

MENA
Rights
Group




ANNUAL REPORT 2020



Protestors standing on top of the abandoned Turkish Restaurant building on Tahrir Square, Baghdad, Iraq. © Mondalawy, licensed under CC BY 4.0

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



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

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Foreword

2020 has been a year of reflection for MENA Rights Group, as we marked two years since our inception in September 2018, nearly reaching the landmark of 1,000 individuals who have mandated us to defend their rights.

Dear friends and supporters,

2020 has been a particularly challenging year, with the pandemic forcing us to adapt and respond to a new reality. Thanks to the dedication, creativity and responsiveness of our team, our mission to support victims of gross human rights violations throughout the Middle East and North Africa (MENA) has been unhindered. The outbreak of COVID-19 compelled us to rethink the way we work so as to ensure the continuity of our activities. In spite of the challenges, we have continued to build partnerships with victims, their families, lawyers, human rights defenders, and grassroots civil society actors.

However, the pandemic has given rise to a further deterioration of fundamental rights and freedoms throughout the region. A number of states have resorted to measures that severely restrict these rights, ranging from abusive extensions of state of emergency powers to enacting laws criminalising opinions deemed as "fake news", along with the authorities' failure to prevent COVID-19 from spreading in detention facilities. Grassroots activists who have been forced to rely solely on technology to carry out their activities, have faced increased

attacks and threats online, making them all the more vulnerable to reprisals.

If anything, this crisis has acted as a sharp reminder of how essential it is for the MENA region to undergo systemic structural changes; without social justice and the rule of law, the pandemic can only heighten the already dire human rights situation on the ground. We are therefore all the more committed to carrying out our mission and redoubling our efforts in this new year. Though respect for universal human rights is far from being a reality in the MENA region, steps taken towards a democratic transition and greater respect for human rights in Sudan, for example, have renewed hopes that change is possible.

2020 has been a year of reflection for MENA Rights Group, as we marked two years since our inception in September 2018, nearly reaching the landmark of 1,000 individuals who have mandated us to defend their rights. We therefore reflected on our past achievements and challenges faced, and produced a Strategic Framework for 2021-2023. This will be our compass to ensure our work continues to align with our vision, mission, values and theory of change, with the desire to always do better,

ensure the greatest impact, and serve the best interests of victims of human rights abuses.

In 2021, we will uphold our commitment to assisting victims and implementing a sustainable strategy to foster structural changes in societies across the MENA region. We will continue fighting injustice, working towards advancing the rule of law, and as part of a joint community and with your support, making progress towards ensuring that people enjoy the effective recognition and respect of their rights and freedoms.

Last but not least, I wish to thank victims and their families for placing their trust in us, as well as all of our partners, lawyers and civil society activists, without whom our work would not be possible. I also wish to warmly thank each of our passionate and dedicated board and team members, thanks to whom we have continued to thrive.

In solidarity,

Inès Osman
Co-founder and director

About us

Our vision

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

Our mission

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

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

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

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

Our tactics

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

1 Documentation and monitoring

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

2 Litigation

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

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

3 Analysis and reporting

Based on thorough research and monitoring, we produce reports, briefs and research papers to bring issues to the attention of relevant stakeholders, with a view to advocating for legal and policy reform. When relevant, we directly lobby local law- and policy-makers and engage with various international and

regional institutions, foreign governments, and businesses.

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

4 Awareness raising

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

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

5 Capacity building

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

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

6 Assessing national human rights institutions

We believe that effective and accessible national human rights institutions (NHRIs) are key to ensuring the protection of fundamental rights and freedoms at the national level.

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

Our geographic and thematic focus

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

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

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

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

2020 at a glance

We supported **153 victims** of human rights violations across **10 countries** of the MENA region.

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

We monitored compliance with human rights standards of **5 countries** ahead and during reviews of their record.

Litigation

In 2020, we represented **153 individuals** before international protection mechanisms. We also followed up on numerous previous cases of individuals we continue to assist.

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

Litigation areas

Right to life

Throughout 2020, MENA Rights Group responded to many cases concerning violations of the right to life in the MENA region, ranging

from the execution of protestors due to excessive use of force to denial of medical care, including in the context of the COVID-19 pandemic.

In **Egypt**, we received the testimony of Ahmed Abdelnaby Mahmoud Sayed Ahmed's family, following his death in detention in September 2020. He had been detained arbitrarily and

Martyrs memorial on Tahrir Square, Cairo, Egypt. © Hossam el-Hamalawy, licensed under CC BY 2.0



despite his repeated pleas for adequate medical care, Ahmed's requests were denied.

In **Saudi Arabia**, together with ALQST for Human Rights, we documented the case of Abdul Rahim bin Ahmed Mahmoud Al Huwaiti, a member of the Huwaitat Tribe and vocal figure in the resistance to, and documentation of, the forced eviction of his community to build Saudi Arabia's NEOM megacity project. After he was shot dead in his home by Saudi special forces, we requested the urgent intervention of the UN Special Rapporteur on extrajudicial executions. In August, the UN expert subsequently sent a letter to the Saudi authorities, urging them to carry out an investigation and to provide clarification on whether there was a legal land acquisition.

Furthermore, we worked on the case of Saudi human rights defender and co-founder of the Saudi Civil and Political Rights Association (ACPRA), Abdullah Al Hamid, jointly with ALQST for Human Rights and the Right

Livelihood Foundation. Aged 69 years old, Al Hamid was serving an 11-year prison sentence for his activism in Al Ha'ir prison when, on April 9, 2020, he suffered from a stroke and passed away on April 23. We argued that his death resulted from his poor conditions of detention and the systematic denial of medical care by the prison authorities. In June, seven UN Special Procedures mandate holders expressed their "utmost concern that the delay to Mr Al Hamid's treatment may have arbitrarily deprived him of his right to life," and that he had not been considered for early release in light of the COVID-19 pandemic.

