order which was issued after completion of the unfair prison sentence of 14 years in Israeli jails.

Kayed went on hunger strike for 71 days until it was decided on August 24 to release him which was not materialized until December 12, 2016.

Before the end of December 2016, the parliamentary commission of the Israeli Knesset prevented the Arab MPs (1948 Palestinians) from visiting Palestinian captives in prisons.

In spite of his parliamentary immunity, the Arab MP Basel Ghattas was interrogated for smuggling mobile phones and messages to Palestinians when he visited them in jail.

The occupation authorities persistently committed violations through conducting unfair trials to Palestinian captives in a flagrant breach of the provisions of Third Geneva Convention relative to the treatment of prisoners of war and Fourth Geneva Convention relative to the protection of civilians. The tragedy of captives exacerbates if during their trials the rulings of conviction and judicial renewal turned

into administrative detention orders by virtue of “secret evidence”. Secret evidence is neither disclosed to the captives nor their lawyers but only to the Israeli courts which compromises the simplest guarantees and terms of a fair trial and undermines the attempts of the Israeli occupation to promote for their independent and fair judiciary.

The prosecution of children constitutes the most serious violation of the rights of captives and children; including, the prosecution and sentencing of the 14-year old child Ahmad El-Manasra, in November 2016 to 12 years in prison.

The Israeli occupation authorities continued to widely adopt the punitive collective measures that are prohibited by the Fourth Geneva Convention. Thus, it still imposes a blockade on the occupied Gaza Strip and on most of West Bank cities especially Nabulus, Qalqilya, Tulkarm and Jenin in the north and Hebron in the south in addition to the intense pressure on Palestinians and their movement to and from East Jerusalem.

For the tenth year in a row, the occupation authorities impose a stifling blockade on the occupied Gaza Strip closing its land, air and sea fields as well as almost closing its six crossing points. They allow the travel of only a limited number of Gaza Strip inhabitants through Erez Crossing to contain the international responses to the open aggression of 2014 summer when they refused to grant travel permissions to more than half of the applicants.

The tense relationship between Hamas Movement and the Egyptian government negatively influenced opening Rafah crossing point south of Gaza Strip for more than a year and a half; which forms the only available outlet, especially for residents are restricted to move or travel as instructed by the occupation authorities .

Although travelling through Rafah crossing point improved in June 2015, it was almost closed in the aftermath of the terrorist operations in which 17 Egyptian soldiers were killed in Sheikh Zuweid north of the nearby Sinai, then the assassination of the Egyptian Prosecutor General, Hesham Barakat on the following day. Except for limited periods, the movement through Rafah crossing point improved in October 2016 which raised expectations for a broader breakthrough.

The Egyptian authorities requires the resolution of the internal Palestinian division to open Rafah crossing point in a way that fulfils the humanitarian needs of Gaza Strip residents while Hamas Movement insists on opening the crossing point permanently and unconditionally in a time the Palestinian Authority, led by President Mahmoud Abbas, persists on the need to hand over all the crossings to Palestinian Unity Government under the premiership of the Prime Minister Rami Hamadallah, and demands Hamas Movement to respect the outputs of the national reconciliation agreement .

Through the persistent collective punitive policy, the Israeli occupation authorities once again practiced piracy at international waters to ban the ships of those in solidarity with the Palestinian people to reach Gaza Strip by sea including the Zaytonna ship, on October 5, 2016 forty nautical miles away of Gaza coastline. There were 13 renowned female activists well-known worldwide in the fields of art and politics on board. They were detained in Israeli jails and were interrogated before being released later without allowing them to reach Gaza Strip.

This crime is part of a systematic policy adopted by the occupation authorities which previously practiced piracy through the attack of Gaza Freedom Flotilla in June 2010 as well as similar flotilla up to Gaza Freedom Flotilla 3 in June 2015.

The Investigation Committee formed by the UN Secretary General with Israeli and Turkish members to investigate the crimes of *Gaza Freedom Flotilla 2010* reached conclusions that contradict all other UN reports and resolutions. The report considered the Israeli blockade of Gaza Strip a “legitimate action”. It was the only international report contradicting all international resolutions. However, it has no legal value as it was not issued by the United Nations and does not express the will of the international community; as the committee only expressed a bilateral will between the Israeli occupation and the Turkish government under formal sponsorship of the UN Secretary General.

Turkish acceptance of the report findings within the framework of an amicable settlement with the occupation authorities led to a waiver of any legal actions against the Israeli crime.

The Palestinian division continued to form an insurmountable obstacle before any attempt to enhance the Palestinian people's steadfastness and struggle to free their land and exercise their right to self-determination. For the ninth year in a row, the gap between Fateh and Hamas movements is getting wider in spite of all the rounds of conciliation, agreements and meetings concluded over the past six years.

That division did not only influence the ability of international advocates to support the Palestinian rights but also the internal cohesion of Palestinian movements that was harmed as obviously declared in the repeated talks about the potential changes of leaders in the structures of Hamas Movement given the existing Palestinian and Arab crises.

The impact was even more vivid on Fateh Movement, particularly in its 7th Conference during November 2016 which affected the Arab relations with Fateh Movement.

The human rights situation was significantly influenced by this division. Legally and practically under the Israeli occupation, both Fateh and Hamas movements continued to construct barricades in areas under their control of the West Bank and Gaza. The division led to rupture between the Palestinian institutions while the movements' role should have been to support the Palestinian struggle and build the aspired sovereign state institutions including the judicial and justice institutions.

The conflict was clearly reflected in the constant mutual detentions, legal prosecution and aggravated penalties. It directly undermined the municipal elections which were considered a vital introduction to end that division through resorting to voters. The last legislative elections were held more than 10 years ago in 2006, and were preceded by the presidential and municipal elections in 2005. Because of the division concerning municipal elections that were due on October 8, 2016 the Council of Ministers decided on October 4, 2016 to postpone the elections for four months.

The two conflicting parties continued the series of mutual detentions of the cadres of the other party, including the detention of Fateh leader Ibrahim Abu-Ali in Khan Yunis on August 30, 2016 and the arrest of Fateh activist Etaf El-Hamran in mid-October 2016.

Hamas court-marital in Gaza Strip convicted and sentenced four of Fateh leaders up to 7 years imprisonment for “communicating with Ramallah authority”.

The Palestinian security agencies, particularly the Palestinian Intelligence and Preventive Security Services, in the West Bank detained tens of Hamas Movement. 20 Hamas elements were detained in one incident in November 2016 from about 89 detainees arrested in the same month while Hamas accused the Palestinian security forces of coordination with the Israeli occupation.

On December 21st, 2016 the Palestinian Centre for Human Rights (PCHR) called the executive authority to stop intervening in the legislative and judicial authorities warning from, as per its description, “political suicide”. The PCHR invited the Palestinian President Mahmoud Abbas to retreat from taking arbitrary measures against the MPs after the President stripped four MPs of their parliamentary immunity for being prosecuted for corruption and slander. The MPs held a sit-in at the premises of the International Committee of the Red Cross (ICRC). The PCHR expressed reservations about the Supreme Constitutional Court’s decision to grant the Palestinian President the right to strip the MPs of their parliamentary immunity.

* * *

State of Qatar

During the period covered by the report, the Qatari government adopted a number of limited human rights measures. On top of which is the mitigation of the rules governing Kafala⁽¹⁾ system to improve the image of the system that has been categorized as slavery. The incumbent Emir of Qatar pardoned the poet Muhammad El-Agamy, also known as Bin El-Dheeb, after being prosecuted and convicted for three years. Qatar continued its attempts to play a leading role in the domain of human rights and democracy through hosting and organizing the proceedings of important regional and international events. However, this is not reflected on the human rights situation in the country.

During autumn in 2015, amendments were introduced to the Law of Foreign Labor. The number of foreign labor in the country is about two million workers. Basically, the amendments addressed entitling the foreign worker to leave the country without the need for permission from their in-country sponsor and to change the contracted occupation and move to another one after the completion of contract. Nevertheless, this amendment shall be applicable in 2017.

This amendment was introduced after the status of foreign workers in Qatar had been increasingly criticized at the international level; especially the workers in the construction and development field. There have been rapid constructions of buildings and stadiums in the country in preparation of the 2022 World Cup that will be hosted by Qatar. Also, the criticism allegedly links Qatar's hosting of the World Cup event to bribes offered by Qatar to the Fédération Internationale de Football Association (FIFA) to be entitled to organize the most famous championship in the world.

The Qatari authorities had previously arrested and detained researchers working for the Global Network for Rights and Development (GNRD) for two weeks. The researchers were later released. Both of them were British nationals of Asian origin. They

(1) A system used to monitor migrant labor and requires an in-country sponsor (Translator's note).

were accused of conducting a “secret investigation” on the status of foreign labour.

In mid-March 2016, the ruling Emir of Qatar pardoned the poet Muhammad bin Rashid El-Agamy”, also known as Bin El-Dheeb after being prosecuted and detained for four years for reciting a poem “inciting people to overthrow the ruling regime” and “showing disrespect to the ruling Emir”. He was convicted by the end of 2012 and sentenced to 25 years. The penalty was mitigated by the Court of Appeal in February 2013 to become 15 years. The same ruling was endorsed by the Court of Cassation in September 2013.

A joint human rights delegation led by the AOHR Secretary General met the poet in February 2013 with the support of the Head of the Qatari National Human Rights Committee. The delegation also met with both the Ministry of the Interior and the Prosecutor General. The AOHR was given a “friendly promise” to expedite the procedures taken by Court of Cassation and that he would be pardoned; in case of conviction by virtue of a final ruling. Since the beginning of 2014, the AOHR has constantly requested from the ruling Emir of Qatar to pardon the poet.

Qatar continued to play a leading role in the domains of human rights and democracy through organizing and hosting related Arab and international events. The Qatari National Human Rights Committee (QNHRC) hosted the Arab Network for National Human Rights Institutions (ANNHRI) and participated in collaboration with the Council of Arab Interior Ministers in the organization of a conference in Tunisia in November 2015 on security challenges and human rights. In January 2016, the QNHRC also hosted a major international conference in collaboration with the United Nations Commission on Human Rights (UN-OHCHR). The conference addressed enhancing the UNCHR’s role in the Arab region and was attended by the HR High Commissioner, Zaid Bin-Raad in addition to an array of Arab governmental and non-governmental participants.

Although Qatar remarkably reduced its fiscal budget and took several austerity measures because of the globally reduced oil and gas prices, the country continued to provide support and humanitarian relief to the afflicted populations in disastrous regions and refugee camps in many Arab countries. However, Qatar received mounting

accusations of supporting Islamic groups and militias categorized as “terrorists” particularly in Egypt, Syria and Libya. Also, Qatar has been criticized and accused of supporting terrorism for its mediation to exchange the US soldiers with leaders of the Afghani Taliban Movement, and proposing to host them in Qatar for a few years.

In December 2015, 26 Qatari citizens including members of the Qatari Royal family were abducted during a falconry trip in Samawah governorate southern Iraq which is famous for this type of sport. They are still missing. There is uncertain information that two Saudis, one of them from the Saudi Royal family, accompanied the falconry trip.

The UNCHR convicted this incident and held the Iraqi authorities accountable; particularly that the trip was licensed and the movements of the hunting team were previously known to the security department in Samawah governorate.

Some sources accused pro-Iran Iraqi militias of the kidnapping. Other sources speculated that the incident was a criminal act that would entail asking for a huge ransom to release the kidnapped.

During the period covered by the report, Qatar had not taken any national steps to break the impasse regarding human rights. Thus, Qatar neither entered into the International Covenant on Civil and Political Rights (ICCPR) nor the International Covenant on Economic, Social and Cultural Rights (ICESCR) which form the international bill of human rights.

Qatar still acts according to the 2003 Constitution though it does not provide the basis for a parliamentary democratic life; participation in the administration of public affairs; or separation of powers. Neither the Constitution nor the law in Qatar provide appropriate bases for independent judiciary. Some of the concerns in this context are that Qatar depends basically on judges seconded from other countries who receive handsome remuneration which would make them driven to satisfy the authorities in order to get their contracts renewed.

The implementation of the Law on the Protection of Society secures the sustainability of the state of emergency under a legal cover which allows the criminalization of any political activity.

Though the NCHR plays a prominent role as a national institution in compliance with Paris principles (1992) and as an important mechanism that addresses human rights grievances, there are no human rights NGOs in the country. In addition, there is no room for issuance of license to civil society institutions in several domains.

Qatar lacks independent media. Thus, all types of audio-visual and written media are subject to various forms of censorships including self-censorship.

Though Al-Jazeera is widely recognized for its a historic role in the revolution of the Arab Satellite TV, it is losing its popularity for being involved in sparking off the crises in the neighboring Arab countries and for disregard pf any political imbalances and crises in Qatar.

By the end of November 2016, the Qatari authorities blocked Doha news online website; a news webpage in English viewed by nearly million readers daily that directed strong criticism to the country in terms of human rights and political freedoms.

* * *

State of Kuwait

The State of Kuwait has its unique position among the Gulf countries in the field of freedoms, human rights and democratic openness. However, the human rights conditions are still the same; particularly with the rise in internal conflicts synchronous with the growing concerns over the troubled regional context as well as the terrorist acts that took place in mid-2015 which led to the death of 27 persons and injury of 200.

Kuwaiti authorities have taken a major positive action through the promulgation of Law no. 67 of the year 2015 on the foundation of the “National Human Rights Diwan” as an independent national human rights institution. However, the “Diwan” is not up to the standards set forth in Paris Principles (1992) with respect to this sort of institutions. The authorities have not taken any steps yet to effectuate the Law, namely, the formation of the Diwan or selection of members; this is the inevitable track that will entrench the independence of the institution according to the credibility, independence and impartiality of the selected members.

During the period covered by the report, Kuwait sustained its role in leading Arab and international efforts to provide support and humanitarian relief to refugees and afflicted populations in conflict areas in the region especially the Syrian refugees. The country pursued its role in leading the international action through hosting two UN conferences and sponsoring another two, in addition to provision of substantial grants to humanitarian efforts.

With respect to **international commitments**, UN Human Rights UPR that was completed in mid-2015 indicated that Kuwait met the minimum human rights commitments already had ratified through acceptance of around 175 recommendations. Rejection of about 71 recommendations indicated the absence of the political will to make further progress particularly related to the death penalty and treatment of the Bedoon (stateless people) crisis.

The final comments of the International Committee against Torture in mid-2016 reflected the continuous failure of Kuwaiti authorities to combat torture crimes that became a common phenomenon as well as and lack of accountability of perpetrators as

the security prosecution measures against the suspects were incomplete. In a few cases, when suspects are tried, the actions are dismissed and suspects acquitted for “insufficient evidence”.

At **the legislative level**, the authorities intensified the efforts to restrict the freedom of opinion and expression through the issuance of the cybercrime law in mid-2015 which came into force in January 2016. The result was more restrictions on the practice of freedom of opinion and expression especially via social media.

At the **fundamental rights** level, on May 30, 2016 the Court of Cassation endorsed the rulings of the Court of Appeal issued in December 2015 concerning death penalty of the first suspect for bombing the Mosque of Imam Sadeq on June 26, 2015; reduced the penalty of the second suspect from death penalty to 15 years in prison; and acquitted the other 14 suspects.

