



# HUMAN RIGHTS IN THE MIDDLE EAST AND NORTH AFRICA

REVIEW OF 2018

AMNESTY  
INTERNATIONAL



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**Cover photo:**

*Palestinians run for cover from tear gas during clashes with Israeli security forces near the border fence between Israel and the Gaza Strip, east of Jabalia, on 14 May 2018, as Palestinians protest over the inauguration of the US embassy following its controversial move to Jerusalem.*

© Mohammed Abed / AFP / Getty Images

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# REGIONAL OVERVIEW

**The killing of Palestinian protesters by Israeli forces in Gaza and the murder of journalist Jamal Khashoggi in a Saudi Arabian consulate glaringly illustrated the unaccountability of Middle Eastern and North African states that resorted to lethal and other violence to repress dissent.**

The crackdown on civil society actors and political opponents increased significantly in Egypt, Iran and Saudi

Arabia. In all, dozens of women human rights defenders there were targeted for advocating women's rights or protesting against violence against women or sexual harassment. Across the region, authorities used arbitrary detention, excessive force against protesters and administrative measures to restrict civil society. Despite the repression, 2018, like 2017, saw limited positive developments at a legislative and institutional level with respect to women's rights and violence against women. Developments in Lebanon and Tunisia raised faint hopes of the beginnings of change in the general situation in which same-sex sexual relations are criminalized across the region; however, authorities in these and

other countries arrested and prosecuted people for their real or perceived sexual orientation. Armed hostilities in both Iraq and Syria decreased. As a result, fewer civilians were killed, but many continued to suffer the impact of serious violations, including war crimes, committed by all parties to the conflicts in Libya, Syria and Yemen particularly, as well as the devastating humanitarian situations that arose from or were exacerbated by their actions. Significant developments aimed at addressing past violations occurred in Lebanon and Tunisia. Ethnic and religious minorities faced persecution by states and armed groups in countries including Algeria, Egypt, Iran, Iraq and Saudi Arabia.



*An empty water tank and a sabotaged irrigation well on an abandoned farm near Sinune, north of Sinjar mountain, Iraq, September 2018. A farmer from a neighbouring farm told Amnesty International that only five of the 10 families who used to live in the village before it was taken over by the Islamic State armed group had returned.*

© Alice Martins

There were some positive developments at a legislative level in Morocco, Qatar and the United Arab Emirates (UAE) with respect to migrant and/or domestic workers, but workers in these and other countries continued to face exploitation and abuse and sub-Saharan migrants, as well as refugees and asylum-seekers, were subjected to a widespread crackdown in Maghreb countries. Restrictions on access to water for drinking and other household use in marginalized communities in Iran, Iraq and Tunisia raised concerns about discrimination and fuelled protests. Across the region, government measures in the name of security led to arbitrary detention and unfair trials, torture and other ill-treatment, denaturalization and border control orders, as well as, in Egypt, the use of banned weapons and extrajudicial executions. There were some limited positive developments with respect to the death penalty, but high numbers of individuals continued to be executed in Egypt, Iran, Iraq and Saudi Arabia, many after being sentenced to death in unfair trials. The political crisis in the Gulf that started in 2017 continued to impact the human rights of thousands of individuals living across the region, separating families and disrupting education.

## REPRESSION OF DISSENT

### LETHAL AND OTHER VIOLENCE

Two heavily mediatized events – the killing of scores of Palestinian protesters by Israeli forces in the Gaza Strip and the murder of journalist Jamal Khashoggi in the Saudi Arabian consulate in Istanbul, Turkey, on 2 October – glaringly illustrated the unaccountability of Middle Eastern and North African states that resorted to lethal and other violence to repress dissent. According to a local human rights organization, at least 180 were killed, among them 35 children, in the Gaza protests, which started in March and called for the right to return of refugees to land from which they were displaced 70 years earlier, and an end to the Israeli blockade of the Gaza Strip.

Both events led to scrutiny and pressure for accountability, but not concrete action towards it. In the first case, the UN Human Rights Council established a commission of inquiry to look into the killings, many of which were unlawful, and other abuses, but the Israeli authorities characteristically refused to co-operate and past practice indicated that any domestic investigations would be deeply flawed and fail to deliver justice. In the second, senior officials in the governments of Saudi Arabia's Western allies questioned the evolving official narrative about the killing and made statements to emphasize the importance of accountability. However, they failed to respond positively to civil society calls for a UN investigation, which, given the allegation that the kingdom's crown prince was involved in the crime and the subservience of its judiciary to the palace, would have been the only process capable of exposing the truth about who ordered the murder.

In Syria, the government disclosed the death of some of those subjected to enforced disappearance in previous years by updating civil status records, but failed to provide the families with remains. Tens of thousands of people, including peaceful activists and government opponents, humanitarian workers, lawyers and journalists remained disappeared.