In the **United Arab Emirates**, we issued an urgent appeal to the UN Special Rapporteur on the right to health concerning the COVID-19 outbreak in Al Wathba prison in Abu Dhabi, expressing concerns regarding the prisoners' lack of access to medical care and poor prison conditions. Based on ten testimonies received from prisoners' families, we argued that the UAE authorities failed to take the necessary

Abdullah Al Hamid at ACPRA's seventh trial session © Sultan Alfifi, licensed under CC BY-SA 3.0



measures to address the COVID-19 outbreak in the prison, putting the health and life of prisoners at serious risk.

Enforced disappearances

This year, MENA Rights Group treated a high volume of cases of enforced disappearances – constituting over 60% of all cases documented – that have been mostly reported in Iraq, Syria, Egypt and Saudi Arabia.

In **Egypt**, where enforced disappearances continue to be widespread, often taking the form of secret detention during custody, and prolonged *incommunicado* detention, we filed the cases of two young men who disappeared following their arrests by state security forces with the UN Working Group on Enforced or Involuntary Disappearances (WGEID). We also documented cases of enforced disappearances in **Syria** – some concerning individuals disappeared for eight years –, where over

100,000 cases of missing persons have been recorded since the outbreak of the conflict.

In **Saudi Arabia**, the practice of enforced disappearances has become widespread in recent years, particularly in the form of prolonged secret detention. We continued to assist families of disappeared individuals in their search for their missing relatives. Based on a previous submission by MENA Rights Group, in May, the WGEID issued its first general allegation on Saudi Arabia, decrying the widespread character of this practice throughout the country. In its allegation, the WGEID highlighted impediments to the implementation of the 1992 Declaration on the Protection of all Persons from Enforced Disappearances, concluding that they were “pervasive and deliberate”, and “embedded in the institutional and policy framework of Saudi Arabia.” The Group also denounced the use of detention and disappearances “to suppress beliefs and behaviours that do not align with state-sanctioned political and religious dogma.”

A mother whose three sons went missing in the Lebanese war holds up photographs of her children. © M. Tahtah, licensed under CC BY-NC-ND/ICRC





Jasib Hattab Al Heliji, holding a photo of his son Ali, a human rights lawyer disappeared since October 2019. © Facebook @LawyerRafalAlAssadi

Number of missing persons on the rise in Iraq

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In 2020, particularly in the context of the crackdown on peaceful demonstrations, we continued to closely monitor cases of enforced disappearances in Iraq, the country with the highest number of missing persons worldwide. Out of the 480 cases of disappearances registered by the UN Committee on Enforced Disappearances (CED) since the ratification of the Convention by Iraq in 2010, 323 were filed by MENA Rights Group. In 2020 alone, we filed 94 new cases of enforced disappearances to the CED, and followed up on dozens more. Five individuals were released in 2020 following our action.

Based on a [report](#) by MENA Rights Group, in May 2020, nine Special Procedures mandate holders sent a [letter](#) to the Iraqi authorities regarding the cases of 432 Camp Speicher cadets who remain missing following their abduction by government forces, while more than a thousand of their fellow trainees were captured by the Islamic State of Iraq and the Levant (ISIL). The UN experts expressed concern over the fact that six years after the events, the authorities had failed to effectively search and investigate cases and prosecute perpetrators. They further stated that the draft Speicher Law did not provide victims and their families with adequate remedy.

Furthermore, on October 1, 2020, to mark the one-year anniversary of the beginning of the Iraqi protests, we submitted a [communication](#) to the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association to call on the authorities to investigate the fate and whereabouts of six missing protesters whose cases we documented. Among them is human rights lawyer [Ali Jasib Hattab Al Heliji](#), who has been missing since October 2019 after his arrest by state-sponsored militias. Based on our submission, in November 2020, four UN experts sent a [letter](#) to the Iraqi government, in which they explained that his abduction appears “to have been carried out in direct response to his legitimate human rights legal work, participation in public demonstrations and acts of expression made online.”

Lastly, in December, we initiated two joint letters to the Iraqi [Prime Minister](#) and [President](#), which were supported by over 20 Iraqi and international organisations. In our letters, we urged the authorities to take all necessary measures to release all peaceful protesters who were abducted during the 2019-2020 Iraqi demonstrations, highlighting that it was high time for the new Iraqi administration to break away from the practice of using enforced disappearances to silence critical voices.

Press freedom

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

In the context of a severe crackdown on freedom of the press in **Algeria**, we represented two journalists before international protection mechanisms. In September, MENA Rights Group requested the intervention of the Office of International Standards and Legal Affairs of UNESCO on behalf of Khaled Drareni, a prominent journalist and representative of Reporters Without Borders (RSF) in Algeria. In September, Drareni was sentenced to two years in prison for “inciting an unarmed gathering” and “endangering national unity”, due to his covering of the protests. We also provided

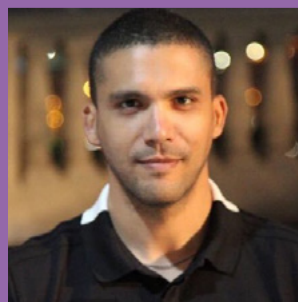
assistance to Saïd Boudour, an online journalist and human rights defender, who was sentenced to one year in prison for “insulting a statutory body” for having denounced corruption of state officials in a drug seizure case.