In September 2015, the Criminal Court passed a death penalty on seven suspects (in the presence of two in-custody suspects and in absentia of five fugitives); and up to 15 years in prison for other suspects. The Prosecution General asked for a death penalty for the 11 suspects in that lawsuit.

On July 27, 2016, Abdel-Hamid Dashti, ex-member of Parliament, received 14 years in prison after he was convicted for his statements against the Kingdom of Saudi Arabia and the Kuwaiti Judiciary. Currently residing abroad, Dashti expressed support for Bashar Al-Assad regime in Syria, and his disapproval of Kuwait's accession to the Arab Coalition Forces in Yemen.

However, on October 25, 2016 an administrative court accepted his challenge concerning exclusion from list of candidates for parliament in the election held on November 26, 2016 amidst news about his imminent return to the country.

Over the past years, the Kuwaiti authorities significantly took a step backwards with respect to the Bedoon status. The authorities adopted a plan to annually grant 4000 of the stateless persons the Kuwaiti nationality. However, only around 2000 were granted the nationality by the end of 2014 and the process was brought to a halt in 2015 and 2016.

Those stateless people (“Bedoon”) in Kuwait are now about 136 thousand, while the authorities assert that only 34 thousand persons are eligible to acquire the nationality.

In May 2016, there were indicators for other alternatives different from the recognized means to treat this issue. During the inauguration of the Comoros Embassy in Kuwait, the Comoros Foreign Minister expressed the willingness of his country to grant its nationality to thousands of the Bedoons of Kuwait. According to the Press, this stand is attributed to the fact that Kuwait shall provide a package of financial and economic grants to the Comoros Islands. This provoked some Bedoons; they demonstrated in mid-May 2016; six of them were arrested for demonstration without permission.

During August 2016, the Council of Ministers, regrettably, passed a decision on withdrawal of the nationality of 51 persons, including ex-members of the parliament and well-known investors, under the pretext that they acquired the nationality through “fraud”.

With respect to **the freedom of opinion and expression**, during the period covered by the report, frequent users of Twitter in the Gulf area were extensively prosecuted. The most notable example is the detention of Sara El-Drees, a young female, by the end of September 2016, by virtue of a decision of the public prosecution, for 21 days under investigation for disrespect of the Emir of Kuwait.

Muhammad El-Weshemy, a journalist, among others, is still on trial in the known case of “repetition of the statements of Messallam El-Barak”.

Messallam El-Barak, ex-member of parliament, started to serve his sentence by the end of May 2015 in the case that started after he participated in a protest march and delivered a speech where he criticized the regime and addressed the incumbent Emir of Kuwait telling him “We won’t let you rule”.

In April 2016, the Oil-Workers Union went on a strike to protest against the amendment of salary structure. The government tried to dissolve the Union and resorted to alternative plans to sustain the production level. However, the problem was resolved when the Union ended the strike as long as their message had been conveyed to the authorities-to stop any endeavors to adjust the salary structure.

In its statement, the AOHR expressed its concern towards the negative response of the authorities to the demands of the Union demands; and asked the authorities to establish a dialogue with the Union instead of taking punitive measures.

In September 2016, the UN Special Rapporteur on human trafficking visited Kuwait and presented 32 recommendations. On top of which are: abolishment of *Kafala* system; entitling foreign workers to establish unions to protect their interests; allowing foreign workers to move from one job to another without the approval of the in-country sponsor; and bridging the legal loopholes that secure impunity for those accused of human trafficking.

With respect to the **right to participation in political life**, on October 16, 2016 the Emir of Kuwait decided, upon a conflict between the parliament and the government, to dissolve the parliament and call for parliamentary elections according to the Constitution. The dissolved parliament shall end its current session in July 2017. Though the parliament retained close links with the government, a conflict aroused between some MPs and the Council of Ministries on the increased fuel prices and suspicions of administrative and financial offenses.

It is worth mentioning that the dissolved parliament was elected on July 2013 after being dissolved three successive times in less than a year and a half during 2012 and 2013.

The election of the parliament was held on November 16, 2016; it was the seventh election held since 2006 after the frequent dissolution of the parliament for legal and political reasons.

It was the first election in which opposing forces (nationalists, Islamists and liberals) participated after 4 years of boycotting elections in protest against the amendment of the election law based on one-man-one-vote system. Kuwait has five constituencies where each constituency has ten seats; this system entails that each voter may not give his/her vote to more than one candidate. As per the previous law, voters were entitled to elect four candidates.

293 candidates, including 14 women, have competed over fifty seats. Independent candidates, known as opposition, won 24 seats which reduced the pro-government seats; as many candidates lost including two of three ministers from the previous government.

The candidate Safaa El-Hashem succeeded as the only woman to win the elections. One third of the seats were won by youth which is a positive indicator of rejuvenation of the political life represented by the Kuwaiti parliament.

The great participation of opposition forces in the parliamentary elections increased the public participation. Furthermore, the number of unserious candidates who ran for elections to fulfill the need of some other candidates mounted; they aimed to fragment the votes of social masses. The AOHR sources indicated that the participation percentage exceeded 60%, while the official sources stated that the percentage of public participation in the elections reached 70% of 490 thousand voters.

According to the AOHR field sources as well as the observers' reports, there were no violations in the elections. A number of administrative offenses with no significant impact on the election result had been recorded. Many of these offenses were legally challenged by some losing candidates.

* * *

Republic of Lebanon

For the fifth year in a row, Lebanon still suffers repercussions of the civil war in Syria; the scope of which has widened of regional and international parties. This situation pushed Lebanon to the brink of danger due to the impact of Lebanese political division which reached a stalemate; the security status affected by the terrorist acts that turned into a sort of proxy war among parties involved in the Syrian conflict; exploitation of the impact of the grave Syrian refugee crisis to affect the security situation amid these social crises; or provision of supplies to belligerent parties in Syria. The widespread popular protests because of the garbage crisis rang an alarm bell to the Lebanese political parties that reached some sort of consensus by the end of 2016; and painstakingly obtained the approval of the regional and international alliances to end a part of the crushing political crisis the country experienced.

On October 31, 2016 the Lebanese parliament elected Michel Aoun President for Lebanon breaking the political deadlock which led to vacancy of the President's position for more than two years since the term of President Michel Sleiman came to an end in May 2014. Aoun, who follows the Maronite Church, won 83 out of 128 votes of the MPs in their 46th attempt to elect a president for the country after two rounds of voting. The nomination of Aoun was supported by Hezbollah, the powerful Lebanese Shiite militant group. However, the political rival, Tayyar Al-Mustaqbal (Future Movement) refused this nomination in the beginning until both parties reached an agreement.

First: Constitutional and Legislative Developments

The legislative life in Lebanon went through a crisis because of the presidency vacancy; the need to approve legislations issued by the parliament; and the parliament's decision in November 2014 to extend its term until June 2017. The parliament did so due to the inability to run new parliamentary elections without a president in place which was the second extension; the first was in June 2013.

The growing number of Syrian refugees was a source of many negative policies and practices in the country including issuance of a

decision to cancel the instant entry visa for Syrians entering Lebanon after hotel owners objected to visas granted according to the commercial, industrial, or syndical register of As a consequence, hotel owners lose a huge portion of their income. This type of visa allows Syrians to enter the Lebanese territories without procedures similar to those applied for other types of visas as they apply to the Lebanese General Security at Masna'a Border Crossing. Afterwards, they could enter the country up to 20 subsequent times. If, however, they apply for more entries, fees are paid to the General Security. Therefore, the General Security made a statement on July 17, 2016 regulating the entry of Syrians holding commercial, industrial or syndical register to Lebanon, but this decision was not applied.

The Arab Human Rights Committee discussed the first report submitted by the Lebanese Republic covering the period from 25 to 30 April 2015 pursuant to its accession to the Arab Charter for Human Rights (ACHR). The Committee noted that the institutional and administrative measures are insufficient to monitor all prisons and detention facilities, and that some detention facilities reporting to security agencies are not under judicial control. The Committee recommended accelerating the adoption of the draft law to form an "independent national committee of human rights" according to Paris Principles on the status of national institutions for the promotion and protection of human rights issued in 1993. On October 27, 2016 the Lebanese parliament issued the law concerning the establishment of the *National Organization for Human Rights (NOHR)* which includes the *Committee against Torture (CAT)*.

The NOHR shall monitor the human rights situation in Lebanon; receive complaints on human rights violations; and regularly issue reports and recommendations. The Committee against Torture shall have a national preventive mechanism and the power to make sudden site visits to all detention facilities; conduct investigations on torture against detainees; and suggest recommendations to improve the treatment of detainees.

This legislation reflects Lebanon's conformity with the Optional Protocol to the Convention against Torture which was ratified on December 22, 2008.

Second: Fundamental Rights

Right to Life

Lebanon witnessed waves of bombings by suicide bombers in Qaa village on June 27, 2016 which resulted in the death of 5 people, at least 3 of them were the bombers, and the injury of 15 others. The National News Agency (NNA), the official media agency in Lebanon, announced that four subsequent suicide bombings occurred with 10-minute intervals in between. Qaa village which lies in the Beqaa valley has long and interconnected borders with Syria and has custom spoint at the Lebanese-Syrian border. No organization claimed the responsibility for the explosions.

In the continuous context of violent acts, Daesh claimed responsibility for the two bombings which took place on November 13, 2015 targeting southern suburb of Beirut, Bourj El-Barajneh, which is considered the stronghold of Iran- backed Hezbollah. The attacks resulted in the death of 43 persons and injury of 239 others, and were the first of their kind in a region inhabited mostly by Shiite Muslims.

On August 15, 2015 the NNA indicated that the security forces apprehended Ahmad El-Asseer” while fleeing to Egypt using a fake Palestinian passport after he changed his looks. According to Lebanese sources, El-Asseer was planning to go to Nigeria through Egypt; his passport had a valid visa to Nigeria. It was also mentioned that the Lebanese army carried out military operations to monitor and prosecute El-Asseer followers who supported him is what is known as the confrontations of Ibra, the biggest city in the south of Lebanon, east of Sidon District.

El-Asseer disappeared for two years after he had formed an armed militia in Sidon District south of Lebanon. He ordered his followers to fire on the Lebanese army crossing points in June 2013.

Refugees

The UN High Commission for Refugees (UNHCR) recorded about 1.1 million refugees in Lebanon during 2015. Therefore, Lebanon imposed new requirements which actually limited the

number of Syrian asylum seekers to Lebanon except for exceptional humanitarian cases.

In April 2015, the Ministry of Social Affairs asked the UNHCR to delist all refugees who entered Lebanon after January 5, 2015; as part of the efforts exerted by the government to reduce the number of Syrian refugees in Lebanon. In May 2015, the UNHCR responded to the government request and suspended the registration of Syrians. Lebanon did not sign the 1951 Refugee Convention; as a result, Syrian refugees do not have legal status in the country which may lead to their detention. According to the UNHCR reports, 70% of Syrian refugees in Lebanon live on humanitarian aids below the poverty line.

In April 2016, the Lebanese authorities revealed that they arrested a group of persons who set up a network for human trafficking. The authorities freed 75 girls; mostly Syrians and some minor females, who were subject to servitude, rape, forced abortion, psychological and physical torture and mutilation in order to force them to practice prostitution. After interrogating the physician responsible for abortion, he confessed that he conducted around 200 abortions. The girls said they had to work for 20 hours daily from 10 a.m. till 6 a.m. the following day, and in case the pimp is not satisfied with their looks they were beaten or whiplashed. Girls were forced to engage in sexual intercourse with about 10 men daily and up to 20 men at weekends.

Right to Freedom and Personal Safety

Syrian refugees in Lebanon suffer from detention or deportation to Syria. The Lebanese authorities made a decision concerning the evacuation of more than 1500 Syrian refugees to a camp at Al-Rihana town in Akkar district north of Lebanon. This decision meant to re-draw the maps of camps; the irgeographical distribution and re-distribute the displaced Syrian over all the Lebanese territories after the population of Akkar doubled due to the tens of thousands of displaced who fled the war in Syria.

Detentions of Syrians in Lebanon had mounted, particularly after Aarsal events in late 2014. The Lebanese Security detained a

young Syrian two years ago. He is still detained in Roumieh prison for drug trafficking and was not able to hire a lawyer as he does not have a residency permit and afraid to be deported to Syria.

Treatment of Prisoners and Detainees

Lebanon failed to fulfill its obligations stipulated by virtue of its accession to the Convention against Torture and the Optional Protocol thereof. The investigation conducted by the Committee against Torture in 2014 revealed the practice of “systemic” torture in Lebanon; particularly “in the context of investigation with the purpose to obtain confessions”. Lebanon did not adopt the law on missing persons and enforced disappearances prepared by the civil society organizations and referred to the parliament.

The latest report of Prison Directorate affiliated to the Ministry of Justice in 2015 indicated that the Lebanese prisons hosted 2587 Syrian prisoners (24% of total detainees) compared to 2557 prisoners (29%) in 2014.

Detention is not restricted to those who commit definite misdemeanors, but sometimes it is random detention. Any Syrian can be accused of any offence; if he does not confess, the Lebanese Security has its ways to force detainees to confess. Detainees previously held in Security Centers complained that the Lebanese government is heedless of the human rights violations in Al- Rihana and Roumieh prisons though these violations are not permitted as per the Lebanese Law.

Some videos were released showing some Syrian youth under torture by the security forces. This provoked their families who protested as well as tens of young men in condemnation of this action. The video shows a number of arrested Syrian youth from Tripoli, Akkar and Aarsal brutally beaten including Omar El-Attrash who confessed that he transfers booby-trapped cars from Syria as well as Arab suicide bombers from Lebanon to Syria; Wael Essam from Al-Qubba district arrested because of a communication instrument; and Qotiyba Al-Asaad arrested for carrying weapons against the army and for belonging to an armed group on June 22, 2015.

Some human rights organizations indicated that there are more than 150 Syrians in Roumieh prison deprived of their simplest needs; living in harsh conditions especially in winter; and left with no food, heating or healthcare. Detention and torture are not only restricted to men but also extend to women; many women were detained in Arsal in different occasions.

In 2015, the Lebanese Institute for Democracy and Human Rights (LIFE) issued a report entitled “Unprotected Refugees” that included a description for all violations against the Syrian refugees in Lebanon. The report explained that detentions were not related only to the residence of Syrian refugees in Lebanon but also included dissident Syrian military officers and soldiers who fled to Lebanon although the Lebanese law does not permit the arrest of anyone without a prior judicial order except for arresting them committing a witnessed crime.

Right to a fair trial

The reports of Non-Governmental Organizations (NGOs) indicate that fair trial guarantees are not well-observed in Lebanon. Some essential guarantees that may ensure the independence of the Lebanese Judiciary are not enshrined in the Lebanese law; particularly judges may not be transferred by the executive authority and are deprived of their freedom of expression and association as well as their right to elect the members of the Supreme Judicial Council. Also, judges are still held accountable under the purview of the Ministry of Justice.

Third: Public Freedoms Freedom of Opinion and Expression

Article 13 of the Constitution ensures the freedom of opinion, verbally or in writing; freedom of publication; and the freedom of assembly and association. However, these freedoms seem to be restricted by some laws and practices that need further development. Furthermore, the law on publication issued in 1962 limits the freedom of audio-visual media regulated by Law no. 382/ 1994. The loose

drafting of Articles nos. 382, 383, 385, 386, 582 and 584 of the Penal Code are a tool that restricts public rights because they broaden the scope of incriminating expression of opinion without sufficient controls.