Elsewhere, states used excessive force to repress demonstrations. In Iran, where tens of thousands of men and women took to the streets throughout the year to protest against poverty, corruption, repression and authoritarianism, security forces beat unarmed protesters and used live ammunition, tear gas and water cannons against them, causing deaths and injuries. In Iraq, security forces in Basra killed over a dozen protesters and injured hundreds of others when they fired live ammunition and tear gas to disperse a series of protests demanding employment opportunities and better public services. In the West Bank and Gaza Strip, Palestinian security forces beat demonstrators peacefully protesting against the actions of their respective authorities.

## ARBITRARY DETENTION

The crackdown on civil society actors and political opponents increased significantly in three of the region's most powerful states: Egypt, Iran and Saudi Arabia. Arbitrary detention of activists and government critics had a chilling effect on freedom of expression across the region. Authorities often used counter-terrorism and security-related laws, including cyber-crimes legislation, to justify arrests and bring prosecutions.

In Iran, the authorities arbitrarily detained thousands of individuals, subjecting hundreds to unfair trials, lengthy prison sentences, torture and other ill-treatment. They detained, prosecuted or continued to imprison at least 112 women human rights defenders, some in reprisal for their work, some for peacefully protesting against the abusive, discriminatory and degrading practice of forced *hijab* (veiling) by taking off their headscarves in public.



*A woman stands atop a raised structure in the city of Karaj, Alborz province, and places her headscarf at the end of a stick in one of the peaceful protests against forced hijab (veiling) in Iran in 2018.*  
© White Wednesdays Campaign

In Egypt, the authorities arbitrarily arrested at least 113 people solely for peacefully expressing critical opinions, including many senior political figures who had publicly criticized the president or attempted to run against him in the presidential elections. They arrested over 30 human rights defenders, in some cases subjecting them to enforced disappearance for periods of up to 30 days. Two women were arrested and convicted by courts after they spoke out against sexual harassment in Egypt on their Facebook accounts.

In Saudi Arabia, the authorities harassed, arrested and prosecuted government critics, academics, clerics and human rights defenders. In May, they launched a wave of arrests that included at least eight women human rights defenders who had campaigned against the ban on women driving and the male guardianship system. By the end of the year, virtually all Saudi Arabian human rights defenders were in detention or serving prison terms, or had been forced to flee the country.

In the Maghreb, the Algerian, Moroccan and Tunisian authorities all used penal code provisions to detain, prosecute and, in some cases, imprison journalists. In the Gulf, authorities in Bahrain and the UAE kept high-profile human rights defenders in jail on speech-related charges, while in Kuwait and Oman, government critics and protesters were arrested arbitrarily and, in some cases, prosecuted. Iraqi, Jordanian, Lebanese and Palestinian authorities also arbitrarily detained activists and others for voicing criticism of them or peacefully taking part in demonstrations. Israeli authorities used such measures to target activists, including human rights defenders, who criticized Israel's continuing occupation of the West Bank and Gaza Strip.

## **MUZZLING OF MEDIA AND ASSOCIATIONS**

New legislation threatening freedoms of expression, association or peaceful assembly came into effect in some countries. The Egyptian president ratified two laws muzzling independent media by giving the state almost total control over print, online and broadcast media.

The Palestinian president issued decrees that restricted freedom of expression and peaceful assembly, and limited the ability of civil society organizations to operate freely. The new penal code in Oman criminalized forms of association "aimed at combating the political, economic, social or security principles of the state".

Authorities banned demonstrations and/or blocked the activities of civil society or political associations in North Africa, particularly in Algeria, Egypt and Morocco, and the Gulf, particularly in Bahrain and Saudi Arabia. In some countries, such as Iran, Iraq and Jordan, they blocked social media or disrupted access to the internet.

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## **WOMEN'S RIGHTS**

Dozens of women human rights defenders were targeted for advocating for women's rights or protesting against violence against women or sexual harassment, particularly in Egypt, Iran and Saudi Arabia. However, 2018, like 2017, saw limited positive developments at a legislative and institutional level with respect to women's rights and violence against women. While these were not sea changes, they were a tribute to years of struggle by the women's rights movement.

## **LEGISLATIVE CHANGES**

In the Maghreb, laws that included provisions combating violence against women came into effect. The Palestinian authorities repealed a provision that had allowed individuals suspected of rape to avoid prosecution and imprisonment if they married their victims. Similar welcome measures had been taken in Jordan, Lebanon and Tunisia in 2017. In Jordan, following a long-standing campaign by Jordanian women's rights organizations, the government opened a shelter for women at risk of family violence in the name of "honour".

Saudi Arabia lifted its ban on women driving. The step was a testament to the bravery of women human rights defenders who, for decades, drew international media

attention to the prohibition and faced state persecution, including, in a development of bitter irony, before and after the ban was lifted in 2018. The government announced that women did not need the permission of a male guardian to start their own business, but it was unclear whether the reform was implemented in practice. In general, women were still required to have permission from a male guardian to enrol in higher education, seek employment, travel or marry.

Jordan and Qatar both adopted measures that allowed the children of female nationals married to foreign fathers to acquire permanent residency, but left them still unable to acquire citizenship.