In **Iraq**, where journalists are systematically exposed to intimidation and attacks by state and non-state actors, all the more since the start of anti-government protests in October 2019, we assisted a number of journalists subjected to enforced disappearance, arbitrary detention, and other forms of reprisals for their work. In January, MENA Rights Group brought the case of photojournalist Osama Al Tamimi before the CED, following his abduction while returning from photographing a demonstration in Tahrir Square. Similarly, and jointly with Al Wissam Humanitarian Assembly, we submitted the case of Tawfiq Al Tamimi, an editor of regional news for the Al Sabah newspaper, who disappeared probably

Journalists under attack



Kareema Nagy



Khaled Drareni



Osama Al Tamimi



Saïd Boudour



Sherwan Amin Naou



Suadad Al Salhy



Tawfiq Al Tamimi

in reprisal for having voiced support for the Iraqi protests on Facebook and, shortly before he was abducted, criticised the government's economic mismanagement.

Furthermore, in November, in a joint urgent action with RSF, we submitted the case of journalist Suadad Al Salhy to the UN Special Rapporteur on freedom of expression. In October 2020, an arrest warrant was issued against her over allegations of "defamation", which was directly linked to her critical reporting. Moreover, MENA Rights Group and RSF requested the urgent intervention of three Special Procedures mandate holders in relation to the arbitrary detention of Iraqi Kurdish journalist Sherwan Amin Naou in reprisal for having critically reported on human rights violations, social injustice and political corruption in the Kurdistan region.

Lastly, in **Libya**, where the Government of National Accord (GNA) regularly undermines the independence of the media by obstructing media procedures or applying pressure to influence media reporting, we assisted Kareema Nagy, a Tunisian war reporter who had been covering the conflict in Libya since 2013. In June 2019, the GNA's Foreign Media Department revoked Nagy's accreditation over "security concerns". In December 2020, MENA Rights Group and The Coalition For Women In Journalism requested the intervention of the Special Rapporteur on freedom of expression and of UNESCO since her revocation was directly linked to her reporting.

Reprisals against human rights defenders and shrinking civic space

In 2020, human rights defenders operating in the MENA region continued to be exposed to



Loujain Al Hathloul. © Twitter @LoujainHathloul

human rights abuses. The COVID-19 pandemic has also made their work even more difficult, due to restrictions to freedom of expression online and threats of cybersurveillance, among others.

In anticipation of the UN Secretary General's (UNSG) annual report on reprisals, we provided information on several individuals who were subjected to retaliation due to their cooperation with the UN human rights mechanisms in Djibouti, Mauritania, Egypt, Saudi Arabia and the UAE. We also shared our concerns over an alarming pattern of intimidation and reprisals faced by members of civil society during sessions of the UN Human Rights Council and Treaty Bodies. The UNSG report, published in September 2020, cited cases of reprisals in 40 countries worldwide, 11 in the MENA region, namely Algeria, Bahrain, Egypt, Israel, Kuwait, Libya, Morocco, Palestine, Saudi Arabia, the UAE and Yemen. The report also shed light on the countless threats faced by numerous human

rights defenders in the MENA region with some states resorting to national security arguments and counter-terrorism legislation to prosecute and punish individuals who engage with international human rights mechanisms.

Furthermore, we continued to closely follow-up on the cases of several imprisoned Saudi human rights defenders together with partners. Among them is prominent women's rights defender Loujain Al Hathloul, who has been detained since 2018 for her peaceful activism. On July 23, MENA Rights Group submitted her case to the UN Working Group on Enforced Disappearances, as she had not been heard from since 9 June. Though she reappeared on August 31, 2020, she has been repeatedly subjected to prolonged periods of *incommunicado* detention.

Arbitrary detention

In 2020, MENA Rights group received numerous testimonies of individuals arbitrarily detained, including following grossly unfair trials and for acts falling under their fundamental rights to freedom of expression and association, among others.

In **Egypt**, we documented the case of a student engineer and his father who have been detained arbitrarily since 2015 following an unfair trial on terrorism charges. Both detained in Alexandria, they were denied contacts with their family from March 1, following the suspension of visits due to the COVID-19 outbreak. Upon our request, four UN Special Procedures mandate holders sent an urgent appeal to the Egyptian authorities, raising concern over their *incommunicado* detention. Shortly thereafter, the authorities granted them their right to family visits.

In **Kuwait**, we received the testimony of Zuhair Al Mahmeed, a 61-year old citizen serving a 15-year prison sentence in Kuwait City following a trial marred with violations of due process guarantees. After filing his case with the UN Working Group on Arbitrary Detention (WGAD), in August, the latter issued an Opinion stating that Al Mahmeed was being detained arbitrarily and calling on the authorities to immediately release him. However, the authorities have failed to implement the UN decision thus far.

In **Saudi Arabia**, we took a number of steps on the cases of two members of the Shi'a minority. Sheikh Mohammad bin Hassan Al Habib is a Shi'a cleric who was sentenced to 12 years in prison by the Specialised Criminal Court (SCC) on account of "sectarianism" and "calling people for sedition" because he violated a pledge not to give sermons in which he criticised systematic discrimination faced by his religious community. Murtaja bin Abdallah bin Ali Qureiris, who was arrested at age 13, is serving an eight-year prison sentence for participating in protests and joining a "terrorist organisation", charges linked to his peaceful involvement in anti-government demonstrations in 2011, when he was 10 years old. Based on a complaint filed by MENA Rights Group, in May 2020, the Special Rapporteur on freedom of religion or belief and other UN Special Procedures sent a letter to the Saudi authorities, expressing concern over the detention of Sheikh Al Habib and Murtaja for their human rights activism, further denouncing the use of counterterrorism legislation to criminalise the right to freely express their views and criticism of government policies, including matters affecting the religious minority they both belong to.