On October 6, 2015 Michal El-Dawahi, the political activist, was released after being detained for 9 days because of a comment he made on Facebook criticizing the special treatment of the fugitive Salafist Ahmad El-Asseer during detention.

In May 2016, Maria Maalouf, a journalist, was legally prosecuted after a lawsuit was filed by a lawyer for contempt of doctrines, factions and public figures.

Right to Peaceful Assembly

Lebanon witnessed a series of protests against the government entitled “You Stink!” It was a wave of mass protests that started on August 22, 2015 because of waste accumulation in the streets of Beirut and other areas and politician failure to find solutions to that crisis. Protesters called for the dismissal of the interim government because of the political corruption of politicians and leaders who represent all segments of the Lebanese society; an array of them was leaders and warlords of the civil war in Lebanon. The demonstrations turned into protests against the deteriorating conditions in Lebanon since the assassination of Rafiq El-Hariri and the end of July 2006 War including electricity crisis, unemployment, high prices of real estate, and increase of the government public debt.

On the other hand, a number of analysts were of the opinion that though the demonstrations expressed the concerns and pains of the Lebanese, especially the youth, they were in fact “ settling accounts” between the Free Patriotic Movement (FPM)backed by Hezbollah and the Lebanese government represented in the former Prime Minister Tamam Salam. The protesters refrained from adding the photo of “Hassan Nasarallah”, Secretary General of Hezbollah, next to the pictures of Lebanese leaders who are to be held accountable for the crisis from their own perspective, though Hezbollah is the most influential Lebanese doctrinal party in the public affairs.

On August 22, 2015 protesters gathered in front of Muhammad El-Ameen mosque after the security forces prevented them from approaching Nejme Square where the government and parliament premises are. There were clashes between the protesters and the security forces which showered the protesters with water, and many were shot dead.

On August 29, 2015, massive protests took place in the middle of Beirut in the vicinity of the Ministry of the Interior and the Martyrs' Square calling for reform. The protesters called for the resignation of Muhammad El-Mashnoq, the Minister of Environment"; and asked authorities to identify the identity of shooters of the protesters; render Nehad El-Mashnoq, the Minister of Interior, accountable for this incident; provide environmental and healthy solutions to the garbage crisis; and hold legitimate parliamentary elections.

The garbage crisis was only resolved after adoption of the plan prepared Akram Chehayeb, the Minister of Agriculture that responded to the demands of protesters.

Public Participation

On October 31, 2016 the parliamentary session ended by the election of Michal Aoun, President of Lebanon. The presidential post had been vacant since May 2014 as the political factions failed to reach an agreement due to the sharp political and sectarian divisions.

Aoun is the 13th President for Lebanon and has returned to Baabda Presidential Palace after 26 years. He resided in the same palace when he was the Prime Minister of the military government during the civil war in 1988; the war ended through a military intervention backed by the Syrian army in 1990.

On November 3, 2016 the Lebanese President Michal Aoun assigned the former Prime Minister Saad El-Harriri to form a new government after completion of the parliamentary consultations to designate the prime minister with the agreement of 113 out of 126 MPs. Among the opponents was "Loyalty to the Resistance Bloc", the political wing of Hezbollah, which designated no one for premiership. This was interpreted as a settlement between the Lebanese parties

which were keen to win the support and approval of the conflicting regional and international forces.

El-Harriri promised to form the government soon to pass an election law that ensures fair representation; oversee that elections held on time; resolve the living, economic, environmental, political, and security crises that face the Lebanese people.

The new government introduced some ministerial portfolios: the State Ministry for Refugee Affairs, the State Ministry for Combating corruption, the State Ministry for Presidency Affairs, the State Ministry for Women's Affairs and State Ministry for Human Rights; which enhances the institutional structure in parallel with creation of an independent human rights commission.

* * *

State of Libya

Since mid-2014, human rights situation in Libya has been rapidly deteriorating after “Islamist groups” failed in the parliamentary elections in June 2014 and depended on their military force that include zonal militias related to multiple international Islamist organizations for continuous regional and international support.

Though Libya reached, on December 17, 2015, a political agreement “Skhirat Agreement” (Morocco), the Government of National Accord formed under the terms of Skhirat Agreement lacks political and actual support from all factions in Libya. The government failed to gain the confidence of the parliament which represents the national legitimate power in the country and controls the eastern areas backed by the national army led by Khalifa Haftar. The government did not receive actual support from the Islamist militias controlling the main part of the western areas that is still active away from the National Accord Government and refuses to yield in to the government. The western-backed government formed under the terms of the General National Congress (whose term is over) started to function again as of October 15, 2016. In addition, the government lost Sirte to Daesh terrorist organization but regained full control over the city through the support of the US air forces.

During the period covered by this report, Libya suffered, in the context of mounting conflict, total collapse of national security and complete absence of the State where four governments compete on different parts in the Libyan territories. This dilemma is reflected on the human rights situation which currently witnesses major challenges due to lack of security and stability; increasing number of refugees and displaced with no chance of return to their homeland ; growing number of deaths and injuries with the sustained impunity; collapse of judicial institution due to political interventions; growing number of detainees without legal guarantees and most of them are held in illegal detention centers that lack minimum living conditions and healthcare.

In the eastern areas that have greater stability, national army forces backed by the parliament control the whole eastern areas along

with Benghazi after the full control of the districts of Al-Sabri, Souq El-Hout, Qunfudah and Al-Qawarisha in the second half of 2016. They could not control Derna city because of the conflict between Daesh and Al-Qaeda.

Social support provided by the main tribes to the national army forces in the eastern areas extended to several areas in both south and west of the country.

That state of relative stability did not help improve the human rights situation which witnessed massive violations particularly the terrorist bombings; assassinations of military men, politicians, human rights advocates and media professionals as well as extra-legal killings of detainees.

The western area is under the control of the “Islamist” militias and is in total anarchy which generated gross violations to the human rights including inter-communal armed conflicts to control different areas, especially in Tripoli, in addition to tens of assassinations, abductions and bombings.

Extra-legal detention of thousands of people is rampant in the western areas controlled by the militias. The detainees include thousand elements of Gaddafi government, mostly detained without investigations or trials. Some were killed in cold blood after courts had decided they would be released.

Thousands of irregular migrants, citizens and resident foreigners are also detained in official and non-official detention centers, and their release is dependent on ransom from their families. Moreover, the Public Prosecution decisions to release or interrogate those detainees are not implemented.

In the southern areas with low population density, tribal conflict expanded whether relevant to inter-tribal historic crisis or as an extension to the north political conflicts. Various foreign terrorist groups spread in several low-population areas. Those areas are considered passages to supply weapons to the militias in control of the western areas especially after the Libyan coasts in the north have been strictly controlled to combat the irregular migration. All Civil Register Offices were destroyed and burnt simultaneously with measures taken to grant tens of thousands of foreigners Libyan IDs; particularly members of terrorist organizations in sub-saharan area.

At the **constitutional level**, the Fifty-member Committee elected in February 2014 and entrusted with drafting the permanent constitution failed to come up with a final official draft for the people. This is not only attributed to conflicts related to the demands of several social forces such as Amazigh (Berber), Toubou and Twareg, but also to the dwindling hope of the possibility to issue and publish the official draft of the constitution for public discussion as a preliminary step to hold a referendum throughout the country.

The country still functions by virtue of interim constitutional declarations that were amended without unanimous agreement and that do not place restrictions on the political acts of multiple actors.

Currently, the country faces legal chaos attributed to the conflicting legislations whether those applicable prior to February 17th Revolution; those issued by the interim governing council until spring of 2012; or those issued by the General National Congress (GNC). Legislations issued by the GNC encompass some legislations issued during the GNC term, some after its term ended in addition to legislations issued by the GNC after the parliament had been elected. Since its election, the parliament issued several legislations. Parties in control of the Libyan territories disregarded all these legislations to the extent of abuse of the judicial authority since October 2015 through interference in the formation of the Supreme Court, public prosecutions and other judicial institutions and bodies especially in Tripoli, Misurata and several western areas.

Right to Life

During the period covered by the report, violation of the right to life in Libya escalated through diverse sources due to the conflict among parties fighting for power; and the growing number of armed militias, armed terrorist groups, and Daesh terrorist organization on the Libyan territories. Such groups target civilians through shelling or suicide operations to terrorize or retaliate against civilians. Since March 19, 2011 about 30 thousand persons have been killed including 5900 persons killed during the war waged synchronous with 2011 Revolution and the rest were killed in the aftermath of the revolution, with around 15 thousand killed in the past two years.

The types of crimes witnessed in Libya and their ramifications are in line with the AOHR warnings of the repercussions of the ongoing political conflict and division that undermined social peace in the country and jeopardized the human rights situation on an unprecedented scale.

The prevailing culture of “impunity” in the country is a key factor in raising the rate of militia crimes against civilians as every group seeks armed control over different areas especially the militias under the banner of “Fajr Libya Militia” which dominate the western part of the country.

In one of the most horrendous terrorist crimes that Libya had constantly witnessed in the last three years was a suicide attack using a fire engine driven by (anonymous) suicide bomber on a police station in Zliten city which resulted in the death of 67 trainees and injury of about 200 on January 7, 2016. Daesh claimed responsibility for this horrid crime.

In the same context, Daesh shelled a residential district in Sirte with heavy and medium-range weapons resulting in the death of 167 civilians. According to the field sources, the random shelling started on August 12, 2015 and continued for days targeting the third district in Sirte and civilian areas. The sources mentioned that 153 victims are from Firjan Tribe where 13 of the tribesmen s were found decapitated and four others were executed and their corpse charred and mutilated in Saffron Island west of Sirte. These killings were committed because one of the Imams in the tribe refused to pledge allegiance to the terrorist organization that was then in control of Sirte for about 6 months.

Daesh claimed responsibility for a car bombing at El-Keesh Square in Benghazi on October 29, 2016 which resulted in the death of Muhammad Bugaighis, Director of the Libyan Anti-corruption Organization and a human right activist, and three others as well as the injury of 13 persons in the center of Benghazi at a café frequented by some activists and journalists. At the same time, a mortar shell was launched on the same area which increased the number of injuries to 26. The last time he appeared in the media prior to his assassination, Bugaighis asserted that those in besieged areas in Qunfudah district are not Libyans and that they are military and intelligence elements

reporting to foreign countries trying to create disturbances and belligerency in Libya.

Criminal assaults committed by Al-Qeneedi militia (affiliate of Fijr Libya) on the residents of Castelverde east of Tripoli in June 2016 resulted in the killing of about 50 civilians and injury of tens including 29 persons in the explosion of ammunition store due to the random shelling by militias. According to the AOHR sources, the militias controlling the coastal international road east of Tripoli constantly launched raids and inspected the commercial districts coupled with frequent looting which led to confrontations with the civilians. This is not a single incident, as similar crimes had been committed by the same militia including the premeditated murder of peaceful protesters in Gharghour during their demonstration calling for the departure of the armed militias from Tripoli in 2013.

On September 20, 2016 nine civilians from Al-Shaqiqa city were killed while in Al-Fawar El-Kabreeti west of Jufra district because of an air raid. Information varied about the group accountable for the incident, but the AOHR sources provided evidence that the raid was mistakenly launched by one of “Fijr Libya” planes which took off from Misurata base and was essentially targeting the national army Brigade 12. Then, the plane landed at Jufra airport under the control of Fijr Libya.

During the second half of 2016, corpses were found in garbage dumps in three different occasions in Benghazi. Sources indicated that they were among suspects detained at the Criminal Investigation Department (CID) in Benghazi. On October 28, 2016 ten anonymous corpses with signs of torture were found in garbage containers in Shibna district south east of Benghazi. Identities of some corpses were identified as follows: Yahia Idrees El-Mezoghi, Farahat Ali El-Meqrahi, Ahmad Omar El-Warfli, Hussein Hamad El-Shreef, and Hossam Eldeen El-Hegawi.

On July 24, 2016 twelve men and two women were shot in the head in cold blood. Information sources indicated that the two women’s heads were shaved before they were killed; suggesting that this incident was genocide that resembles field execution in fighting battles.

In June 2016, the “Libyan Islamic Fighting Group (LIFG)”, one of Al-Qaeda militias, in control over El-Roweemi Prison in Ain Zarah district killed 12 prisoners detained since 2011, who were elements of Gaddafi government, in cold blood after the court decided to release them.

While the control of militias spread throughout Libya, the situation of freedoms and personal safety deteriorated; the displaced had poor chance to return voluntarily to their regions without jeopardizing their safety, freedom or living conditions. The AOHR sources documented that there are more than 73 thousand displaced in Libya, especially from tribes of Tawergha, Al-Mashashiya, Toubou and Twareg. A great part of the displaced live in camps in Benghazi and Tripoli where there are some assistance and protection. Sources indicate that a great number of them escaped to Egypt and Tunisia in fear of prosecution or lack of security. Around 2.5 Libyans live outside the country and half of them reside permanently abroad while about 2 million live most of the time abroad.

There are concerns about the safety of thousands of Libyan prisoners who are detained because of working in state public institutions in Gaddafi governments. Most of them were not subject to judicial investigations and there is no information about the destiny and detention places of many of them.

The murder incident of El-Roweemi prisoners raised further concerns. The number of reports issued about enforced disappearances of hundreds of those prisoners increased. The destiny and detention places of those prisoners were unknown for 2 to 4 years which makes the assumption of being tortured to death in detention and getting rid of their bodies the most likely scenario.

The number of kidnapped people had mounted. The victims’ families refuse to disclose the names of the people who disappeared in fear of the retaliation of the militias or Daesh.

Dr. Abdel Moneim El-Hor, the Secretary General of the AOHR Libya branch, was abducted in Libya from the court in Al-Khums city east of Tripoli by Halboos brigade, one of Misurata brigades, led by a warlord known as Saber Qadoor. One of the tribal security forces in Al- Khums managed to chase the kidnappers and released him after 70 minutes of abduction. This incident led to the

issuance of several protest statements in addition to urgent communications with the political and military actors.

During the period covered by this report, the AOHR made attempts in spring of 2015 to intervene for the release of several detainees including Colonel Ali El-Zobaidi as he had cancer and needed special medical care which is lacking in Libya. El-Zobaidi was detained by Misurata militias since the middle of 2011 without any legal investigations or definite accusations. The AOHR managed to release him in April 2016 and transferred him to Cairo for treatment; but he died later in June because of the deteriorating health condition that did not respond to the medical treatment.

The AOHR tried to release two of the Egyptian residents who were detained by Tripoli militias including Professor Hany Abdel Malak” and his son Carlos. The AOHR-Libya branch managed to release the professor, but the militias refused to release his son in spite of the efforts of the Public Prosecution in Tripoli.

The situation of the judiciary worsened in Libya after February 17th Revolution. No judicial rulings and/or injunctions are observed or effectuated by militias governed by zonal and tribal inclinations and most were involved in international Islamist organizations.

This situation continued to deteriorate further in the absence of a Libyan security system capable of cooperation with the judiciary and law enforcement. The current system only enforces law in some areas. Several militias disrespect the judicial authority through refusing to cooperate with the judiciary or deliver detainees who were suspected of committing crimes prior to and during the revolution; considering that those detainees should not enjoy the guarantees of protection. However, the situation aggravated in light of the penalties that include extra-legal executions according to the revolution goals or to religious opinions (Fatwa) that totally disregard the law.