## **ENTRENCHED DISCRIMINATION**

Entrenched discrimination against women in law and in practice, notably in matters of marriage and divorce, inheritance and child custody, remained a major issue in the region. Women and girls also remained inadequately protected against sexual and other gender-based violence. Their situation in conflict zones were of particular concern. In Libya, authorities failed to protect women from gender-based violence at the hands of militias and armed groups; this and smear campaigns on social media forced many women to withdraw from the public space altogether. In Yemen, the protracted conflict exacerbated discrimination against women and girls and left them with less protection from sexual and other violence, including forced marriage.

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## **RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE**

### **DEVELOPMENTS IN LEBANON AND TUNISIA**

Developments in two countries raised faint hopes of the beginnings of change in the general situation in which same-sex sexual relations are criminalized

across the region. In Lebanon, a district court of appeal ruled that same-sex consensual sex was not a criminal offence. In Tunisia, a draft law that included the decriminalization of same-sex sexual relations was submitted to the parliament.

## STATE PERSECUTION

However, governments in these and other countries continued to heavily limit the enjoyment of the rights of LGBTI people in law and practice. In Lebanon, according to reports, police harassed and abused LGBTI people, especially in refugee and migrant communities, sometimes making use of a penal code provision that criminalizes “sexual intercourse contrary to nature”. In Tunisia, according to a local non-governmental organization (NGO), police arrested at least 115 individuals in relation to their perceived sexual orientation or gender identity, 38 of whom were later convicted of charges related to engaging in consensual same-sex sexual relations. They also subjected men accused of such relations to forced anal examinations, in violation of the prohibition of torture and other ill-treatment.

In Egypt, the authorities detained at least 13 men for “public indecency” or “habitual debauchery” on the basis of their real or perceived sexual orientation and gender identity. Palestinian security forces in the West Bank arbitrarily arrested and ill-treated five LGBTI activists, according to a local NGO.

In Oman, same-sex sexual relations continued to be criminalized under the new penal code issued in 2018.

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## ARMED CONFLICT

### ARMED HOSTILITIES

In Libya, Syria and Yemen, the conflicts’ multiple actors continued to commit war crimes and other serious violations of international humanitarian law.

Military forces with air power carried out indiscriminate air strikes and direct attacks on civilian homes, hospitals and medical facilities, sometimes using internationally banned cluster munitions. They included: in Libya, the self-proclaimed Libyan National Army; in Syria, Syrian government forces, with the support of Russia, on the one hand, and US-led coalition forces, on the other; and, in Yemen, Saudi Arabia-led coalition forces. Armed groups arbitrarily carried out indiscriminate attacks that killed civilians, such as by shelling residential neighbourhoods, and abducted and detained scores of civilians, subjecting some to torture and other ill-treatment. They included: in Libya, a wide range of competing militias, whose clashes

resulted in hundreds of civilian casualties; in Syria, armed opposition groups, some receiving Turkish military support; and in Yemen, Huthi and allied forces, and UAE-backed Yemeni forces.

In Syria, government forces continued sieges that deprived hundreds of thousands of access to medical care, other basic goods and services and humanitarian assistance. In Yemen, the Saudi Arabia-led coalition continued to impose excessive restrictions on the entry of essential goods and aid, while the Huthi authorities obstructed aid movement within the country, deepening the humanitarian crisis. The UN reported in June that around half the population, 14 million people, were at imminent risk of famine; cholera affected the entire country.



*Destroyed buildings in the city of Raqqqa, Syria, 15 February 2018. © Amnesty International*

## INTERNALLY DISPLACED PEOPLE

In Iraq, almost 2 million people remained displaced. Families with perceived ties to the armed group calling itself Islamic State (IS) were regularly prevented from returning to their homes or places of origin as a result of threats from neighbours, tribal and local authorities, and Iraqi forces. Those who managed to return said they were subjected to forced displacement and other abuses. Families, particularly those headed by women, were stigmatized and collectively punished for having perceived links with IS owing to factors outside their control. In IDP camps, many were denied access to food, water and health care. Women with perceived IS ties were subjected to sexual violence, primarily by armed actors affiliated with military and security forces in the camps.

In Libya, thousands of Libyan families remained internally displaced. Tawerghan families internally displaced since 2011 attempted to return to the town of

Tawergha following an official decree, but were blocked by armed groups. A camp housing over 500 Tawerghan families was attacked by a militia, resulting in the forced eviction of around 1,900 internally displaced people.

In Syria, by the end of the year, 6.6 million people had been internally displaced since the start of the crisis in 2011. Thousands lived in makeshift camps that did not provide an adequate standard of living. Women whose husbands or fathers had been killed or gone missing during the conflict faced serious obstacles in claiming their property as the deeds were often in the name of their male relatives. Meanwhile, a new law threatened the rights of people who lived in certain informal settlements.

## REFUGEES

There were a couple of minor positive developments relating to Syrian refugees in Lebanon, where a government measure

facilitated birth registration for them, and Jordan, where an official campaign was launched to rectify the status of those living informally in urban areas. However, these were vastly overshadowed by the precarious nature in which the over 5 million refugees and asylum-seekers from Syria found themselves. Lebanon, Jordan and Turkey, the countries hosting most of the refugees, continued to block the entry of new refugees. The authorities in Lebanon and Turkey said that over 300,000 refugees returned to Syria. The dire humanitarian conditions in neighbouring countries – exacerbated by the lack of humanitarian aid, the inability of refugees to find jobs, and administrative and financial obstacles to obtain or renew residency permits – pushed refugees to return. The number of resettlement places and other safe and legal routes for refugees offered by Western and other states fell far below the needs identified by UNHCR, the UN refugee agency.