In addition, MENA Rights Group and ALQST for Human Rights provided assistance to Salman bin Abdulaziz bin Salman Al Saud and his father Abdulaziz bin Salman bin Mohammed Al Saud,

who have been detained without charge since January 2018 in the context of the crackdown against members of the Saudi royal family. In August, we filed a request for Opinion with the UN Working Group on Arbitrary Detention, arguing that their current detention lacks any legal basis; and in December, we urged the UN Working Group on Enforced Disappearances to urgently intervene with the Saudi authorities after they were taken away from the house where they were held under house arrest to an unknown location. They both remain missing at the time of writing.

Lastly, we and ALQST for Human Rights documented the case of Hezam Al Ahmari, a

Saudi citizen who was arbitrarily arrested by the secret police for criticising “Vision 2030” on WhatsApp. He was charged under the cybercrime law and denied contact with his family and legal counsel.

In the **United Arab Emirates**, we continued to document several cases of arbitrary detention and sought the intervention of the UN human rights mechanisms on their behalf. In January 2020, based on a complaint by MENA Rights Group, the WGAD sent a letter to the authorities concerning the cases of two Lebanese citizens, Ahmad Sobh and Abdelrahman Chouman, who were sentenced to 10 years and life in prison respectively, following a grossly unfair trial. The

Mahalla prisoners (Egypt). © Hossam el-Hamalawy, licensed under CC BY 2.0



Working Group urged the authorities to take all necessary measures to guarantee their rights not to be deprived arbitrarily of their liberty.

This year, we also continued to follow-up on the case of Abdullah Al Shamsi, an Omani student serving a life prison sentence following an unfair trial during which his confessions extracted under torture were admitted as the sole evidence against him. In May, based on a previous request, the WGAD issued an Opinion denouncing the arbitrary nature of his detention and calling on the authorities to immediately release him. The Group further stated that the number of decisions adopted on cases in the UAE indicated "a systemic

problem with arbitrary detention", which could amount to crimes against humanity.

Lastly, we received the testimonies of two women, Amina Al Abdouli and Maryam Al Balushi, both detained arbitrarily since 2015, secretly detained and subjected to torture, and who additionally faced measures of reprisals for raising public awareness of their case. Based on our complaint, in November 2020, the WGAD issued an Opinion on their cases, calling on the authorities to release them immediately, and considering that the detention of both women from November 19, 2020, which marks the completion of their prison sentence, lacks a legal basis.

In 2020, MENA Rights group received numerous testimonies of individuals arbitrarily detained, including following grossly unfair trials.



IN FOCUS

Business and human rights

Torture on a gas liquefaction plant in Yemen

The Balhaf gas liquefaction plant. © courtesy of IUCN Independent Review Panel

MENA Rights Group, in collaboration with Association For Victims Of Torture In UAE (AVT-UAE), documented the testimony of a Yemeni national who was secretly detained and tortured by UAE forces in several secret detention facilities across the Shabwah governorate in Yemen. On that basis, we requested the intervention of the UN Special Rapporteur on torture and the Working Group on the issue of human rights and transnational corporations and other business enterprises.

The victim was detained for two weeks inside the Balhaf coalition base, located inside a gas liquefaction plant. The site is operated by Yemen LNG, a company of which Total owns 39% of the shares. Our analysis led us to conclude that although the UAE should be held accountable for the violations committed in Balhaf, since they were running the site when the violation occurred, Total should not be exempt from liability either.

On the basis of our communication, on July 14, 2020, three Special Procedures of the Human Rights Council sent an allegation letter to the UAE, Yemen and the United States of America for their alleged implication in the violations endured by the victim. At the time of writing, none of these states have responded to the questions formulated in the letter.

In parallel, MENA Rights Group initiated a dialogue with Total about its responsibility,

as Yemen LNG's main shareholder, for the violations suffered by the victim. A list of questions was sent to Total using the "Company Response Mechanism" of the Business & Human Rights Resource Centre. The company responded arguing that it did "not have a controlling interest in Yemen LNG" and did "not intervene directly at the Yemen LNG-operated Balhaf site." Total also claimed that as it did not control Yemen LNG, it was falling outside the scope of the Vigilance Plan by virtue of the French law on the corporate duty of vigilance.

Commenting on this response, MENA Rights Group regretted that the information provided by Total was only reiterating previous statements and did not provide any new information, including whether Total had taken steps with the Emirati authorities since it was made aware of human rights violations committed in Balhaf.

Furthermore, the use made by Emirati forces of the Balhaf gas liquefaction plant was also raised by French members of parliament. Following up on a question raised on November 27, 2019, MP Alain David demanding clarifications from the French Minister of Foreign Affairs, Jean-Yves Le Drian, concerning alleged human rights violations committed on the site, citing MENA Rights Group's action with the UN Special Procedures.



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

We produced five country reports assessing states' compliance with their international obligations.

We engaged in a variety of contemporary international law issues such as human rights and counterterrorism and the impact of COVID-19 on the enjoyment of fundamental freedoms.

Legal advocacy

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

Aligning domestic legal frameworks with international standards

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

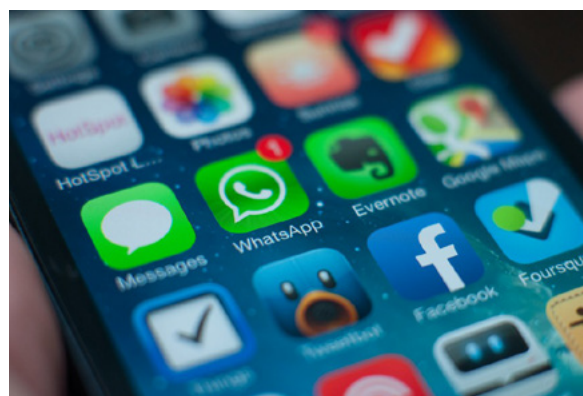
Digital rights and shrinking civic space

In 2020, we produced three analyses of legislations incompatible with international human rights standards in **Algeria**, **Iraq** and **Morocco**.