The judicial institutions tried to maintain their cohesion, unity and independence amidst the political anarchy and set examples of their ability to shoulder responsibility amid the hard conditions in the country. However, the judicial institution totally collapsed in mid-2014 after the geographically national division of the country.

The session of the elected parliament held in Tobruk constituted a decisive action in the ability of the judiciary to go forward to maintain itself. The Supreme Court in Tripoli, under the siege of hundreds of military mechanisms, issued a ruling that the session held in Tobruk was invalid as it was in violation of the constitutional declaration. This ruling contradicts the security report issued by the Security Director in Tripoli, Colonel Muhammad El-Suesi, who was assassinated on August 12, 2015 days after issuing the report which asserted that the parliamentary session could not be held in Tripoli due to the security conditions.

Structural amendments were made to the Supreme Court, the judicial institutions and the public prosecution during September and October. These amendments were meant to bolster the control of the factions on the judicial institutions. This step was taken in parallel with courts opening doors at the level of cities to appoint hundreds of unqualified people in the judiciary without supervision of the central authority. These appointments included elements of the militias controlling these areas and most of them do not hold a law degree.

The AOHR delegated a joint mission to Libya in cooperation with the International Alliance for Legal Assistance, the Palestinian Center for Human Rights and the AOHR-Libya branch in January 2013. The mission conducted an evaluation of the Justice Sector in Libya and the related gaps and challenges. Eventually, the mission concluded a set of detailed recommendations supporting the Judiciary to restore its ability to establish the rule of law and contribute to the constitutional and legal transition in the country as well as play its role in administering transitional justice.

During the period covered by the report, about six thousand persons were still detained in different areas in Libya in the absence of a “constitutional state”; the judicial inability to practice control over the detention places; as well as the control of zonal and political militias over the law enforcement bodies and management of the detention places in the country. The AOHR, in the 2015 and 2016 statements, called for immediate release of detainees without an injunction and closure of the extra-judicial detention places.

The documented information asserted that hundreds of detainees are subject to different sorts of systemic torture and that the

greatest number of detainees, especially those in the zonal militias' prisons, live in dreadful conditions that do not pertain to lack of necessary resources but rather to the ill-treatment and disrespect of the detainees. The information sources estimate that hundreds of detainees suffer deteriorating health conditions and that tens of them are at stake. The militias procrastinate in provision of the medical care necessary to save their lives.

The AOHR cited the example of El-Roweemi Prison in Ain Zarah under the control of LIFG (Al-Qaeda), which is a party in a front that includes Islamist political movement militias that rule the west of Libya under the cover of the General National Congress whose term is ended. This prison is one of the most ill-reputed prisons. It witnessed several strikes and protests over the past five years as the militias, since February 2011 Revolution, used all forms of mistreatment and systemic torture in that prison to physically and emotionally humiliate the prisoners who used to work in Gaddafi government.

The rape of a Libyan woman in an unofficial detention center of Ansar al-Sharia group (that used to control some areas in Benghazi and eastern Libya) concentrated in the areas of Fijr Libya militias in Tripoli, indicate the enormity of the crimes committed against detainees. Libyans were shocked to hear of this incident after it was published via a YouTube video in early December 2016 amidst some justifications of extremist militias that those were individual actions and the culprits would be accountable.

Several scandals of raping women by the extremist militias were documented by video including raping a Libyan woman in Tobruk in 2012 as well as raping three British girls in Benghazi who were members in a relief team headed to the occupied Gaza Strip.

The armed militias continued to tighten its grip on journalists by means of prevention, assault and murder including the assassination of journalist Khaled El-Zanati, the ex-director of the local office of Al-Zantan Channel in Benghazi on June 23, 2016 by a sniper bullet. The sniper is affiliated to Daesh and used to cooperate with some media channels including Al-Zantan and Sky News to cover confrontations in different districts. According to Reporters

without Borders (RWB), the number of journalists who had been assassinated in Libya since 2014 amounted to 8.

Arab Republic of Egypt

Through holding the parliamentary elections in October and November 2015, Egypt fully developed its political system for the first time since January 2011 revolution. Though this step paved the way for Egypt to fully achieve the goals of the two revolutions of January 2011 and June 2013, particularly fulfilling the Constitutional entitlements expressed by the two revolutions, the country is still far away from the right course given the current challenges both internally and externally. The internal challenges relate to conviction of the State that operationalizing the Constitution is insignificant, while the external challenges relates to the foreign economic pressures on the Egyptian political system. To defy both challenges, the human rights guarantees were undermined; which was considered the easiest compromise.

Legal Issues

The challenges of terrorism continued to cast its shadow on the policies, legislations and practices, particularly after the assassination of the Prosecutor General Hesham Barakat at the end of June 2015 and Sheikh Zuweid attack in early July 2015. Consequently, the authorities were inclined to adopt retaliatory legislative measures. Though the efforts exerted by human rights organizations and media as well as the stand of the Supreme Judicial Council succeeded to: 1) prevent the adoption of the new draft anti- terrorism law submitted by the Ministry of Justice in July 2015; 2) prevent restriction of the rights and guarantees of detainees to communicate with the external world; 3) prevent the attempts to dispense with the need to secure witness hearings; 4) prevent the violation of the constitution; and 5) prevent adoption anew of punitive detention in cases of opinion and publication. However, the law issued in August 2015 entitled the President of the Republic to take extraordinary measures similar to the state of emergency without implementing the emergency law.

Fortunately, those measures have not been taken until the preparation of this report; however, leaving such measures as such without any adjustments opens the door for potential risks that have to

be averted, particularly with the escalation of terrorism in the whole region with its grave repercussions.

The law aggravated the financial penalties in publication crimes in case of publishing false data about the security and military conditions. Concerns were raised about the drafting as it incriminates media professionals if they publish information that contradicts with the “official statements” even after the end of the security operations and confrontations.

After the parliamentary elections, the parliament started its first constitutional mission by review of the 240 provisional laws within less than 15 days according to the 2014 Constitution. It was a disappointing start as the parliament approved some provisional laws that may weaken human rights guarantees in practice, the only exception went to the new Civil Service Law which was a matter of considerable concern to more than 6.5 million employees in the government and the public sector.

In addition, the parliament failed, during the first parliamentary duration that ended in early September 2016, to fulfill the constitutional obligation, namely, promulgation of tens of basic and supplementary laws that implement the Constitution.

The 2016 legal agenda on rights comprised several legislations that were not reviewed, including drafting the transitional justice law, the election law; forming the independent commission for elections, the prevention of discrimination law and forming its commission; amendments to the law of the judiciary; law on labor union freedoms; laws of associations, law on building places of worship; as well as amendments to the law of the National Council for Human Rights (NCHR).

Apart from the constitutional laws, the human rights organizations were interested in vital and critical amendments to the legal guarantees of rights and freedoms, particularly those related to the Emergency Law, the Penal Code, Anti-Terrorism Act and Criminal Procedure Code as well as promoting equality and citizenship and prohibiting discrimination.

Generally, the parliament tended to support the executive authority directions; thus the parliament presented only a limited number of proposals. In the beginning, the parliament had acquiesced

to the government statement by the vote of confidence to the government by the end of March 2016; however, most of the MPs asserted individually that they doesn't support the government statement, but gave their support in order to strengthen the state unity in confronting the challenges of terrorism, security and foreign pressure.

The parliament also failed to observe the Constitution as it approved the 2016/2017 budget which was heavily criticized during the plenary and sub-plenary parliament discussions. Thus, the budget was in violation of the Constitution as it did not meet the percentage of the Gross National Product (GNP) in the fields of health, education and scientific research.

The parliament failed also to exercise its will on the government when it approved the Value Added Tax (VAT) law, which was one of the agreed- upon requirements between the country and the International Monetary Fund (IMF) to surmount the foreign exchange crisis in Egypt. The competent committees at the parliament tried to reduce the VAT rate, but eventually approved a law that would definitely enrage the society at large because of its repercussions on the social conditions.

Furthermore, the 2016 legal agenda of the parliament did not include some of the provisional human rights legislations issued before the Constitution especially the defected "demonstration" law, nor the amendments to the Criminal Procedure Code that compromised the gains achieved previously related to setting a maximum period for preventive detention.

The State Ministry of Legal Affairs asserted that the demonstration law was not one of the provisional legislations agenda during the first parliamentary duration because it was issued prior to the issuance of the Constitution; however, continuing to enforce the demonstration law considered as "the most serious constitutional deviation in Egypt" have been widely criticized. However, by the end of May 2016, the Ministry announced that it received a "presidential directive" to amend the demonstration law in accordance with the Constitution. This - synchronized with limited positive measures taken at the judiciary and the security levels to mitigate the security and judicial prosecution of demonstrators opposing the Maritime

Demarcation Border Agreement (MDBA) between Egypt and Saudi Arabia.

The media laws package largely accepted. The parliament stance towards the Non-Governmental Organizations (NGO) Law was shocking, especially after the draft law bridged the gap between the civil society demands and the government in this regard. The parliament adopted a radically different NGO law from the draft law submitted by the government which limited the freedom of NGOs.

The adopted law was detrimental to the constitutional provision which entitled the NGO to be licensed once the competent agencies are notified of its formation; the said law imposed strict restrictions on the freedom of NGOs to work; increased the penalties including punitive detentions up to five years which would certainly have substantial negative impact on the different civil society sectors and would undermine the non-governmental initiatives and voluntary work. Till the issuance of this report, the Egyptian President has not ratified the NGO Law amid calls to use his right to veto and challenge any law pursuant to Article 123 of the Constitution.

Fundamental Rights

Death incidents increased due to terrorism as well as poor conditions of the detainees in police stations who are overcrowded in preventive custody. In some stages, hundreds of terrorism suspects were detained regardless of their legal rights. Furthermore, suspects of violence and terrorist crimes were subject to military trials along with the civil trails.

With respect to the right to life, terrorism remained the main source of violation of the right to life and had negative ramifications on the deteriorating economic conditions since 2005. Definitely, terrorism meant to undermine the components of the Egyptian State.

On the top of these crimes was the death of 224 Russian tourists after targeting their plane north of Sinai on October 29, 2015 during its flight from Sharm El-Sheikh to Russia; Daesh claimed responsibility for the act.

The explosion of the Russian plane largely undermined tourism business in Egypt and deprived the country of one of the main

sources of foreign currency as well as cessation of other sources, such as the remittances of Egyptian expatriates. The situation worsened with the mounting activity of smuggling foreign exchange, and the decline in investment rate.

Prior to the Russian air crash. In mid-September 2015, the Egyptian military Apache helicopters mistakenly shot 4 four-wheel drive vehicles (4X4) carrying Mexican tourists in the Western Desert while chasing targets in similar vehicles that belong to Daesh, after killing one of the tribe leaders for his collaboration with the state. The wrong targeting resulted in the death of 12 persons and injury of 8 from tourists and Egyptian escorts of the tourist group.

Several were victims of the terrorist activities and crimes; a situation that diplomatically embarrassed the Egyptian government before its friends around the world. Before the Russian air crash, the Croatian Engineer Tomislav Salopek was beheaded in August 2015 after he disappeared in mysterious circumstances. A video message threatening to kill him was broadcast less than 24 hours prior to the inaugural ceremony of the New Suez Canal.

On January 25, 2016, the Italian researcher Giulio Regeni disappeared during his study visit to Egypt to conduct research for his graduate studies at the UK University of Cambridge. His body was found severely tortured on February 9, 2016 along the desert road south of Cairo. He was beaten, electrocuted, burnt, and sexually assaulted with a part of his ear cut.

This incident gave rise to a serious crisis during the investigations as this incident was linked with the potential responsibility of security agencies. This possibility was strengthened by the contradictory official statements by the Egyptian Ministry of Interior in spite of the joint Egyptian-Italian investigations.

Targeting and terrorizing judges constituted one of the selective goals of the terrorist organizations, including targeting judges in North Sinai and assassination of the Prosecutor General in Cairo.

In May 2015, 3 judges were assassinated in North Sinai on their return to Cairo from Arish; the terrorists interrupted their car and killed them.

On June 29, 2015 the Prosecutor General Hesham Barakat was assassinated by a high-explosive car bombing during his daily route to work from his house in Heliopolis east of Cairo. The Prosecutor, his driver and personal bodyguard were killed in this incident.

In an attempt to kill 130 judges supervising the parliamentary elections north of Sinai, a dual ground/sea attack was launched against “Swiss Inn” hotel; where the judges stayed in Arish. Two judges were killed consequent to two suicide bombings in some parts of the hotel after the attackers failed to access to the place of assembly of judges inside the hotel because of the resilience of the policemen, meanwhile 4 policemen were killed during the attack.

The high-tech terrorist attacks continued targeting the Egyptian military and police forces in north Sinai and other regions in the country. On July 1, 2015, Sheik Zuweid city north of Sinai was widely attacked for nearly 12 hours when almost 350 terrorists attacked 15 military crossing points as well as Sheikh Zuweid police station. 24 soldiers were killed; 17 of whom died immediately after the attacks which used suicide operations followed by storming of these places. However, all attacks failed to break through the military crossing points and police station. Two civilians were killed while resisting the terrorists who tried to use their houses to attack Sheikh Zuweid police station. Nearly 143 terrorists were killed; most of them were killed in air raids while withdrawing to the south of Sheikh Zuweid.

In spite of the security measures, the region witnessed several tactical attacks by the terrorist organizations, especially planting explosives on the route of the military tanks and police armored vehicles. In addition, public authority representatives were targeted during their movement.

The terrorist organizations persistently targeted the Egyptian tribe leaders in that area claiming that they either cooperate with the State or with Israel. The most notorious of these organizations is Ansar Bayt al-Maqdis which pledged allegiance to Daesh and became active under the name “Islamic State -Sinai Province”. The security forces accused such organization of being of one of the military wings affiliate to the restricted organization of “Muslim Brotherhood”.

Several civilians were killed by heavy mortars that hit their houses by mistake while the terrorists were targeting security centers and military points around Arish and Rafah. Tens of army and police soldiers were killed and injured by other mortar shells that hit their locations.

Detained suspects remained to be tortured which is considered violation of the right to life. In November 2015, three people died in Luxor and Ismailia because of the torture and physical assault which drove the public to protest against the conduct of the police and the criminal investigation agencies. As a result, more than 30 police officers and soldiers were placed under investigation and most of them were prosecuted.

From January to March 2016, policemen committed a series of extra-legal killings using service pistol, including killing citizens during personal fights with the policemen and their relatives. The culprits were referred to trials and some of them received aggravated penalties.

Eight persons convicted of terrorist acts were executed. Two of them were convicted of killing and terrorizing citizens in Alexandria and Kerdassah events during the summer of 2013. Only two persons were sentenced to death by the Court of Cassation which overturned the death penalty ruling of estimated 700 suspects and instructed re-trial for accusation in tens of cases.

Six members of the terrorist organization Ansar Bayt al-Maqdis “Islamic State -Sinai Province”, known in the media as “Arab Sharkas Cell” case, were convicted by the military justice system. Suspects for terrorist attacks against the Armed Forces were referred to military trials.

The execution of “Arab Sharkas” six terrorists synchronized with the terrorist assault which killed three judges in Sinai in May 2015.