*A residential building in the Faj Attan district of the Yemeni capital, Sana'a, on 21 September 2017. It was destroyed by an air strike that was carried out by the Saudi Arabia-led coalition on 25 August 2017, killing 16 civilians and injured 17 more. © Rawan Shaif*

## ACCOUNTABILITY AND TRANSITIONAL JUSTICE

### DEVELOPMENTS IN LEBANON AND TUNISIA

Significant developments aimed at addressing past violations occurred in Lebanon and Tunisia. The Lebanese parliament passed a law creating a national commission to investigate the whereabouts of thousands of persons who went missing or were forcibly disappeared during the 1975-1990 armed conflict in Lebanon. Associations of families of the victims concerned, along with partner organizations, had campaigned for such a development for over three decades. Tunisia witnessed the passing of a key milestone in its transitional justice process. Its Truth and Dignity Commission finalized its work investigating past human rights violations despite an attempt by the parliament to end its work prematurely. Its final report identified individuals responsible for grave human rights violations and the reasons underlying grave violations and presented recommendations to ensure their non-recurrence. It referred 72 cases to trial before 13 specialized criminal chambers. These included cases of enforced disappearance, death under torture and killings of peaceful protesters.

### GENERALIZED IMPUNITY

However, there was generalized impunity across the region for both past and ongoing violations. To take one glaring example that Amnesty International highlighted through its work, 2018 marked the 30th anniversary of the enforced disappearance and secret execution of thousands of imprisoned political dissidents in Iran. Despite the fact that these acts amounted to ongoing crimes against humanity, those responsible had evaded justice and in some cases had held or continued to hold powerful positions in Iran's government and judiciary.

## MINORITIES

### STATE PERSECUTION

There was continuing state persecution against ethnic and religious minorities in the region. In Iran, hundreds of Azerbaijani Turks and Ahwazi Arabs, including minority rights activists, were arrested and detained in connection with peaceful cultural gatherings and protests. In Saudi Arabia, the public prosecution repeatedly called for the execution of several Shi'a activists on charges related to the peaceful exercise of their rights to freedom of expression, association and assembly. In Algeria, authorities harassed members of the minority Ahmadi religious movement, subjecting dozens of them to trial or investigation, and ordered the closure of at least eight churches or other places of Christian worship. In Egypt, the government continued to restrict the right of Christians to worship

in law and practice. It granted full registration to only 588 out of almost 3,730 churches and associated buildings that had applied for it under a new law that required approvals from several state bodies, including security services.

### LEGISLATIVE CHANGES

Israel passed a new law that described the Israeli state as being only for the Jewish people, confirming the status of the almost one fifth of the population who are Palestinian citizens of Israel as second-class citizens.

### ARMED GROUP ATTACKS

Among many other abuses, IS claimed responsibility for suicide bombings and other deadly attacks targeting Shi'a Muslims in Iraq, a majority there but a minority in the region, and Coptic Christians in Egypt, leading to the deaths and injury of dozens of civilians.



Yazidis fleeing Mount Sinjar, Iraq, in August 2014, in the wake of attacks by the Islamic State armed group. The overwhelming majority of Yazidis remained displaced in 2018. © Amnesty International

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## LABOUR AND MIGRATION

### MIGRANT LABOUR AND DOMESTIC WORKERS

There were some positive developments at a legislative level in Morocco, Qatar and the UAE with respect to migrant labour and/or domestic workers, but migrant workers continued to face exploitation in these and other countries, including Bahrain, Jordan, Kuwait, Lebanon, Oman and Saudi Arabia, in large part due to *kafala* (sponsorship) systems, which limited their ability to escape abusive working conditions.

In Morocco, the parliament passed a new law on domestic workers, entitling domestic workers to written contracts, maximum working hours, guaranteed days off, paid vacations and a specified minimum wage. Despite these gains, the new law still offered less protection to domestic workers than the Moroccan Labour Code, which does not refer to domestic workers.

In Qatar, a new law partially removed the exit permit requirement, allowing the vast majority of migrant workers covered by the Labour Law to leave the country without seeking their employers' permission. However, the law retained some exceptions, including the ability of employers to request exit permits for up to 5% of their workforce. Exit permits were still required for employees who fell outside the remit of the Labour Law, including over 174,000 domestic workers in Qatar and all those working in government entities.

In the UAE, the authorities introduced several labour reforms likely to be of particular benefit to migrant workers, including a decision to allow some workers to work for multiple employers, tighter regulation of recruitment processes for domestic workers and a new low-cost insurance policy that protected private sector employees' workplace benefits in the event of job loss, redundancy or an employer's bankruptcy.