In March 2020, **Morocco's** Council of Ministers introduced a draft law on the use of social networks. Civil society organisations criticised the absence of consultation during the drafting of the text as well as the lack of transparency of its provisions, which became known to the public only after a leak on social media networks. The draft law contains several provisions that are not in line with international standards governing freedom of expression

online. For example, it grants extensive censorship powers to "service providers" and the administration, and introduces sanctions for calls for boycott and the dissemination of "false information". As a result of the pressure from civil society as well as parts of the political class, the bill was temporarily suspended by the government on May 4,

OS7 homescreen blurred. © Jan Piersel, licensed under CC BY 2.0



2020. Nonetheless, MENA Rights Group and [ARTICLE 19 MENA](#) requested the intervention of the Special Rapporteur on the right to freedom of expression to call on Morocco to fully withdraw the draft law. At the time of writing, this has not been done.

In late April 2020, the **Algerian** government passed a law amending the Penal Code. The text introduces new sanctions restricting civil society organisations' access to foreign funding on the basis of vague grounds, increases penalties for defamation and prohibits the spread of "false information". This reform was marked by the absence of parliamentary debate in the context of the COVID-19 pandemic. MENA Rights Group and [ARTICLE 19](#) therefore called on the Special Rapporteurs on freedom of expression and freedom of peaceful assembly to urge Algeria to align its penal legislation with international human rights standards. The loopholes of the law were addressed by several UN Special Procedures in a [press release](#) published following the sentencing of Algerian journalist

Khaled Drareni to two years in prison on September 16, 2020. The UN experts explained that this law "pave[d] the way for more arrests and detention of dissidents, such as demonstrators and supporters of the Hirak Movement."

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

In November 2020, the **Iraqi** Council of Representatives reintroduced an amended version of a draft Law on Combating Cybercrimes, which was originally introduced to parliament in 2011. In 2013, the parliamentary media and culture committee had requested withdrawal of the law after individuals and civil society organisations campaigned against the text and its overly restrictive provisions. However, because parliament never approved withdrawing the draft text, it was reintroduced

Algerian protester. © Gwenaël Piaser, licensed under CC BY-NC-SA 2.0



in 2019, before being amended once more and reintroduced in November 2020. The draft law's criminalisation of vaguely defined acts places undue restrictions on freedom of expression in Iraq, and would possibly subject journalists and activists to prison sentences for simply doing their job and reporting on issues of public concern. Therefore, we initiated a [joint letter](#) highlighting the most problematic provisions of the draft text and, together with nine other Iraqi and international organisations, called on members of the Iraqi parliament to withdraw or sufficiently amend the draft law to bring it into line with the Iraqi Constitution and international human rights law.

Counterterrorism and human rights

In 2020, we produced an [analysis](#) on the use of Munasaha centres (i.e. "counselling" centres) in the **UAE**, which have been established to allegedly offer "rehabilitation" to individuals

deemed to pose a "terrorist" threat. We argued that these centres are being used to enable the detention of individuals *de facto* indefinitely, on broad and vague terrorism-related grounds. In 11 testimonies we collected, individuals were detained in a Munasaha centre after having served prison sentences handed down in reprisal for having exercised their right to freedom of expression, opinion and association.

In November 2020, the UN Special Rapporteur on human rights while countering terrorism and four other Special Procedures mandate holders issued an extensive [analysis](#) of the UAE counterterrorism framework, expressing concern over the fact that it severely restricts fundamental rights and freedoms in the country. The UN experts particularly highlighted the overly broad definition of terrorism, including the fact that it includes acts falling under the right to freedom of expression and peaceful assembly, as well as the abusive use of Munasaha centres, and the practice of deprivation of nationality.

Banksy's graffiti of Guantanamo detainee. © Eadmund, licensed under CC BY-SA 2.0





IN FOCUS

Maimouna Alpha Sy, holding a photo of her husband Alassane Baidy Ba, an Afro-Mauritanian military officer summarily executed in 1990. © courtesy of Alexis Thiry

Right to truth and accountability

Mauritania: The plight of survivors of the “Passif humanitaire”, 30 years after the Inal massacre

In early 2020, MENA Rights Group pursued its work on the “Passif humanitaire” (1986-1991), a period during which grave human rights violations were committed in **Mauritania**.

In December 2019, Mauritanian MP Anissa Ba introduced a draft law on transitional justice establishing a “High Commission for Truth and Reconciliation” and repealing Amnesty Law No. 93-23. On January 27, 2020, MENA Rights Group and the Cadre de Concertation des Rescapés de Mauritanie (CCR-M) sent a critical legal analysis of the draft law to the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-repetition, which includes a list of recommendations aimed at improving the text. Our analysis complemented a communication we sent in 2019 to the same Rapporteur on behalf of 12 Afro-Mauritanian soldiers who were subjected to serious human rights violations during the “Passif humanitaire” including torture and/or extrajudicial executions.

On that basis, several Special Procedures mandate holders, including the Special Rapporteur on the promotion of truth,

justice, reparation and guarantees of non-recurrence, had sent a letter of allegation to the Mauritanian authorities in June 2019. They raised concerns over the lack of effective remedies available to victims of the “Passif humanitaire”. They further welcomed the introduction of a draft law on transitional justice, but regretted the lack of precision surrounding certain provisions of the text, particularly those relating to the composition, powers and mechanisms of the High Commission for Truth and Reconciliation.