It is worth mentioning that nearly 540 convicts were sentenced to death in public rights cases. The rulings of more than half of the convicts date back to before the year 2005. The execution rate reached 15 convicts per year which is considerably high, although its still less than 2% of the convicts, it shows that Egypt does not fulfill its

commitment according to the International Covenants on Civil and Political Rights (ICCPR) to minimize the death penalty.

Though the Court of Cassation had played a significant role over the past two years in overturning the rulings in the favor of 99% of the convicts of death penalty, the Criminal Courts widely issued a considerable number of death penalties in addition to punishing hundreds in absentia; which means the intensive judicial use of the death penalty.

Freedom and Personal Safety

Expansive preventive detention caused unprecedented congestion in detention facilities amidst extremely poor living conditions that caused the death of some detainees and many developed serious diseases. The estimates indicate that the congestion in police stations exceeded 300% of their absorbing capacities. Also, congestion in prisons exceeded 150% of their absorbing capacity; prisons remain to be a better place for detainees because they provide the minimum limit of health services and living conditions, compared to police stations.

Although the country built new prisons for preventive detention, but yet it wasn't enough to contain the detention challenges, as this option will face diverse challenges unless accompanied by a drawback in preventive detention decisions; increase the frequency of conditional release; develop amnesty policies, and introduce alternative penalties.

Preventive detention became a legal means to ensure security and decrease crime rates through constant detention of those with previous criminal record; which contradicts the nature and philosophy of the temporary detention under investigations. Hence, the current situation transforms the preventive detention into a penalty with no judicial rulings.

A downward trend is evident in torturing some suspects during investigations in places of initial detention in particular. However, as previously mentioned (see the right to life section), some suspects dropped dead under torture. It is hard to describe this trend as

systemic violation, but it is still used in spite of the several judicial and political measures taken and resulted in minimizing it.

The President adopted an initiative of the National Youth Conference (NYC) to release “convicts in cases other than violence”; an issue that brought enormous public satisfaction, particularly after releasing nearly 83 young men as the first batch, and readiness to release other groups based on the recommendations of the committee formed by the NYC.

The temporary unlawful detention practiced by security agencies on some of the suspected with terrorism has led to accusing security of the “enforced disappearance” crime, temporary unlawful detention rapidly mounting since April 2015 as they violate the applicable detention rules; through delay the interrogation of the suspected; delay in referring the suspected to the public prosecution and refusing to abide by the law or disclose the place where some of the suspected are detained.

The independent NHRI “National Council for Human Rights” (NCHR), had managed to address the main cause of this serious problem. The President responded to the NCHR efforts and instructed the Ministry of Interior to cooperate with the NCHR which led to addressing around 250 out of 280 cases recorded until the spring of 2016.

However, the problem emerged once again by the end of July and lasted for a couple of months, after a series of attacks and assassination attempts targeting security leaders and clergymen in Cairo and Delta governorates. There have been repeated allegations of detaining about 30 persons in unknown security centers for periods that exceeded 20 days.

During the period covered by the report, asylum from Arab and African countries continued to increase after the serious complications that hundreds of refugees experienced as they were arrested for suspicion of illegal residence, or use of forged visas as well as illegal entrance into the country.

The AOHR managed to persuade the authorities to release detainees seeking asylum and stop the deportation of the remaining detainees, including tens of Syrian refugees who entered illegally through the Sudan, and tens of detained Syrians and Palestinians

arrested during irregular migration through the Mediterranean Sea to south Europe.

The Egyptian authorities responded to the AOHR intervention to stop the deportation of tens of Syrian refugees to reduce the risks of possible enforced return to Syria which endangers their safety and freedom. The Ministry of Interior responded to all cases except for one refugee whom the authorities said that “he was found to carry weapons and related to terrorist organization”.

Issuance of legal residency visa to Syrians in general and some Yemenis is still a persistent problem. The Egyptian authorities responded to the AOHR interventions in some cases. However, this problem needs a political decision that transcends technical and administrative complexities.

Right to Fair Trail

During the period covered by the report, the Court of Cassation overturned tens of rulings that penalize hundreds of suspects, including 300 suspects who received death penalty. The Court of Cassation overturned nearly 700 death penalty rulings over two years and a few months.

The Court of Cassation approved the death penalty ruling for two suspects, including the one accused of throwing children from the roof of a building in Alexandria and according to media sources, the woman who participated in the murder and mutilation of police officers in Kerdassah Police Station in Giza. Both crimes were committed in the aftermath of the June 30th Revolution.

The six terrorists in the publicly known case of “Arab Sharkas Cell” received final rulings of death penalty by a military court.

The defected “demonstration law” still constitutes one of the main sources of conviction of suspects for violation of the law. This situation exacerbated in the context of the protests of April 2016 against the Maritime Demarcation Border Agreement (MDBA) between Egypt and Saudi Arabia. Tens of protesters were detained given that the marches were not licensed; advocates of new demonstrations were prosecuted, and more protesters were arrested in new demonstrations.

Three groups of the detainees were prosecuted. All suspects in two groups totaling 150 accused persons were convicted, and the third group were acquitted. Penalties ranged from two to five years imprisonment in addition to exuberant financial penalties of EGP 100 thousand for 100 detainees and EGP 50 thousand for 50 detainees.

The Court of Appeal overturned the custodial penalties and sustained the severe financial penalties. Detainees were released after paying the financial penalties. Simultaneously, the government announced its intent to amend the Demonstration Law according to the Constitution.

Public Freedoms

Further pressures were put on the media for their performance amidst media campaigns and counter-campaigns. The crisis of the journalists syndicate added to the negative image of press and syndical freedoms. The political and religious opinion cases as well as the decision on publication ban have significantly increased. The ill-reputed “Demonstration Law” remains in force. The crisis of human rights organizations and independent labor unions has aggravated.

Freedom of Opinion and Expression

In September 2015, the President of Egypt decisively resolved the controversy over the case of Al-Jazeera journalists publicly known as “Marriott Cell” and pardoned 100 detainees arrested during demonstrations, including the three Al-Jazeera suspects who were on trial; two of them were released by virtue of the treaty of extradition.

During the period covered by the report, the Anti-terrorism Act issued in mid-2015 imposed considerable financial penalties instead of the custodial penalties for the crime of “publishing false information” in a manner that threatens the existence of mass media. The ex-Minister of Justice sought to use the custodial penalty anew in violation of the Constitution.

To consider publication of information that “contradicts with the official information” a crime, as previously mentioned, is an issue of concern. This is inconsistent with protection of the media coverage,

especially at the times of terrorist crimes or military operations and beyond. In addition, it holds the media hostage of the official information and data even after the completion of the operations; which contradicts the work requirements in the media.

By the end of 2016, the parliament issued a package of media laws to establish an independent National Council for the Media, a Press Commission, and an Audio-Visual media commission. These independent and impartial agencies are planned to objectively supervise the public and private media; which will hopefully contribute to improving the media work rendering the media more professional and less biased when addressing the external counter-media campaigns.

The legal agencies affiliated to the State Ministry of Legal Affairs, as well as the Legislative Reform Committee, have completed the draft Information Law which is in conformity with international standards. However, they minimized the consultations on the draft law which should have promoted transparency. In addition, this law requires extensive consultations with the different communal sectors at a wide scale, particularly stakeholders.

The Information Law was based on the considerations of the freedom of information flow which is a cornerstone for the freedom of expression and scientific research and an anchor for true development in spite of numerous restrictions. However, the law has not been submitted to the parliament until the preparation of this report.

By the end of April 2016, the issue of the syndicate of journalists aggravated. Policemen, implementing a Public Prosecution order, arrested two journalists who were protesting at the syndicate premises without being escorted by the chairman or a member of the syndicate as set forth in the law.

Stories contradicted about whether the police notified the syndicate chairman by phone or not, and whether the conduct of police forces was appropriate even in case of notifying the chairman. These events occurred during the protests against the Maritime Demarcation Border Agreement (MDBA) between Egypt and Saudi Arabia; the protests were mainly at the syndicate premises.

The newspapers protested in various ways against the conduct of the Ministry of Interior. The police forces escalated the issue during

the meetings of the different structures within the syndicate or upon the arrival of the supporters of the syndicate.

The Public Prosecution accused and detained the chairman and two board members of the syndicate accusing them of hiding wanted suspects in addition to other typical accusations against protesters. They were released after a day and a half of investigations. Their detention prolonged because they refused to comply with the Prosecution decision of release on bail, out of conviction that journalists should not be detained.

The chairman and the two board members were sentenced to two years by the Court of Misdemeanor. This ruling provoked waves of protests. The AOHR expressed sorrow and joined the defence in the appeal that started by the end of January 2016.

The political and religious retribution cases constitute constant concerns. The most famous case is the conviction of the TV host Islam Behairy because of his writings and TV show that criticize the legacy of the Islamic Jurists. This was followed by two rulings to apprehend writer and journalist Fatma Naaout, and writer Ahmed Nagy, which aroused great controversy for the apparent contradictions in these judicial practices between Article 97 of the loose Penal Code in respect of incriminating “blasphemy” and the Constitution that establishes the principles of “freedom of thought and belief”. Behairy and Nagy were pardoned by the end of the year through on the President’s Initiative to release “convicts in cases other than violence”.

The Public Prosecution continued investigating claims of political retribution filed by some citizens and lawyers against intellectuals, media figures and politicians who criticized the state or any of its institutions in press releases or TV shows. Most of these claims are weak in content and legal attribution, which turns out to be highly problematic in terms of the impact of the Public Prosecution decision to investigate such claims on the freedom of opinion.

The decisions of the Prosecutor General and Criminal Court on publication ban mounted in some cases of interest to the public opinion, including investigations and trials on police violations, corruption cases and some terrorism cases.

Right to Peaceful Assembly

The defected “Demonstration Law” is based on the philosophy of prevention and restriction not legitimization. Several popular initiatives were launched against this law. For example, protests against the Civil Service Law in Cairo as the security services refused to allow protesters to demonstrate in Al-Fostat Park; though the Governor of Cairo chose this park as a place where they can protest as per the law “a previous consent is not required but rather a mere notification”.

While the security services allowed the proponents to demonstrate without previous consent as a common practice in national occasions, they did not allow opposing assemblies to protest and prevented different forms of protests, particularly those organized by workers.

In practice, the security services could not prevent spontaneous demonstrations and avoided confrontation with protesters. That happened in Luxor and Ismailia in November 2015 in the protest against the 3 deaths under torture in preventive custody. A similar case when thousands of outraged people blockaded Cairo Police headquarters protesting against the murder of a citizen in El-Darb Al-Ahmar District by a policeman. The demonstration goes on peacefully for hours in absence of the police forces to a great extent.

The AOHR is hopeful that the country shall fulfill its commitments to amend the defected demonstration law taking into account the comments and recommendations of the AOHR and other human rights groups and institutions.

Freedom to Association

Though Egypt gives considerable attention to the sector of charity associations for its humanitarian role in supporting the poor, the controversy between the State and the non-governmental human rights organizations has rapidly escalated. A number of “civil” associations out of the scope of the NGO Law are prosecuted, including travel ban on the owners and employees of these

associations, and confiscation of their funds as well as the funds of some members of their families.

At the same time, the requests of legally licensed associations to get permissions to receive grants and donations or get approval on some of their activities are administratively rejected “for security reasons not stated in the law”. Only a few activities of these associations are approved, which aggravated the situation, especially with the travel ban of several human rights advocates.

Investigations included several human rights activists like Azza Soliman, director of Centre for Egyptian Women’s Legal Assistance (CEWLA); Gamal Eid, director of Arab Network for Human Rights Information (ANHRI); Mozn El-Hasan, founder of NAZRA for Women Studies; Bahi-edeen Hassan, director of Cairo Institute for Human Rights Studies (CIHRS) - who resides abroad since the end of 2013; and Hossam Bahgat, founder of the Egyptian Initiative for Personal Rights (EIPR). Furthermore, Negad El-Borai, director of United Group, and two judges, who cooperated with the Group to prepare the anti-torture draft law, are still prosecuted.

On February 2016, the Ministry of Health suddenly decided to revoke the license of Al-Nadeem Center for the Rehabilitation of Victims of Violence and Torture, claiming that the Center violated the requirements of the professional clinic license. The Health Directorate in Azbakiya Jurisdiction tried to implement the decision which was challenged and postponed. The directorate tried to close the Center again in April 2016 and failed for the second time due to the resilience of the Center staff.

The State continued prosecuting the non-governmental charity associations created by the restricted Muslim Brotherhood Group. The Brotherhood founded these associations to target the poorest segments in Egypt. The State froze the assets of more than 2000 small NGOs affiliated to the restricted Muslim Brotherhood. The Ministry of Social Solidarity appointed interim managers to ensure the continuity of the charity associations in order to provide support and services to beneficiaries. However, the Ministry took final decisions to dissolve more than 100 similar associations affiliated to the Brotherhood which do not provide charity services.

Right to Participate in Public Affairs

The parliamentary elections were held in two stages in October and November 2015 under the supervision of the Higher Committee for Parliamentary Elections after being postponed since March 2015 due to constitutional defects; several defects are supported by the Supreme Constitutional Court. Sub-electoral commissions were supervised by members of the judiciary. There were approximately 13 thousand sub-electoral commissions in 5460 electoral centers distributed among 103 public commissions. The electoral commissions were secured by 300 thousand policemen and 200 thousand military soldiers.

The elections were nationally and internationally observed by 81 local organizations, 6 foreign organizations and 63 foreign embassies. The first stage included 14 governorates while the second stage included 13 governorates. 2573 candidates competed for individual seats including 3622 independent candidates (66%) and 1810 party candidates (33%) who competed for 448 seats. The partisan candidates won 200 seats while the independent candidates won 248 seats. The original total number of licensed parties was 85 parties.

20 out of 44 parties won seats in the parliament: Free Egyptians Party won 65 seats; Future of a Nation Party 50 seats; Wafd Party 45 seats; Guardians of the Homeland Party 17 seats; Republican People's Party 13 seats; National Congress Party 12 seats; Islamist "Al-Nour Party" 12 seats; Conservatives Party 6 seats; Democratic Peace Party 5 seats; Egyptian Social Democratic Party 4 seats; and the remaining seats were won by 10 other parties.

Seven party-lists competed on the list seats that were distributed among four main constituencies over the Egyptian governorates. The list of "In the Love of Egypt", led by ex-state officials, achieved landslide victory amidst accusations of other lists and parties that the list of "In the Love of Egypt" is favored by the government because of the defected laws regulating the elections and the unseen contribution in forming the list.

The "democratic trend" parties (Dignity Party, Social Popular Alliance Party, the Constitution Party, Justice Party, and Free Egypt

Party) boycotted the elections because their proposals were not considered. The Egyptian Social Democratic Party boycotted the elections as well after the Supreme Election Committee refused to approve the results of the medical examination of its candidates that was conducted prior to the date determined earlier for the elections in March 2015. The party disapproved a new medical examination for its candidates due to the high examination cost (EGP 4800 per candidate). The Administrative Court rejected the appeal filed by the party against the decision of the Supreme Election Committee, which made the party boycott the party-list elections.

The observers had their observations on the overall election process, including poor public participation particularly in the two stages of the first round. Many independent sources estimated the participation percentage at 16% to 21% of the total number of voters (56 million). However, the official announcement of the election results mentioned that the participation percentage was 26%. The elections implied some positive indicators as for the first time 30% of the parliament members are youth under the age of 45.