## TRANSIT MIGRANTS

In the Maghreb, sub-Saharan migrants, as well as refugees and asylum-seekers, faced a crackdown. In Algeria, the authorities subjected thousands to arbitrary detention, forcible transfer to the far south of Algeria and expulsion to neighbouring countries. Over 12,000 nationals of Niger and more than 600 nationals from other sub-Saharan African countries, including regular migrants, refugees and asylum-seekers, were summarily expelled to neighbouring Niger, according to international organizations monitoring the situation. In Morocco, thousands of sub-Saharan migrants, including children and pregnant women, were unlawfully arrested and transported to remote areas in the south of the country or close to the Algerian border.

The situation for refugees, asylum-seekers and migrants in Libya remained bleak. The authorities continued to unlawfully detain refugees, asylum-seekers and migrants, mainly those intercepted at sea, in centres that, while official, were largely controlled by militias. Refugees, asylum-seekers and migrants were kept in appalling conditions, subjected to forced labour, torture and other ill-treatment, and verbal abuse by guards, often to extract money from their families in exchange for their release. Women in particular were subjected to rape.

## WORKERS' RIGHTS

The right to work and organize in trade unions was undermined in a number of countries. In Iran, thousands of workers staged peaceful demonstrations and strikes in protest at unpaid wages, poor working conditions and other grievances. Authorities arrested hundreds of peaceful protesters and strikers, sentencing many to prison terms and flogging. Bans on independent trade unions persisted. In Egypt, the authorities forcibly dispersed strikes and held trade unionists in prolonged pre-trial detention. They also removed the names of hundreds of outspoken, independent candidates from ballot papers for elections for leadership roles in independent and state labour unions.

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## HEALTH, WATER, SANITATION AND HOUSING

### WATER

Restrictions on access to water for drinking and other household use in marginalized communities in Iran, Iraq and Tunisia raised concerns about discrimination and fuelled protests. In Iran, thousands of people in Khuzestan province, populated mostly by Iran's Ahwazi Arab minority, demonstrated against water shortages and poor quality water, including untreated water that had led to around 350 people contracting intestinal infections. In Iraq, tens of thousands of residents in the southern governorate of Basra were reported to have been poisoned and hospitalized by polluted drinking water, fuelling ongoing protests against government corruption and mismanagement of the neglected south. In Tunisia, water shortages and inadequate water distribution resulted in repeated water cuts in several regions, prompting protests.

### OCCUPATION AND BLOCKADE

Israel's illegal air, land and sea blockade of the Gaza Strip entered its 11th year, restricting the movement of people and goods into and out of the area, and collectively punishing Gaza's 2 million residents. Throughout much of the year, the Gaza Strip suffered fuel shortages that resulted in a maximum of four hours of electricity per day. Israel reduced to a record low the number of medical permits issued to Gazan residents to allow them to enter Israel and the West Bank for treatment. Denial of medical permits led to the deaths of at least eight Palestinians, according to a local NGO. The situation was exacerbated by punitive measures imposed by the West Bank-based Palestinian authorities, which decreased electricity and water subsidies in Gaza and restricted the entry of medicine.

Meanwhile, Israel demolished 148 Palestinian properties in the West Bank, including East Jerusalem, 139 for

lack of permits and nine for punitive reasons, according to a local NGO; 425 people, including 191 children, were left homeless as a result. The Israeli Supreme Court approved the demolition of Khan al-Ahmar village and forcible transfer of its residents to make way for illegal Jewish settlements. The village was home to 180 members of the Bedouin community and a school that educated 170 children in the area.

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## COUNTER-TERROR AND SECURITY

Government measures in the name of security led to gross human rights violations across the region.

### COUNTER-TERRORISM OPERATIONS IN EGYPT

In Egypt, the Ministry of the Interior said that more than 164 people were shot dead in exchanges of fire with security forces during the year. Neither prosecutors nor other authorities investigated these incidents or allegations that many of the victims were unarmed and in police custody before being shot. Videos emerged that revealed the Egyptian air force's use of cluster munitions, banned under international law, in the military campaign in Sinai.

### ARBITRARY DETENTION, TORTURE AND OTHER ILL-TREATMENT AND UNFAIR TRIALS

Arbitrary detention and prosecutions after unfair trials were frequently recorded in security cases. Bahrain saw its first military trial of civilians under its new system of military jurisdiction over national security cases. In Egypt, courts issued death sentences and lengthy

prison sentences after unfair mass trials and military trials. In Iraq, thousands of men and boys who were arbitrarily arrested and forcibly disappeared by central Iraqi and Kurdish forces while fleeing IS-held areas between 2014 and 2018 remained missing. Israeli authorities placed in detention or continued to detain thousands of Palestinians from the Occupied Palestinian Territories in prisons in Israel in violation of international humanitarian law. According to a local NGO, Israel held 480 Palestinians as administrative detainees at the end of the year. Torture and other ill-treatment of detainees held on grounds of security by forces in these and other countries were commonly reported.