Lastly, in November, to mark the 30th anniversary of the Inal massacre, MENA Rights Group published a public report tackling the lack of accountability for the crimes committed during the Passif humanitaire. The report is based on 16 testimonies we collected following an online consultation of victims and their families. The report includes a series of recommendations for the authorities to combat impunity and uphold the victims' right to truth. The report was widely shared on social media and our legal officer Alexis Thiry published an op-ed on the subject in *Middle East Eye* (Edition française) on December 3, 2020.

Assessing states' compliance with human rights standards

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

Universal Periodic Review

In January, we attended the Universal Periodic Review (UPR) of Kuwait, ahead of which we had issued a joint report with the Institute on Statelessness and Inclusion (ISI) and a joint briefing note with the International Service for Human Rights (ISHR), the Gulf Centre for Human Rights (GCHR), and CIVICUS. We also briefed several UN Member States on our key concerns. On July 16, we closely followed

Kuwait's response to recommendations made by other UN Member States in January. Though Kuwait accepted the majority of the recommendations made, it rejected about 20% of them, including a number that urged the authorities to lift restrictions on civil, political, economic, social and cultural rights.

During the 44th session of the Human Rights Council in March, we also closely monitored the adoption of the UPR outcome of Egypt and Iraq, and issued press releases

United Nations Office, Geneva



highlighting our key concerns. For example, while Egypt informed the Council that it was supporting 270 recommendations from UN Member States, it continued to deny that gross human rights violations were taking place in the country, with the representative claiming that reports were containing “untrue and politicised allegations”. On the other hand, Iraq informed the Human Rights Council that the authorities were supporting 245 recommendations out of 298 received, but rejected several notable recommendations related to the ratification of core human rights treaties and the application of the death penalty, among others.

Lastly, ahead of the upcoming Universal Periodic Reviews of Oman and Mauritania in January 2021, MENA Rights Group submitted reports to the United Nations Human Rights Council, jointly with the Omani Centre for Human Rights (OCHR-Oman), and the Cadre de Concertation des Rescapés de Mauritanie (CCR-M), respectively. Ahead of each country review, our team briefed several Geneva-based Permanent Missions – including Australia, Canada, Denmark, France, Norway, and the European Union Delegation – on our key concerns. As part of this process, we suggested recommendations. A representative of MENA Rights Group also took part in the virtual pre-session briefing of Oman organised by UPR Info, sharing a civil society perspective with diplomats ahead of the country's review.

Committee on Enforced Disappearances

Relying on our extensive work on missing persons in Iraq, in March 2020, MENA Rights Group submitted a shadow report to the Committee on Enforced Disappearances



Exhumed identity cards of victims of Anfal Genocide, Third International Conference on Mass Graves in Iraq, Erbil. © Adam Jones, Ph.D. - Global Photo Archive, licensed under CC BY-SA 2.0

(CED) on the country's efforts to implement the provisions of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).

Ahead of the interactive dialogue between the UN experts and Iraq, which took place in early October 2020, we briefed Committee members on the rising number of peaceful demonstrators who have been abducted in the context of the 2019-20 anti-government protests. We also shared our analysis on the inadequacies of the draft Law on the Protection of Persons from Enforced Disappearance that has yet to be adopted by the Iraqi Council of Representatives.

Our team followed the review of Iraq by the CED via the UN Web TV and shared on our social media platforms the highlights of the interactive dialogue, to keep Iraqi civil society informed about the process and its outcome. After the main findings of this dialogue were issued in the CED's Concluding Observations on November 25, 2020, we published and disseminated an analytical summary of the recommendations, urging the authorities to implement them as a matter of priority.

Engaging in key international law issues

This year, our legal team engaged in a variety of international law issues, which included human rights and counterterrorism, strengthening of UN Treaty Bodies, and the impact of COVID-19 on fundamental rights and freedoms, among others.

Human rights and counterterrorism

MENA Rights Group, together with a coalition of NGOs, has attended a number of consultations hosted by the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. In March, our director Inès Osman attended a gathering in New York which brought together civil society organisations to strengthen and develop some critical interventions into the United Nations Global Counter Terrorism Strategy 2020 review process. In June, Osman attended a High-Level Virtual Convening on United Nations Counter-Terrorism and Human Rights which aimed at discussing how counter-terrorism and securitisation are being experienced and viewed by civil society and communities most affected, particularly in the wake of the COVID-19 pandemic. Lastly, in November, our director took part in a convening on civil society advocacy on Global Counter-Terrorism and Securitisation and provided insight into the impact of COVID-19 on fundamental rights and freedoms in the MENA region, particularly in light of renewed emergency measures and increased restrictions on digital rights.

UN Treaty Bodies

Furthermore, in 2020, MENA Rights Group continued to take part in concerted civil society

efforts to strengthen the UN Treaty Bodies. In February, we endorsed a report from members of academia and civil society in view of the 2020 UN Human Rights Treaty Body Strengthening Process, which contained a number of recommendations aimed at enhancing the effective functioning of the Treaty Bodies' individual complaint mechanisms.

In December, we also endorsed a joint NGO response to the report of the co-facilitators of the review of the UN Treaty Body system, which highlights key recommendations on steps to move forward. We also supported a number of other joint civil society actions, including a letter urging Treaty Bodies to continue monitoring states' compliance with their treaty obligations during the COVID-19 crisis, and another urging states parties to the International Covenant on Civil and Political Rights to take into account gender, competence and independence when electing new members to the Human Rights Committee.