The President increased the women quota by naming 14 female MPs out of 28 MPs, using his Constitutional right to appoint 5% of the members, which increased the number of female MPs to 89 women for the first time in the history of the Egyptian parliament. It is remarkable that several women won individual seats and were on top of winning candidates in some constituencies.

For the first time, the parliament encompasses 39 Christian MPs; some of them competed on individual seats according to the legal quota. Also, the parliament includes for the first time two MPs for Halayeb and Shalateen constituency south east of Egypt which witnessed the highest public participation in the elections, and an MP representing Nubians for Nasr Nubia constituency in Aswan.

* * *

Kingdom of Morocco

The Moroccan authorities have constantly respected human rights in spite of the mounting challenges related to its internal policy; combating local, regional and international terrorism; the tendency of coalition government to restrict freedoms of expression, association and assembly; in addition to the challenges of the Western Sahara conflict at the international level.

The authorities took legislative measures to end the military trials of civilians; hold fair and transparent parliamentary and municipal elections; and erect a memorial for the victims of human rights violations upon the recommendations of Truth and Reconciliation Commission. The King of Morocco was keen to engage human rights advocates in diplomatic activities.

The Moroccan government ratified the Statute of Journalists as well as the law of the Supreme Council of Judiciary, and for the first time recognized a human rights organization founded by the citizens of Western Sahara.

Within the framework of combating smuggling and terrorism, the Moroccan authorities built a 100 –km iron fence along its eastern borders with Algeria.

Following the proposal of the United Nations (UN) Secretary General, Ban Ki-moon, in mid-March 2016 and his use of the phrase “occupation” to describe Morocco’s control over the Western Sahara, Morocco strongly objected to the Secretary General’s statement which contradicts with the UN glossary used in the Western Sahara case and confirmed that such statement is politically inappropriate and contradicts the Security Council Resolutions.

Morocco carried out procedures to expel 48UN envoys of the United Nations Mission in Western Sahara (MINURSO) which currently includes 242 military officers, 84 international civil employees, 157 local employees and 12 volunteers.

Morocco decided to cancel its financial contribution in the MINURSO expenditure of USD 3 million. The UN considered that MINURSO would be unable to perform its assignments after the civil members left. The Security Council could not adopt one unified stand

towards this matter, leaving its members free to individually deal with Morocco to defuse the situation.

First: Legal and Constitutional Framework

A series of positive steps were taken. Morocco ratified the Optional Protocol of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) on July 7, 2015.

The law on military judiciary that prevents the trial of civilians before courts martial came into force in July 2015. The law provided for the “abolishment of the provisions related to the referral of civilians to courts martial regardless of the type of crime and the designation of the crime culprits, be they perpetrators, accomplices or military partners, in peacetime”.

Furthermore, the Law abolishes the legal provisions related to the referral of perpetrators of crimes against the external security of the country to a court martial; and decided that such crimes shall be under the jurisdiction of civil courts. The Law also states that the court martial, as a specialized court, shall hear the cases under its jurisdiction as a court of first instance and court of appeal. The decisions of these courts can then be challenged before the Court of Cassation. The court martial shall hear military crimes committed by “military or paramilitary officers in service; crimes committed by prisoners of war regardless of the designation of the crime perpetrators; crimes committed in wartime against the state institutions or against safety of people and funds; endeavours to overthrow the regime or the armed takeover of national soil; or crimes against ICT systems, electronic applications and national defence websites”.

On July 7, 2015, the Moroccan government presented a complementary draft law to the audio-visual communication law. The complementary articles focused on the importance of non-discrimination against women. Thus, the Law prohibited any media to publish any content using abusive language towards women, imply a message that would promote negative images, entrench inferiority of women, or call for discrimination against women. The Law restricted the advertisements that offend people on the basis of ethnic origin,

nationality or race as well as commercials that endanger the mental, physical and moral integrity of children and teenagers. Moreover, the complementary law stipulates that events shall be impartially presented, promote gender equality culture, combat gender discrimination, and observe the principle of gender parity in all programs.

Some aspects of the draft law were subject to public debate. The government passed a new version of the law before the end of 2016 and it is expected to be submitted to the new parliament.

On March 24, 2016, an amendment to the law of the Supreme Council of Judiciary was issued. The new amendment sets the rules of judicial elections and the appointment of the judiciary council members. The law asserts that the judiciary is an independent entity and the Supreme Council of Judiciary is a legal entity with financial and administrative independence.

On June 20, 2016, the Parliament approved the Law on Press and Publication which provided for “replacement of detention penalties with financial penalties; legal recognition of journalism; judicial protection of source confidentiality and the freedom of Press; acknowledgment of rights for journalists; provision of guarantees for fair trials; and rendering the confiscation of newspapers or block of websites only under judicial jurisdiction”.

The draft law was strongly criticized. The Moroccan Federation of Newspaper Publishers and the National Press Syndicate were against the law as the promulgation of the law synchronized with the amendment of the Criminal Law which provides that the prosecution of journalists in cases of expression shall be conducted away from the Law on Press and Publication.

The Criminal Law amendment includes detention penalties up to five years for those “who are disrespectful of religion; incite against territorial integrity; disrespect the monarchy, the King, the Crown Prince or the royal family members.

On February 18, 2016 a draft law on the organization of the judiciary was submitted to the parliament. The draft law aimed at reviewing the organization of the judiciary according to new rules. The draft law included certain developments relative to use of Arabic language in court rulings, litigation and pleadings before courts taking

into consideration the constitutional requirements of effectuating the formal Berber Language (Amazight). It also stipulates the necessity of standard language of proceedings at the court level. The draft law provides for abolishment of the appeal circuit in courts of first instance; broadening the scope of individual judiciary related to the family matters to include cases of alimony, child custody costs, family ties, in addition to preparation and return to matrimonial domicile . Furthermore, the draft law stated that a seventh chamber (Real Estate Chamber) shall be added to the Court of Cassation as well as introduction of new articles on the judicial inspection under the purview of the Inspectorate General of Judicial Services (IGJS) provided that the inspection is carried out as per the provisions of the law.

In general, the law sets the components of the organization of the judiciary; rules related to court organization, degrees of litigation, categories, jurisdiction, methods of work and administrative measures as well as the rights of litigants, general principles of administration of justice in line with the Charter of the Judiciary System Reform.

Second: Fundamental Rights

The Central Bureau for Judicial Research revealed that the security agencies dismantled 19 terrorist cells during 2016; 18 of them affiliated to Daesh .The AOHR sources indicate the apprehension of thousands of suspects in 2015 and 2016 in fear of affiliation to an array of terrorist cells amid the growing concerns of terrorist crimes. Terrorist cells affiliated to Daesh amounted to 46since 2014 whereas the actual number is almost double. Disclosure of such cells is based on adequate evidence of the crimes committed. Several detainees are interrogated without legal guarantees.

Concerns have mounted after the terrorist attacks in the heart of Europe; particularly with the involvement of Europeans from Moroccan origin who frequently **visit** Morocco. The formal sources announced that most of the announced cells are affiliated with Daesh. The Moroccan authorities started to face a similar situation as other Arab countries in term of the crisis of dealing with members of

terrorist organizations who return from the arenas of armed conflicts. The official sources reported the return of 47 Daesh terrorists; of which 39 from Libya alone.

The Moroccan Criminal Law penalizes anyone who belongs to terrorist organizations regardless of whether they committed crimes against Morocco or not.

The Right to Life

In late October 2016, the gruesome death of the young man Mouhcine Fikri sparked angry protests across the Kingdom, known as the case of the “fishmonger”. Fikri was found crushed to death in the compactor of a garbage truck.

A police officer was accountable for Fikri’s death. Fikri’s funeral turned to be the start for ongoing massive protests until the King ordered immediate crime investigations.

The sources indicated that a conflict aroused between the young fishmonger and the police forces which tried to confiscate the fish he caught “illegally”. One of the law enforcement officers ordered the driver of the garbage truck to crush the fish as well as Fikri who desperately tried to retrieve the fish from the garbage truck.

The Right to Fair Trail

On June 24, 2015 the Court of First Instance issued a ruling against the administrator of “GOUD website”, Ahmed Najim to pay a penalty of MAD500 thousand in addition to MAD20 thousand in the public action based on the lawsuit filed by the Office Manager of the King’s Special Secretariat due to the harm inflicted on him because of an article published in the press clippings section.

On October 24, 2015 the Moroccan Judiciary issued a ruling to imprison 8 police officers after investigations because of torture of a young man under detention, causing his death.

On April 13, 2016, the Court of First Instance in Fez sentenced 29 students to 68 years for armed assembly that resulted in the use of white weapons, disobedience and assault against public officers.

These rulings are shocking in terms of the number of years and suspicion about meeting fair trial requirements.

Treatment of Prisoners

The Moroccan authorities neither provided full protection to the prisoners and detainees nor prevented the violations in detention. In September 2015, the authorities closed the investigation in the allegations of Aly Aras of being tortured in prison.

The investigation was conducted in May 2014 as per the resolution of the UN Commission against Torture. Aly Aras who was sentenced to 12 years in 2012 because of terrorism-related accusations remained in jail after his enforced return by the Spanish security authorities to Morocco, though the UN Working Group on Arbitrary Detention (WGAD) called for the release of Aras immediately. However, the Court of Cassation considered the appeal of the WGAD after almost three years.

By the end of July 2016, juvenile prisoners in Oukacha prison in Casablanca rebelled on a wide scale in order to escape from prison. The detainees destroyed and set the detention facilities on fire, leading to the injury of many prisoners, five guards and six policemen who intervened to help from outside the prison and three fire-fighters.

Although Morocco ratified the Optional Protocol on the Convention against Torture in November 2015, the Kingdom has not, until the preparation of this report, developed the national mechanism for protection against torture as set forth in the Optional Protocol for the inspection of places of detention.

The congestion crisis in prisons and detention facilities exacerbated as courts tend to detain the suspects in remand. According to the prison management, 41% of detainees in remand increasingly suffered from violence and frequent assault by the prison officers. Furthermore, detainees were transferred to remote prisons far away from the residence of their families, and were deprived of their vested rights such as pursuit of study or access to books.

Public Freedoms

Freedom of Opinion and Expression

The rank of Morocco declined in Reporters without Borders (RWB) World Press Freedom index. The Kingdom ranked 131 out of 180 countries in the report issued in April 2016.

The report of the National Press Syndicate in May 2015 indicated that the year 2015 witnessed “the series of police assault on the media continued and many different forms, starting with verbal violence that includes offensive remarks, insults, threaten, and prevention and amounting to physical violence, mainly, assault and battery, injury and destruction or confiscation of work cameras and equipment. These assaults are launched against different mass media (public and private audio-visual media, printed and electronic journalism as well as the photographers). According to the complaints, the National Press Syndicate in Morocco recorded that the perpetrators of such assaults are mostly local authority officials and their assistants, policemen or private bodyguards. Such assaults are committed either on the street or in public or private institutions.

On September 2015, the Police summoned the Vice President of the Moroccan Association for Digital Rights (ADN), Karima Nader, for investigation on a human rights report. The Ministry of the Interior filed a legal action against the Association on the same report; which is considered further violation to the freedom of opinion and expression, journalists, and human rights advocates.

On December 24, 2015 the security agencies prevented holding a seminar on the freedom of belief and coexistence organized by the Association for the Promotion and Defence of Human Rights in partnership with Morocco Ressali Line Association.

Right to association

Morocco still imposes restrictions on association through prevention of organization of public events and internal meetings. The Kingdom also places restrictions on research activities conducted by international human rights organizations including Amnesty

International. The Moroccan authorities prevent the legal registration of some human rights organizations.

By the end of 2015, 41 out of 97 local offices of the Moroccan Association of Human Rights (MAHR, a member of the AOHR, remained unregistered and in an ambiguous legal status as the local officials either refused to accept registration applications or to provide receipts in proof of submission of the registration applications.. In June 2015, the Administrative Court in Fez decided that authorities of Tahlacity may not refuse registration documents submitted by any local MAHR office, and shall issue receipts proving they took up the registration documents. The AOHR was appalled and expressed dismay because of what the Association has been facing since mid-July 2014, namely, harassment, prosecution, and restrictions which constitute violations against the freedom and integrity of human rights advocates. These complications altogether compromise Morocco's human rights commitments, whether those resultant from accession to international conventions on human rights to the Kingdom's national constitution; all these negatively impact Morocco's achievements on the path to democracy, maintenance of public rights and protection of human rights.

Once again, the AOHR submitted a request to the Ministry of Justice and Human Rights and the National Council for Human Rights to top harassment of MAHR or other human rights organization.

Right to Peaceful Assembly

Morocco witnessed numerous protests against the incumbent government, by students, intern teachers, medical interns and trade unions.

On September 18, 2015, a group of medical students in Morocco led marches in Casablanca to protest against the compulsory internship draft law issued by the Ministry of Health which obliges graduates of nursing colleges and institutes to work two years in remote areas. After weeks of suppression through the violent interventions of security forces, students managed to force the Ministry of Health to abolish the law.

On November 2, 2015 several marches were held in Casablanca to protest against the government plan of pension scheme reform. The marches were organized as a response to the invitation of 4 trade unions. The protesters called for raising the limit of tax-exempt pay to MAD 4 thousand. They also called the government to stop withholding payments of workers on strike. The government coalition in Morocco led by the Justice and Development Party tends to raise the retirement age to 63 years, reduce the pensions while raising employee subscriptions to special funds.

On January 10, 2015 the police forces kicked and coshed young intern teachers protesting against two decrees issued by the Prime Minister on January 7 2015 calling for abolishment of the decrees. The first decree states separation between educational qualifications and employment and the second decree reduces the compensation given to interns. The demonstrations took place in Agadir, Marrakesh, Fez and Casablanca. Many protesters suffered fatal injuries because of the assault of the police.

On January 12, 2016 thousands of union members launched protests as the government adopted laws on pension scheme reform that do not respond to the negotiations between the government and the unions on the reform of several pension schemes. The government suddenly adopted a package of draft laws which provoked four trade unions to call for a nationwide strike.

On February 24, 2016 protests and nationwide strike calls were renewed in all sectors against the failure of government policy in dealing with the financial, social and professional demands of trade unions. Although unions criticized the government reforms including the budget fund and pension scheme fund reform, the government was determined to proceed with the pension scheme reform law, as the retirement age is expected to be 63 by the year 2019.

Right to Participation

On September 4, 2015 regional elections were held under national and international, governmental and non-governmental supervision. The election was an essential step towards fully developing a stable political system after the radical changes

following the constitutional amendment in 2011. It was the first election of its kind as it combined both local and regional elections in one single sheet. The Moroccans elected their representatives in both local and regional assemblies. The election was held under the supervision of the government where the Ministry of the Interior handled election logistics. Woman representation was considerably raised from 12% to 27% as per electoral quotas for women. For the first time, women became representatives of the list of certain parties.

There were around 131 thousand candidates from 30 political parties, including 7 primary parties; 4 parties that constitute the alliance that formed the government headed by the Islamic Justice and Development Party; 3 opposition parties that were present in the previous parliament; in addition to 1232 independent candidates. All parties competed over 31503 seats in municipal and regional assemblies, including 7588 candidates competing over 678 seats in regional assemblies. Women competed to win the set quota for women. The regulatory laws state that women should be represented by at least one third in any constituency.