### DENATURALIZATION AND BORDER CONTROL ORDERS

Bahrain imposed denaturalization as a criminal penalty against those convicted in national security cases, stripping around 300 individuals of their nationality in 2018. In Tunisia, the authorities used border control orders to restrict the right to freedom of movement of thousands of individuals. Such measures were often imposed in a discriminatory manner based on appearance, religious practices or previous criminal convictions and without providing the reason or obtaining a court order.

The State of Palestine acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; it was the first state in the region to do so. However, no action was taken to translate this commitment into practice.

A new law in Saudi Arabia stipulated a maximum prison sentence of 10 years for juvenile offenders in cases where they might otherwise be sentenced to death; however, it excluded crimes punishable by death under Shari'a (Islamic law). At least four juvenile offenders remained at risk of execution at the end of the year.

In Iran, the number of drug-related executions dropped following amendments to the anti-narcotics law. However, courts continued to impose death sentences, as well as other cruel punishments such as flogging, amputation and blinding, and numerous executions were carried out after unfair trials, some in public. A number of juvenile offenders were executed.

Bahrain and Kuwait did not carry out executions in 2018, having resumed them in 2017 after hiatuses of several years. Nonetheless, like all other states in the region except for Israel, they continued to hand down death sentences.

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## DEATH PENALTY

There were some limited positive developments with respect to the death penalty in both law and practice. However, high numbers of individuals continued to be executed in Egypt, Iran, Iraq and Saudi Arabia, many after being sentenced to death in unfair trials.



Migrants arriving in Agadez, Niger, after a long journey in crowded open trucks, on 30 June 2018. The Algerian authorities summarily expelled thousands of nationals of Niger in 2018. © Francesco Bellina

## ALGERIA

People's Democratic Republic of Algeria  
 Head of state: **Abdelaziz Bouteflika**  
 Head of government: **Ahmed Ouyahia**

The authorities unduly restricted the rights to freedom of expression, peaceful assembly and association, including by arbitrarily arresting and detaining journalists and activists using harsh Penal Code provisions. Authorities maintained a de facto ban on protests in the capital, Algiers, and sometimes used excessive force to disperse peaceful demonstrations across the country. The authorities kept many associations in legal limbo. Judicial authorities harassed members of the minority

Ahmadi religious movement because of their beliefs. A new law on health took effect, guaranteeing access to health care for all citizens; the grounds for legal abortion were not extended, however. The authorities continued a discriminatory crackdown on sub-Saharan migrants, refugees and asylum-seekers, subjecting several thousand to arbitrary arrest, detention and expulsion. Impunity for past abuses remained widespread. Death sentences were handed down; there were no executions.

### BACKGROUND

Speculation continued over whether President Abdelaziz Bouteflika, who had not made a public speech since 2012

owing to ill health, would run for a fifth presidential term in 2019.

In July, the UN Human Rights Committee, which monitors state parties' compliance with the International Covenant on Civil and Political Rights, reviewed Algeria's record.

In October, political tensions increased after the governing coalition elected a new parliamentary speaker; supporters of the ousted speaker called the move illegal. Throughout the year, peaceful protesters expressed socioeconomic grievances.

### FREEDOM OF EXPRESSION

The authorities continued to use Penal Code provisions to stifle freedom of

expression. At least seven journalists and six activists were arrested and detained under such provisions. In some cases, they were tried, convicted and even sentenced to prison terms.

Between 31 May and 1 June, journalists Khelaf Benhadda, Said Boudour and Adlène Mellah and whistle-blower Noureddine Tounsi were arrested for “insulting institutions” and “undermining national unity” after they covered a corruption scandal in the city of Oran. All were released without charge on 4 June.

On 6 June, the court of appeal in the city of Relizane upheld a two-year prison sentence against activist Abdallah Benaoum on charges related to “exploiting the wounds of the national tragedy”, referring to the internal conflict which had engulfed Algeria in the 1990s, after he published Facebook posts critical of the government.

On 21 June, an appeal court in Bejaia confirmed the conviction of activist and blogger Merzoug Touati in relation to peaceful online posts but reduced his prison sentence from 10 to seven years. In 2017 he had used social media to call for Bejaia residents to protest against a new finance law and to broadcast an interview he had conducted with an Israeli government spokesperson who disputed accusations by the Algerian authorities that the Israeli authorities were involved in protests in Algeria. Algerian authorities said Merzoug Touati had “encouraged civil unrest”.

On 7 August, a court in the city of Ghardaia sentenced blogger Salim Yezza to a suspended one-year prison term for a Facebook post that accused the authorities of practising discrimination against the Mozabites, an Amazigh ethnic minority.

Journalists - Merouane Boudiab and Abdou Semmar were detained for more than 15 days in October and November on charges that included defamation after publishing, among other things, allegations that the governor of Algiers acted improperly in the context of a housing construction project. They were released on 8 November, but the case remained open.

On 11 November, journalist Said Chitour was sentenced to 16 months’ imprisonment (as well as a one-year suspended prison term) following a one-day trial in which he was convicted of espionage for selling classified documents to foreign diplomats. He was released the same day, having already spent 16 months in detention. The conviction relied mainly on evidence that he had produced reports on political and human rights issues in Algeria and provided them to foreign embassies.