Furthermore, as part of the Enforced Disappearances in Africa Project (see below), MENA Rights Group and five NGOs sent a joint letter to members of the Committee asking them to resume the dialogue with the Algerian authorities in relation to the decisions adopted by the Committee. The vast majority of them have been lodged by the relatives of victims of enforced disappearances and summary executions committed during the Algerian civil war. Because none of its decisions have been implemented so far, in 2018, the Committee suspended its



The UN Human Rights Committee in session. © courtesy of Alexis Thiry

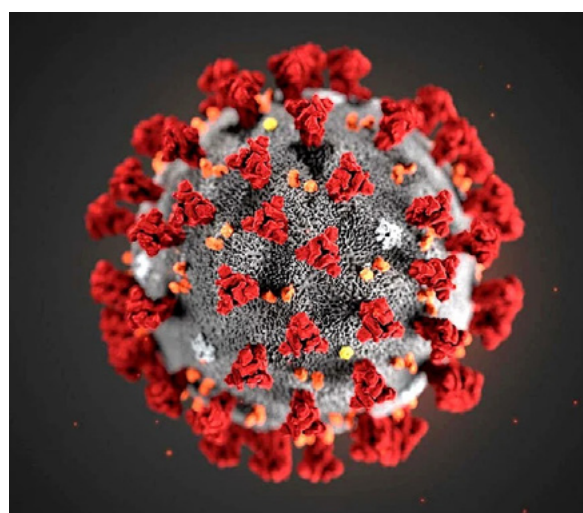
follow-up procedure. The signatories argued that this decision was contributing to a climate of impunity, and that it was impeding the fight against enforced disappearances, as recourse to the UN Treaty Bodies was the only remedy left for families of victims.

COVID-19 response

The COVID-19 outbreak has had notable consequences throughout the MENA region and, jointly with partners, we took a number of actions addressing the impact of the pandemic on fundamental rights and freedoms.

In March, together with the Tahrir Institute for Middle East Policy ([TIMEP](#)), we initiated a [joint statement](#), which was endorsed by nearly 40 organisations from around the world, calling on governments in the MENA region to take urgent measures to protect their prison populations, and in doing so, their populations as a whole.

In April, we collaborated with [Rights and Security International](#) in their launch of a



COVID-19

“Covid-19 [Toolkit](#) for Civil Society Partners”, which is designed to help civil society respond to emergency measures taken in the context of the pandemic. We provided a translation of the toolkit into [Arabic](#) and assisted in its dissemination.

On October 1, MENA Rights Group's legal officer Alexis Thiry published an [op-ed](#) in *Just Security* on the human rights impact of the restrictive measures adopted across the MENA region since the beginning of the pandemic.



Enforced Disappearances in Africa Project

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

This year, MENA Rights Group took part in the “Enforced Disappearances in Africa Project”, a joint project led by [REDRESS](#) together with the [African Centre for Justice and Peace Studies \(Sudan\)](#), [Lawyers for Justice in Libya \(Libya\)](#), [MENA Rights Group \(Algeria\)](#), and [Zimbabwe Lawyers for Human Rights \(Zimbabwe\)](#). Throughout this project, which will continue in 2021, we trained human rights lawyers on international human rights standards and supported victims seeking justice at domestic and international levels.

On the occasion of the International Day of the Victims of Enforced Disappearances on August 30, MENA Rights Group [published](#) a 40-page baseline study on the plight of victims of enforced disappearances in Algeria. Our report recalled that, more than 20 years after

the end of the civil war, families of missing persons continue to face challenges to seek justice, truth and reparations. Moreover, together with the NGO coalition, we issued a [press release](#) calling on African States to end this practice immediately, hold perpetrators to account, search for the disappeared and provide reparations to the victims and their families. Our director also appeared in the [REDRESS podcast](#) to discuss the plight of families of missing persons in Algeria.

Moreover, throughout the year, and jointly with the Project's partners, we provided input to the African Commission on Human and Peoples' Rights in their drafting of comprehensive [guidelines](#) on enforced disappearances in Africa. We will continue to provide our support in the future, and will contribute to disseminating and promoting the guidelines after their adoption.



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

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

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

Awareness raising

MENA Rights Group supported 45 joint civil society actions, raising awareness on pressing human rights issues across the region.

Joint advocacy actions

To support our legal work, MENA Rights Group carried out a variety of advocacy initiatives to help raise public awareness of pressing human rights issues across the region. Due to the COVID-19 outbreak, most events were cancelled and our initiatives took the form of joint NGO advocacy actions; we joined 45 of these actions throughout 2020.

Moreover, MENA Rights Group carried out several advocacy activities at the UN level. For instance, during the 44th session of the Human Rights Council in March 2020, our team met with the former Special Rapporteur on human rights defenders, Michel Forst, to discuss our work and raise cases of reprisals against human rights defenders in the region.

We also co-signed three statements before the Human Rights Council together with other NGO partners. Two were related to the deterioration of human rights in Saudi Arabia, in particular the crackdown on peaceful critics under the pretext of fighting terrorism; as well as the arbitrary detention of Right Livelihood Laureates Mohammed Al Qahtani and Waleed Abu Al Khair and the authorities' neglect of human rights defender Abdullah Al Hamid's health, which has resulted in his death. The last one was delivered during the adoption of the UPR outcome of Kuwait expressing concern over the crackdown on human rights defenders and restrictions on civic space, and urged the authorities to effectively implement recommendations aimed at guaranteeing freedom of expression.

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





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

NGOs denounce candidacy of UAE to INTERPOL presidency

On October 28, 2020, MENA Rights Group initiated a [joint letter](#), which was supported by 18 other organisations, to the Secretary General of INTERPOL, expressing concern over the potential appointment of UAE's Ahmed Nasser Al Raisi to the presidency of the organisation. Due to the COVID-19 pandemic, the elections were postponed.