Approximately 14.5 million Moroccans voted in the elections. Competition mounted between the ruling Justice and Development Party and the Authenticity and Modernity Party. The participation percentage in the local and regional elections reached 53.67%. Women constituted 21.94% of total candidates to local elections and 38.64% of regional elections. Youth below 35 years of age constituted 29.4% of total candidates to local elections and 26.89% of regional elections.

With respect to the results of the local elections, Authenticity and Modernity Party won 6655 seats (21.12%), the Istiqlal Party won 5106 seats (16.22%), and Justice and Development Party won 5021 seats (15.94%).

With respect to the results of regional elections, Justice and Development Party won 174 seats (25.66%), Authenticity and Modernity Party won 132 seats (19.47%), Istiqlal Party won 119 seats (17.55%), National Rally of Independents Party won 90 seats (13.27%), and Popular Movement Party won 58 seats (8.55%).

The parliamentary elections were held on October 7, 2016. It was the tenth parliamentary election in Morocco since its

independence, and the second one after 2011 social movement and the adoption of constitution amendment in 2011. Seven thousand candidates competed over 395 seats in the House of Representatives which include 308 local seats and 90 seats by national votes.

The elections were supervised by national and international entities represented by 4 thousand observers including 92 international observers. However, social media undermined the election credibility indicating the violations in terms of appointment of heads of some voting offices from the Ministry of the Interior; prevention of some citizens to vote claiming that they do not have notices issued by the Ministry of the Interior though the law stipulates that the voter can cast vote using the personal ID; and accusation of government supporters of stationing in front of the voting offices to direct voters towards a certain party.

According to the Ministry of the Interior, the percentage of participation reached 43% of the 16 million voters registered in the electoral lists. According to national analysis, this percentage shall be reduced to 25% through calculation of Moroccans above 18 who are entitled to vote which increases the actual number of voters to 23 million. This reflects the failure of political parties to convince voters of the benefit of participation.

Islamic Justice and Development Party won 125 seats (98 for local lists and 27 for national lists) with an increase of 18 seats compared to 2011 elections when the party ranked first. Authenticity and Modernity Party ranked second and won 105 seats (81 for local lists and 21 for national lists) with an increase of 54 seats than 2011 elections. Other political parties retreated significantly compared to the previous elections: Istiqlal party won 46 seats; National Rally of Independents Party 37 seats; Popular Movement 27 seats, Socialist Union of Popular Forces (USFP) 20 seats, Constitutional Union (UC) 19 seats, Party of Progress and Socialism 12 seats, and the rest of parties 7 seats.

* * *

Islamic Republic of Mauritania

During the period covered by the report, human rights situation in Mauritania was characterized by stagnation in spite of positive actions indicating official attention attached to human rights, particularly according to the institutional structure of national for human rights mechanisms and the interaction with international human rights system.

Torture and ill-treatment in detention as well as issues related to the right to fair trial were the main concerns, particularly prosecution of people because of their opinion in public affairs, and exercise of practicing freedoms of expression and peaceful assembly. In addition, the social and cultural ramifications of slavery are still controversial though slavery was prohibited and incriminated in 1981.

First: Legal and Constitutional Framework

At the **constitutional level**, the parliamentary election to be held in November 2011 had been constantly postponed, and elections of the Senate House supposed to be held in March 2015 were postponed indefinitely.

As for **the legal aspect**, an array of laws was adopted: the law that prohibits slavery and penalizes any related practices, rendering it a “crime against humanity”, was issued on September 10, 2015; three competent criminal courts for slavery cases were established; and Prevention of Torture Bill was approved. In addition, the law on judicial assistance and all mechanisms thereof were ratified to enable the victims to have access to their rights with the assistance of the State and its administrative body through covering the financial costs of litigations.

Conversely, some laws that restrict public freedoms were issued. On December 22 2015 the Information Society Law and Cybercrime Law, aiming to have tight control on the internet, were issued. The two laws included many articles that limit freedom of expression.

Though the authorities indicated that the Cybercrime Law aims to fight the scam and theft crimes through electronic means; and

that the Information Society Law aims to protect the “public order, morals as well as religious and cultural values”, the human rights activists and bloggers objected that these laws aim to fully control the means of expression through empowering the official authority to block websites and legally prosecute critics of its policies.

On December 29, 2015 the discussion of the law on associations which will replace the law on association of the year 1964 was postponed. The new draft law comprises 62 articles that include definitions of associations, agencies and networks; requirements needed for license of each type; types of associations and networks; and procedures to revoke the license. The Law gave rise to controversy due to the financial requirements therein and punitive detention that may amount to 10 years.

Second: Fundamental Rights

During the period covered by the report, the country witnessed retreat and violation of many fundamental rights.

In spite of the efforts and discussions to fight slavery, it is still a concern. Activist who criticized the inadequate measures taken by the government were subject to detention and enforced disappearance,, especially members of Initiative for the Resurgence of the Abolitionist Movement (IRA)” – an anti-slavery group..

During the period covered by the report, the members had been subject to incessant detentions, including Hamadi Lahbos, Ahmed Ould Hamdi, “Amado Tejani Agyoub, and Pal Toury until mid-2016.

Prosecutions relate to *boa mano* events on June 29, 2016 when clashes broke out between the security forces and supporters of a segment of Haratins who were dislodged from one of Nouakchott slums. On the next day, the police arrested many activists, though not involved in the protest, and accused them of “planning and participation in violent act”. They were detained for 10 days totally isolated from the outside world and were transferred many times to different detention places without knowing where they were.

With respect to enforced disappearances, in February 2015 the three prisoners, Khadim Ould Saman, Mohamedou Ould Sebeeh and

Muhammad Khaled Ould Ahmed who were sentenced to death because of a shooting incident in Turin, disappeared. All three of them held a sit-in inside the prison in protest for the refusal to release one of their mates who served his sentence.

The prison authority reported violent acts during the sit-in. The prison guardians used tear gas to break the protest and coshed the prisoners before taking away the three men who completely disappeared with no news about them afterwards. In July, the Minister of Justice said he was unable to determine where the three prisoners were. A delegation was supposed to visit in October immediately after passing the new law against torture; however, they are still missing because of the enforced disappearance since the end of 2016.

Sheikh Ould El-Salik, who was sentenced to death for affiliation to “Al-Qaeda in the Islamic Maghreb”, escaped mysteriously from prison in January 2016. All efforts failed to find him in Mauritania until he was arrested in Guinea-Bissau on January 20, 2016.

This information contradicts with other sources that he was detained in Senegal on January as soon as he boarded a UAE plane.

In 2015, the issue of “domestic female workers working in the Kingdom of Saudi Arabia (KSA)” was highlighted as their rights were violated and the agreed-upon contracts were breached. For that purpose, the “Popular Initiative against the Violation of Women Workers' Right” was launched. The initiative organized protests in front of KSA embassy in Nouakchott calling to stop Mauritanian female workers from travelling to KSA.

In October 2016, the United States released the prisoner Mohamedou Ould Slahi who had been detained for suspicion of terrorism since 2002 in Guantanamo Bay Detention Camp. The US Administration previously resisted the release because he wrote a book entitled “Guantanamo Diaries”.

Right to a fair trial

On August 3rd, 2016 Court of First Instance sentenced 13 members of the IRA to 3-15 years in prison based only on their confession though they explained in court that this was under duress

during their early detention in Dar Al - Naeem Detention Camp under inhuman conditions before transfer on September 28, 2016 to Zewarat prison. However, the Supreme Court decided their transfer to Nouadhibou prison close to their families and defence attorneys. This trial witnessed several violations. Currently, there is an investigation of the allegations that some detainees were tortured.

Treatment of Prisoners and Detainees

Mauritanian prisons are in terribly dreadful inhuman conditions to the extent that these prisons became centers for criminal rehabilitation due to the harsh and severe conditions. The prison authorities place all prisoners including detainees in remand in the same place regardless of the type of crime or prison sentence.

Prisoners who are suspects of terrorist acts are tortured and severely treated. Security forces systemically resort to such practices with a view to punish, humiliate and extract “confessions” from the suspects.

In June 2016, the security forces took the initiative to develop an independent national mechanism for protection against torture that became operational in October 2016 through the visit of the UN Subcommittee on Prevention of Torture. It asserted that there are many challenges that need to be addressed particularly establishing a national dialogue among different actors and stakeholders.

In February 2016, the UN Special Rapporteur on Prevention of Torture called on Mauritania to get rid of the unofficial detention centers. He emphasized that most detainees in Mauritania live under inhuman conditions; detention centers are congested together with harsh living conditions; and that detainees in remand usually need 45 days to get a defence lawyer.

It was mentioned that one prisoner in Nouakchott Civil Prison was tortured during detention before trial. He was detained in April 2015 for affiliation to Daesh. He was forced after seven days to sign his alleged “confessions” document. In the trial of June 2015, he said before court that he had been tortured but he was convicted and his claims were not investigated.

Third: Public Freedoms Freedom of Opinion and Expression

During the period covered by the report, freedom of opinion and expression retreated. Journalists and media professionals were harassed. Investigations were carried out with some journalists, including the president of the Syndicate of Journalists. Some were subject to assault during work as was the case during the coverage of the trial of Biram Ould Eldah and his friends in Rosso where the cameraman Khalifa Si from El-Mourabiton TV Channel was assaulted and his head was hit; and Ahmad Mohamedou El-Mustafa, the reporter of the e-news agency, was beaten by the police during the proceedings of the trial.

The 32-year old blogger Mohamedou El-Sheikh Ould Mohamedou Mekhetar is still in prison given the death penalty ruling issued in December 2014 by Nouadhibou Court as he was accused of apostasy and disrespect to Prophet Muhammad (Peace be upon him) as he posted an article in his blog criticizing that the social system uses a “religious” legacy to marginalize and mistreat some segments in the society(the blacksmiths), because he is one of them. The court considered his article a publicly declared apostasy and disdain for the Prophet which is a crime punishable by the Penal Code though Mekhetar refuted this accusation, publicly declared repentance during the trial and that he did not mean to show disrespect. Until the preparation of this report, he was still waiting for the Public Prosecution in the Supreme Court to consider his repentance.

In November 2015, the retired Colonel Omar Ould Bubakr was apprehended in a political protest in Nouakchott for talking about the extra-legal execution of military officers in the nineties. He was detained in Nouakchott Directorate for National Security and was released after three days, but remained under judicial supervision.

On September 17, 2016 the government stopped the radio program “Saharaa Talk” for a month claiming that the program did not follow the guidelines of the High Authority for the Press and Audio-visual Sector (HAPA).

Right to Peaceful Assembly

Several assemblies were prevented and suppressed by security authorities including detention of some youth during protest in front of the Ministry of Health on October 14, 2015 demanding the dismissal of the Minister of Health. Many of the activists of “25 February Movement” were humiliated and tortured during detention in police stations.

On November 28, 2015 riot police units suppressed a demonstration organized by the union and organization members of the victims of human legacy “Cofer” demanding to rehabilitate the 28 army officers and soldiers who were executed in Inal village in 1990 during commemoration of national independence. These suppressed organizations stated that hundreds of Negro citizens were buried in different places within the country during those bloody years. Therefore, they call for investigation of this issue.

On March 14, 2016 protesters of “IRA” Movement near the central market of Nouakchott demanded the release of the president of IRA Movement, Biram Dah Abeid, who was sentenced to two years in prison for participation in an anti-slavery protest march. The police forces used tear gas and sticks to disperse protesters. Then, there were clashes in the vicinity of the central market between the police and protesters where a number of protesters were arrested and transferred away from the demonstration place.

On March 24, 2016 the Mauritanian authorities took procedures to limit the freedom of opinion and expression, including preventing the Mauritanian Human Rights Watch from holding its annual conference. Similarly, the Democratic Renovation Party was not allowed to hold its seminar. The security forces violently dispersed the demonstration in front of the Russian embassy in Nouakchott on December 24, 2016 in protest of Russia’s involvement in the war against Syria.

Furthermore, the Mauritanian authorities refused to license a number of political parties such as the Authenticity and Renovation Front, Progressive Forces for Change and National Nidaa Party.

* * *

Republic of Yemen

In a model that incarnate the worst of all regional disturbances in the Arab countries, the armed conflicts exacerbated in Yemen exacerbated to a degree that may storm the country and threaten its territorial integrity. The situation further may lead to an intricate region-wide conflict, and warn of the terrorist organizations inside the country in addition to the destructive humanitarian impact of such conflict; the soaring number of dead and injured people particularly civilians; severe shortage of food and medicine; displacement of millions of civilians under military operations and prolonged siege of Houthi-Saleh militia to Taiz and other regions; mismanagement of the public utilities; poor production; and usurping public funds which depleted foreign exchange reserve in the Central Bank.

The current armed conflict since September 21, 2014 has led to radically undermine the all components of life together with the stumbling regional and international political efforts that reached a dead end, jeopardizing the lives of people and turn the conflict into episodes of regional turmoil.

The country essentially suffers an economic collapse to a great extent even before February 2011 Resolution which led to the partial collapse of the country, poor services in the post-revolution and transitional stages. Complete national collapse took place with the armed rebellion on September 21, 2014 that reached its peak around the time of Operation Decisive Storm in March 2015.

All international political efforts exerted so far failed. Houthi militias (Houthis), supported by the army forces loyal to the ousted president Ali Abdullah Saleh, incessantly reject the bases on which negotiations are conducted. Such negotiations were the outcome of the 2013 National Dialogue Conference (NDC), Security Council Resolution no. 2216 and its annexes, and the 2011 Gulf initiative.

During the period covered by the report, civilians paid the heaviest price because of the conflict and turmoil; where 12 thousand civilians were killed. The conflict further claimed the lives of 8 thousand fighters (4 thousand Houthis, 2 thousand from Ali Abdullah Saleh's forces, and 2 thousand from Yemeni armed forces and Popular Resistance affiliated to the legitimate government. At least 30

thousand civilians were injured and about 30 thousand were struck down by deadly epidemics.

The conflicting parties raced to target civilians through random and deliberate shelling of Houthi-Saleh to terrorize the people and suppress any popular liberation movements. About 20% of civilians were killed by aerial shelling by the Arab Coalition which targeted civilians and security forces in areas of the legitimate government in 17 out of 25 incidents.

During the period covered by the report, Houthi-Saleh militias continued to detain about 8 thousand opponents, human rights activists and media professionals; hundreds of them are presumably subject to enforced disappearance.

The living conditions have become dreadful where 80% of the population need medical care and relief efforts; approximately 3 million persons are displaced; service utilities are not more functional ; economic resources are severely depleted; and epidemics spread due to poor health services, in addition to severe shortage of food and medicine and lack of energy and pure drinking water.

Houthi-Saleh militias are accountable for the deteriorating daily living conditions nationwide. The field sources have asserted different systemic violations by the militias since the coup including: extra-legal killings; conscription and use of children in bloody military operations where 14 thousand children were drafted; prosecuting, terrorizing and harassing families of the army drafts who joined the popular resistance; torturing and using detainees as human shields in battles; forced displacement of populations; laying mines; random bombing of civilian areas; sniping and assassinations; obstruction of relief efforts and looting relief packages; tight blockade of Taiz city; targeting media professionals , journalists and human rights advocates; seizure of media equipment; access of minimum portion of foodstuff to citizens; sexual harassment of women; seizure of schools to use as shelters and residence for the gunmen; use historical buildings and hospitals to keep detainees and fortifying such buildings with heavy weapons and forces.