On 25 December, the director of online newspapers *Algeria Direct* and *Dzair Press*, Adlène Mellah, was sentenced to one year in prison and a fine of 100,000 dinars (around US\$840) for “incitement to an unarmed gathering” and civil “rebellion”. The police had arrested him on 9 December in Algiers, where he was taking part in a protest in support of a jailed Algerian singer.

## FREEDOM OF ASSEMBLY

Authorities maintained a de facto ban on protests in Algiers under an unpublished decree from 2001. Security forces arbitrarily dispersed some gatherings on the grounds that they were unauthorized. An assembly organized to mark the 30th anniversary of anti-establishment riots in October 1988 was authorized but heavily monitored.

Between January and April, law-enforcement officials in Algiers dispersed a number of peaceful demonstrations by trainee doctors protesting about their working conditions, sometimes using excessive force. On 3 January, security officials forcibly entered a hospital in Algiers and used electroshock devices and batons to prevent thousands of medical staff from leaving the hospital to march, injuring at least two dozen of them. Protests on 19 March and 24 April were also forcibly dispersed, with police on the second occasion forcing dozens of people onto buses and then dumping them far from Algiers, including in the town of Lakhdaria, more than 70km away.

In July, security forces in the city of Ouergla forcibly dispersed a protest against unemployment.

In September, authorities prevented supporters of Mouwatana, a political group opposed to a fifth presidential term for President Bouteflika, from peacefully gathering in the cities of Constantine and Bejaia. Authorities in Bejaia detained at least three of the group’s founding members for several hours before releasing them without charge.

## FREEDOM OF ASSOCIATION

The authorities kept many associations, including Amnesty International Algeria, in legal limbo by failing to respond to registration applications submitted as required by the highly restrictive Associations Law.

On 27 February, without warning, security forces sealed the offices of two local NGOs – Algerian Women Claiming their Rights and the Feminist Association for the Development of the Person and the Exercise of Citizenship. The authorities claimed the NGOs were not legally registered but lifted the bans on their activities in March.

In July, local authorities in Oran banned the seventh meeting of the Migration Platform, a group of 15 national NGOs, on the grounds that they did not have “prior authorization for a public meeting”. In November, local authorities in Bejaia banned without providing justification a public event organized by the Algerian League for the Defence of Human Rights to commemorate the 70th anniversary of the UN’s adoption of the Universal Declaration of Human Rights.

## FREEDOM OF RELIGION AND BELIEF

Judicial authorities harassed members of the minority Ahmadi religious movement because of their beliefs, subjecting dozens of them to trial or investigation, as well as confiscating the passports of some of them. In August, Mohamed Fali, the then president of Algeria’s Ahmadi community, was detained in Annaba for several hours. Kamel Tihmamine, an Ahmadi, continued to be held under house arrest on charges of collecting donations without a licence, “denigrating

Islamic dogma” and membership of an unauthorized association. He was still awaiting trial at the end of the year.

During the year, local authorities in several regions ordered the closure of at least eight churches or other places of Christian worship, seven of them Protestant, saying that they did not comply with a 2006 decree on “non-Muslim cults” and security standards. In June, local authorities allowed two Protestant churches in the Oran region to reopen after they had sealed them in February.

## **MIGRANTS, REFUGEES AND ASSYLUM-SEEKERS**

The authorities continued a crackdown on sub-Saharan migrants that began in August 2017, subjecting several thousand of them to arbitrary arrest, detention, forcible transfer to the far south of Algeria and expulsion to neighbouring countries. In April, security forces hit migrants with batons and kicked them during raids and mass arrests in the city of Oran.

During the year, over 12,000 nationals of Niger and more than 600 nationals from other sub-Saharan African countries, including regular migrants, refugees and asylum-seekers, were summarily expelled to neighbouring Niger, according to international organizations monitoring the situation. In parallel, the authorities forcibly transported over 11,000 nationals of sub-Saharan African countries to the border with Niger and left them there and took similar action against more than 3,000 others whom they left at the border with Mali. In some cases, the security forces compelled migrants at gunpoint to walk through the desert to cross the borders.

According to UNHCR in Algeria, on 26 December, the Algerian authorities deported at least 100 Syrian, Yemeni and Palestinian nationals to the border with Niger and left them stranded in the desert. These included several registered refugees and asylum-seekers who had previously been detained in Tamanrasset.

In April, the UN Committee on the Protection of the Rights of All Migrant Workers and Members of their Families reviewed Algeria’s second report on this issue and expressed concerns regarding the collective expulsion to Niger of regular and irregular migrant workers, as well as refugees and asylum-seekers, who were often abandoned in the desert. The committee stated that those expelled were at high risk of violence, including sexual violence and exploitation.

In its concluding observations, the committee recommended that the Algerian government develop a comprehensive strategy for labour migration and allow migrant workers, including those in an irregular situation, to access justice, police services, health care, education, social security and housing without fear of being arrested, detained or deported by the authorities.

The authorities continued to convict Algerians attempting to reach Europe through locations other than official border exit posts for the crime of “unlawfully exiting the country”, imposing on them suspended sentences of up to six months in prison, as well as fines.