In our letter, we highlighted that his appointment would both undermine the mission and reputation of INTERPOL and severely impact the ability of the organisation to carry out its mission effectively and in good faith, particularly given the UAE's poor human rights record, including the systematic use

of torture and ill-treatment in state security facilities. We also recalled that the UAE authorities continue to systematically target peaceful critics, rendering civic space virtually non-existent in the country, and that they were responsible for grave violations of human rights and humanitarian law in Yemen.

Lastly, we argue that the election of the UAE's security chief as president of INTERPOL would undermine the agency's credibility in combating cybercrime, since the Emirati authorities have long resorted to state-sponsored spyware to target dissidents, journalists, and civil society activists.

Digital campaigns

In 2020, we continued to highlight victims' stories by publicising and sharing their cases on our website and social media channels, to raise awareness on their plight with the general public within and outside the MENA region. For example, we marked

Women's Day, Press Freedom Day, and the International Day of Victims of Enforced Disappearances by publicising cases of women's rights defenders, journalists, and victims of disappearances. Furthermore, we organised social media campaigns to raise awareness on human rights issues in certain countries.



IN FOCUS

Dakar Rally and Golf tournament: Countering Saudi Arabia's sportswashing strategy

Nani Roma and Michel Périn in an X-raid Mini ALL4 Racing during Rally Dakar 2013. © X-raid1, licensed under CC BY-SA 3.0

From January 5 to 17, 2020, in partnership with [Human Rights Watch](#), we conducted a [digital campaign](#) on the occasion of the Dakar Rally held in Saudi Arabia. Ahead of the rally, we reached out to the organisers, Amaury Sport, arguing that it should use its decision to move the Dakar Rally to Saudi Arabia as leverage to denounce the persecution of women's rights advocates in the country. We also published an [open letter](#), jointly with 14 organisations, calling on participants, sponsors and official broadcasters to urge the Saudi authorities to release imprisoned Saudi women's rights activists.

We raised awareness on our social media channels, particularly Twitter, using the [#StandWithSaudiHeroes](#) hashtag, and reached out to a number of racers. Our tweets throughout the campaign received over 165,000 impressions. The campaign also received significant media coverage, and

we were cited in numerous media outlets, including Reuters, New York Times, Los Angeles Times, and the BBC. Furthermore, our director published an [op-ed](#) in *Middle East Eye* and appeared on *Al Jazeera* TV channel.

In October 2020, jointly with the [Freedom Initiative](#) and the Association Francophone pour les Droits de l'Homme ([AFDH](#)), we initiated a campaign to urge organisers, participants and sponsors of the Ladies European Tour, which held its first golf tournament in Saudi Arabia in November, to reconsider their participation and denounce human rights violations against women in the Kingdom. We published a joint [letter](#), supported by a total of 19 NGOs, reached out to golf players and journalists, and raised awareness on our social media channels. We were cited in a number of media outlets, including *France TV Sports* and *Middle East Eye*, and appeared on *Al Jazeera* TV channel.

Digital engagement

2020 in numbers



68

new profiles of victims
published on our website



53%

increase of
Facebook followers



42,467

users visited our website,
including **24,203**
from the MENA region



79%

increase of
Twitter followers



97,030

pages viewed on
our website



1,576,000

tweet
impressions

Throughout the year, MENA Rights Group team members have been interviewed and quoted in several publications including English-speaking AFP, the BBC, Bloomberg, Brussels Morning, France 24, France TV Sports, The Guardian, The Telegraph, RFI and Orient XXI; as well as Arabic-speaking Al Araby TV, Akhbar Alyom, Aram Media, Manateq, and Saras24. Our director also recorded a podcast with The New Arab Voice, on the occasion of the second anniversary of the murder of Saudi journalist Jamal Khashoggi.

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

Dakar Rally: Sports fans must speak up against Saudi Arabia's 'sportswashing', *Middle East Eye*, January 7, 2020.

Mauritanie. Un partenariat européen au goût amer, *Asile.ch*, April 17, 2020.

Will COVID-19 Create a Human Rights Crisis in the Middle East and North Africa?, *Just Security*, October 1, 2020.

Années de braises en Mauritanie : 30 ans d'impunité depuis le massacre d'Inal, *Middle East Eye*, December 3, 2020.

List of publications

Country reports

Assessment of Iraq's efforts to implement the Committee on enforced disappearances' 2015 concluding observations, March 2020.

The use of Munasaha "rehabilitation" centres in the United Arab Emirates, June 2020.

Overview of the human rights situation in Oman in the context of the 3rd Universal Periodic Review, July 2020.

Droits humains en Mauritanie: bilan et perspectives à l'aune du 3ème Examen périodique universel (French only), July 2020.

Waiting for Redress: The Plight of Victims of Enforced Disappearances in Algeria - A Baseline Study, August 2020.

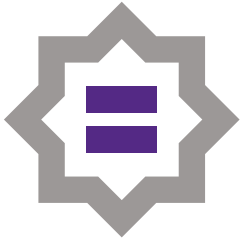
Joint submission ahead of Kuwait's review by the UN Committee on the Rights of the Child, July 2020.

Mauritanie: 30 ans après le massacre d'Inal, retour sur les « années de braise » (French only), November 2020.

Thematic reports

Strengthening and enhancing the effective functioning of the UN Human Rights Treaty Body System individual complaints mechanisms, February 2020.

2020 submission to the UNSG on cases of intimidation and reprisals for cooperation with the UN, May 2020.



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For more information about our work, or any issues covered in this report, please visit our website: www.menarights.org.

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