Political Path

Pursuit of a political solution through external actors has become extremely difficult unless solutions stem from the Yemeni themselves. Clearly, no external force currently has a political project in Yemen. Also, the requirements of proper political settlement are not met at the present time given the tendency of the international community to prolong the conflicts in the region as much as possible or totally drain the conflicting parties.

Currently, the war is no longer comprehensible. All negotiations in pursuit of real peaceful settlement have failed. Different conflicts and interests of parties left no room for any understanding. The coup militias desperately seek to violate any truce and obstruct all settlement talks fearing that long periods of ceasefire shall lead to their fall given the popular uprising in areas under militia control.

With the mounting violations, an independent committee has become essential to investigate war crimes and crimes against humanity committed by all parties during war in Yemen.

Fundamental Rights

Right to Life

Houthi-Saleh militias target civilians through deliberate random shelling, using mortar and Katyusha missiles in densely crowded areas in the governorates of Lahij, Dhale, Al Bayda, Aden, and mostly in Taiz with thousands of deaths.

Houthis either used civilians as direct human shields or placed detainees in areas expected to be aeri ally shelled. On July 1, 2015, about 31 civilians including women and children were killed and around 100 persons were injured through the random shelling of residential areas in Al Mansura District in Aden.

On March 20, 2016 Houthi militias shelled residential areas in Taiz city in Wadi Al-Qadi and 26 September Street using mortar and Katyusha missiles which resulted in the death and injury of 47 civilians.

On June 3, 2016 the militias shelled the popular market of El-Bab El-Kabeer Market in the middle of Taiz after Friday prayers using Katyusha rockets which resulted in the death and injury of civilians, mostly women.

Yemeni Coalition to monitor violations of human rights comprises the main civil society organizations in the country. The Coalition concluded that the Houthi-Saleh militias committed around 17128 human rights violations against civilians during 2016 only in 20 governorates. Violations ranged between killing, injury, abduction and detention of civilians in addition to the destruction of public and private properties.

According to the Yemeni Monitor” newsletter issued by the Coalition, 2466 were killed, 6042 injured, 5092 kidnapped and detained. In addition, 777 public properties and 2751 private properties were destroyed. The Yemeni Coalition indicated that in the areas under militia control, human rights violations are persistent, including detention and abduction. 5092 civilians were kidnapped, including 20 women and 118 children. Sana’a was on the top of list in terms of number of abducted persons (694), followed by Al Bayda (655) and Ibb governorate (539).

The AOHR stated that Houthi-Saleh militias recruited around 14 thousand Yemeni children under the age of 18, including 5500 children under 15, in its military operations.

The **Arab Coalition** Forces violated the right to life. These forces launched random aerial shelling and inattentively targeted civilians through the raids on the civilian areas or shelling targets in civilian areas that supposedly contain militia leaders. Eventually, the coalition forces committed crimes against civilians in addition to suspicions of using internationally prohibited weapons.

The most flagrant raid was the double raid which targeted a funeral hall in Sana’a on October 8, 2016. The Coalition Forces thought that the commanders of Houthi-Saleh militias would be there. The raid resulted in 140 deaths and more than 500 persons with serious injuries including a great number of civilians. The leadership of the Arab Coalition Forces declared that a detailed investigation would be conducted about the incident, those accountable for the shelling will be charged and that the victims will be compensated.

However, the investigations concluded that some Yemeni forces are accountable indicating that the shelling was based on the GPS coordinates provided by the Yemeni Intelligence.

Moreover, by the end of October 2016, the Coalition launched an airstrike on a prison in Al-Hudaydah governorate under Houthis control where some detainees are held. The airstrike claimed the lives of 60 persons and destroyed the entire prison. On March 15, 2016 the coalition aircraft shelled the district of Souq El-Khamis Market in Hajjah governorate which led to the death of 41 persons and injury of 75. On February 3, 2016 the coalition forces launched an air raid which accidentally destroyed the outer gate of a cement factory in Amran governorate which led to the death of 21 factory workers and the injury of others.

Furthermore, on September 21, 2015 the Arab Coalition Forces launched air raids that shelled a wedding hall in Mocha district which killed 130 persons including women and children. However, the leadership of the coalition denied launching any air raids on this district during that period.

Terrorist organizations of Al-Qaeda and Daesh continued terrorist acts that killed hundreds of civilians and military men. On January 29, 2016 at least eight people were killed in a booby-trapped car bombing at a military crossing point near the Presidential Palace in Aden. Daesh claimed responsibility for the attack.

On May 15, Daesh elements targeted some youth applying to voluntary enlistment inside Enajdda military camp at Mukalla city, freed from the grip of Al-Qaeda on April 24, 2016, in Hadhramaut governorate. 40 persons of the security forces were killed and 70 persons were injured.

On May 23, 2016, Daesh claimed responsibility for two suicide attacks that targeted volunteers enlisting in the Yemeni army at Khormaksar district in Aden. The first was a suicide bomber wearing an explosive belt and the second was a bomb blast of explosive device at the gate of Badr Camp. 42 persons were killed and more than 30 were injured in the two attacks.

A series of bomb explosions occurred on June 27, 2016 in four crossing points at Mukalla while the soldiers were having breakfast in

the month of Ramadan. About 50 soldiers were killed and 30 were injured in the attacks. Daesh claimed responsibility for the operation. On May 22, 2016 Daesh released a video featuring the killing of 3 hostages wearing military uniform in a mountainous area, crushing the skull of one of the victims by a big rock.

Furthermore, the **USA** intensified its drones' raids that target Al-Qaeda camps and elements throughout the Arabian Peninsula in the governorates of Ma'rib, Shabwah, Al Bayda and Abyan. The most known US attacks targeted Al-Qaeda camp in Hajrdistrict west of Mukalla, Hadhramaut on March 22, 2016 which resulted in the death of 71 persons and injury of 28 people.

In October 2016, the US forces continued launching air raids in areas where Houthis' militias were concentrated as a response to the launch of ballistic missiles against the US Navy destroyer "USS Mason" which is based in the Red Sea along Yemeni borders. The US Navy also seized four shipments carrying weapons on their way from Iran to Houthi militias during 2016.

Yemen witnessed a number of assassinations of security and political leaders as well as journalists by Houthi-Saleh militias and terrorist organizations. The key incident was the assassination of Jaafar Mohammed Saad, Aden Governor, and eight of his bodyguards in a car bombing on his way to work on December 6, 2015. Daesh claimed responsibility for the assassination.

Colonel Abdul Rahman Al-Iryani El-Sanidi, Intelligence Director of Yemeni Navy and Coastal Defense, was assassinated in Mansura city in August 2015. In addition,,Antar Al Bakhshi, the popular resistance leader, was anonymously assassinated in Aden.

Ahmad El-Shybani, the journalist in News Yemen Website, was also assassinated by sniper fire during event coverage in Taiz on February 16, 2016. Muhammad Ghalib El-Megeedi, a journalist, was also assassinated by sniper fire during coverage of the confrontations in Taiz on March 21, 2016. Abdullah Azizan El-Khalifi, reporter in Mareb Press News website, was assassinated during event coverage at Bayhan District in Shabwah governorate.

An array of journalists and reporters were killed as a result of random air shelling of the Arab Coalition aircrafts on areas under the control of Houthi-Saleh militias, including Almigdad Mojalli, a

reporter, who was killed at Wadi Jaref, Bilad Ar-Rus District in Sana'a on January 17, 2016 as well as Hesham Mohammad Al-Hamran, the photographer in Al-Masirah Channel, who died on January 22, 2016 from severe injuries in the city of Dahyan, Saada Governorate.

With respect to enforced disappearance, on April 6, 2015 Houthi militias detained Waheed Al-Sofi, editor-in-chief of Al-Arabiyya News website, while he was in Faj Attan, and was held in an anonymous place until the end of 2016. Both Hussein El-Ansi and Abdullah El-Menifi, journalists in the Yemeni newspaper "Alsahwa" issued by Islah Party, were detained on February 18, 2016 by Houthi militias in the city of Dhamar and were held in an anonymous place due to their journalistic activities.

Right to Freedom of Opinion and Expression

Field resources and reports indicate that tens of journalists and photographers were assaulted and threatened to be killed. During 2015, 18 human rights organizations were stormed, and 8 radio stations, 38 newspaper and 9 channels were closed.

Due to their control over the Ministry of Telecommunication and Yemen Net, the main internet service provider, the Houthis blocked 186 websites including Reuters on January 3, 2016, Aden Time, Bawabat Al Sharq News, London Asharq Al-Awsat Newspaper, UAE Al-Khaleej Newspaper, Hadhramaut International, Kuwaiti Al-rai Newspaper, Yemeni Media Centre, and Telegram.

One of the key incidents was the abduction of Al-Jazeera Channel crew in Taiz which included Hamdi El-Bakari, reporter, Abdel-Aziz El-Sabri, photographer, and Mouneer El-Seba'ai, driver, on January 18h, 2016; they were released weeks later.

Humanitarian Conditions

The period covered by this report is deemed the most tragic. The humanitarian situation was catastrophic in Yemen. Most of the people suffered from abject poverty due to limited food supplies and the inability of different international and relief agencies to provide

support and relief packages to the displaced because of the long fight and siege of Yemeni cities and Houthis' seizure of relief packages; in addition to lack of means of subsistence and income; high prices of fuel and food, leading to food scarcity. As a result, nearly 51% of the population (41.1 million) suffers from food insecurity and about 83% of the population (21 million) needs humanitarian aid and integrated care.

Furthermore, the Central Bank of Yemen in Sana'a was subject to the systemic looting at the hands of Houthi-Saleh militias in control. The militias withdrew around USD 100 million (Riyal 25 billion) to support their forces under the claim of war effort, which was the main reason of foreign currency depletion. This weakened the Bank that failed to pay the salaries of its staff (1.25 million civil employees) who provide for 9 million citizens.

All public utilities had become almost completely dysfunctional. It became hard to provide water or electricity for medical and humanitarian services. In addition to lack of petroleum substances as well as infrastructure collapse. Around 19 million Yemenis suffer from shortage of drinking water, resulting in the deterioration of their health conditions. Moreover, 50% of the hospitals were destroyed. Therefore, medical services are next to none; diseases and epidemics are widely spread. Recently, the World Health Organization (WHO) announced that cholera swept the country; more than 1000 cases were suspected to be infected in Aden only in addition to tens of deaths because of cholera pandemic.

Conditions of children

The United Nations Children's Emergency Fund (UNICEF) announced the death of at least 1163 children, injury of 1730 children during the period from March 2015 to September 2016. The UNICEF also mentioned that 1.5 million children suffered from malnutrition; 1.3 million children are exposed to acute respiratory infections; about 2.6 million children under five are exposed to measles virus; and around 10 million children need urgent humanitarian assistance and environmental services. In addition, 1.5 children get no education; which raises the question about their future.

Refugee and displacement crises Around 3 million persons fled from the conflict areas to other areas since September 2014. They desperately need humanitarian assistance; which places Yemen on top of the countries suffering from internal displacement. In addition, thousands seek refuge in the neighboring countries.

Diplomatic Efforts

In spite of the international calls to end war, announce humanitarian truce or resume the talks, all efforts failed because of the rebellious militias; truces are always breached in its early hours. After the first truce that the United Nations called for on May 13, 2015 for five days, the rebels breached the truce after a few hours as of the first days.

The second truce on July 10, 2015 was also breached in its early hours after the Houthis shelled Aden, Ma'areb and Taiz and the Arab Coalition Forces replied back with the bombardment of places where Houthis are concentrated.

On December 15, 2015 the United Nations declared a ceasefire to test the intent of the conflicting parties prior to Geneva talks; which did not improve the situation.

In May 2016, a truce was called for in parallel with the Kuwaiti deliberations. On October 20, 2016 a 72-hour humanitarian truce was announced to provide urgent supplies to the civilians in besieged areas. The truce was violently breached and relief supplies were seized by the militias.

* * *

Country	International Covenant on Economic, Social and Cultural Rights (ICESCR)	Optional Protocol of the International Covenant on Economic, Social and Cultural Rights (ICESCR)	International Covenant on Civil and Political Rights (ICCPR)	First Optional Protocol of International Covenant on Civil and Political	Second Optional Protocol of International Covenant on Civil and Political	International Convention against Torture	Optional Protocol of the International Convention against Torture	Convention on the Elimination of All Forms of Racial Discrimination	Convention on the Elimination of All Forms of Discrimination against	Optional Protocol of the Convention on the Elimination of All Forms	Convention on the Rights of the Child	Optional Protocol to the Convention on the Rights of the Child on the	Optional Protocol to the Convention on the Rights of the Child on the sale of	Convention on the Protection of the Rights of All Migrant Workers	Convention on the Rights of Persons with Disabilities	Optional Protocol on the Rights of Persons with Disabilities	International Convention for the Protection of All Persons from Enforced	Arab Charter on Human Rights	African Charter on Human and Peoples' Rights	International Criminal Court
Jordan	X	-	X	-	-	X	-	X	X	-	X	X	X	-	X	0	-	X	-	X
United Arab Emirates	-	-	-	-	-	X	-	X	x	-	X	-	X	-	X	0	-	X	-	0
Bahrain	X	-	X	-	-	X	-	X	X	-	X	X	X	-	X	-	-	X	-	0
Tunisia	X	-	X	X	-	X	X	X	X	X	X	X	X	-	X	X	X	-	X	X
Algeria	X	-	X	X	-	X	-	X	X	-	X	X	X	X	X	0	0	X	X	0
Djibouti	X	-	X	X	X	X	-	X	X	-	X	X	X	-	X	X	-	-	X	x
Saudi Arabia	-	-	-	-	-	X	-	X	X	-	X	X	X	-	X	X	-	X	-	-
Sudan	X	-	X	-	-	0	-	X	-	-	X	X	X	-	X	X	-	X	X	0
Syria	X	-	X	-	-	X	-	X	x	-	X	X	X	X	X	X	-	X	-	0
Somalia	X	-	X	X	-	X	-	X	-	-	X	0		-	-	-	-	-	-	-
Iraq	X	-	X	-	-	X	-	X	X	-	X	X	X	-	X	-	X	X	-	-
Oman	-	-	-	-	-	-	-	x	X	-	X	X	X	-	X	-	-	X	-	0
Palestine	X	-	X	-	-	X	-	X	X	-	X	X	-	-	X	-	-	X	-	X
Qatar	-	-	-	-	-	X	-	X	X	-	X	X	X	-	X	0	-	X	-	-
Kuwait	X	-	X	-	-	X	-	X	X	-	X	X	X	-	X	-	-	X	-	0
Lebanon	X	-	X	-	-	X	X	X	X	-	X	0	X	-	0	0	0	X	-	-
Libya	X	-	X	X	-	X	-	X	X	X	X	X	X	X	0	-	-	X	X	-
Egypt	X	-	X	-	-	X	-	X	X	-	X	X	X	x	X	X	-	-	X	0
Mauritania	X	-	X	x	-	X	X	X	X	X	X	X	X	x	X	X	X	-	-	0
Yemen	x	-	x	-	-	X	X	X	x	-	X	-	X	X	X	X	X	-	X	-

Status of Arab Countries Ratification and Accession to International Covenants of Human Rights

X: Ratification and Accession to treaties/ conventions

O: Signing treaties/ conventions