## **WOMEN’S RIGHTS**

In August, a new law on health took effect, guaranteeing equal access to health care for all citizens, introducing measures to protect women from violence

and improving provisions for maternal health. The grounds for legal abortion were not extended, however “Therapeutic interruption of pregnancy” remained authorized only on the grounds of threats to the life of a pregnant woman or girl, or serious threats to their “psychological and mental health”. Abortion in all other circumstances was still criminalized, with punishment of up to five years’ imprisonment for doctors and two years for women and girls.

Women were discriminated against in law and practice. The Family Code continued to discriminate against women in matters of marriage, divorce, child custody and guardianship, and inheritance.

The Penal Code continued to prohibit rape without defining it or explicitly recognizing marital rape as a crime.

## **IMPUNITY FOR PAST ABUSES**

The authorities took no steps to counter the overwhelming impunity that existed for grave human rights abuses and possible crimes against humanity, including unlawful killings, enforced disappearances, rape and other forms of torture, committed by security forces and armed groups in the 1990s during Algeria’s internal conflict.

## **DEATH PENALTY**

Courts continued to hand down death sentences. No executions had been carried out since 1993.



A Bahraini woman walks past images of political prisoners plastered on a wall in Sanabis, Bahrain, as she makes her way to attend events for the Shi'a religious occasion of Ashoura on 22 October 2015. Arabic graffiti reads "we will not forget you" (top) and "many prisoners are not with us... may God free them" (bottom). © Hasan Jamali / AP / REX / Shutterstock

## BAHRAIN

Kingdom of Bahrain  
 Head of state: **Hamad bin Isa Al Khalifa**  
 Head of government: **Khalifa bin Salman al-Khalifa**

Suppression of freedom of expression on political issues remained widespread, with many high-profile dissidents imprisoned on speech-related charges. Public protests remained officially banned in the capital. The government further curbed the right to freedom of association by making legislative amendments that had a de facto discriminatory impact on Shi'a groups. The authorities continued to impose denaturalization as a criminal penalty against those convicted in national security cases, stripping roughly 300 individuals of their nationality. Bahrain's

first military trial of civilians since 2011 was accompanied by reports of torture or other ill-treatment of the defendants that were never adequately investigated. Bahraini prisons continued to be characterized by arbitrary punitive action, degrading treatment of prisoners, and withholding and/or unjustifiable delay of medical care. Women faced discrimination in law and in practice. Migrant workers faced exploitation. Bahrain continued to issue death sentences in 2018, though no executions were reported. The country remained closed to independent outside observers.

### BACKGROUND

Bahrain held elections for the lower, non-appointed house of its National Assembly, the Council of Deputies, in

November. With all opposition political societies previously dissolved and their membership banned from fielding candidates, no opposition political figures were able to run.

Bahrain remained a part of the Saudi Arabia-led coalition engaged in the armed conflict in Yemen and the Gulf regional crisis in which Bahrain, Saudi Arabia and the United Arab Emirates (UAE) severed relations with Qatar in 2017.

### FREEDOM OF EXPRESSION

Suppression of freedom of expression on political issues remained widespread, with many high-profile dissidents imprisoned on speech-related charges. Most human rights defenders in Bahrain had been jailed, silenced or forced to move abroad since 2016.

Human rights defender and prisoner of conscience Nabeel Rajab continued serving multiple prison sentences based on his exercise of freedom of expression, while new speech-based charges and convictions continued to be added against him. In January Bahrain's highest judicial authority, the Court of Cassation, upheld his conviction for criticizing the authorities in a television interview for refusing to allow journalists and human rights groups into the country. In February a criminal court sentenced him to five years in prison for commenting on Twitter on the war in Yemen and ill-treatment in a Bahraini prison. This conviction was upheld on appeal in June and by the Court of Cassation on 31 December.

Ali Salman, the leader of Bahrain's largest opposition political society, al-Wafaq, remained imprisoned on speech-related charges throughout 2018, and faced spurious new charges of "spying" related to telephone conversations he had with senior Qatari officials during the country's 2011 uprising. Though he was acquitted of the spying charges in June, an appeals court overturned that verdict in November, sentencing him to life.

## **FREEDOM OF ASSOCIATION AND ASSEMBLY**

Public protests remained officially banned in the capital, Manama, while the government took several steps to further legally curb the right to freedom of association. In June Bahrain amended its Law on Associations to bar members of political opposition groups from participation on the boards of civil society organizations. In the same month the government also revised the Law on the Exercise of Political Rights in order to ban "active leaders and members of dissolved political associations" from running for office, thus preventing the major religious and secular political opposition groups in Bahrain from standing for election to public office. Both laws had a de facto discriminatory effect by further excluding the civic leadership of Shi'a groups – which are more heavily represented in the political opposition than Sunnis – from participation in governance and civic life.

## **REVOCAION OF NATIONALITY AND STATELESSNESS**

Bahrain continued to create a stateless population within its borders by imposing denaturalization as a criminal penalty against those convicted in national security cases. Amnesty International tallied around 300 individuals stripped of their nationality in 2018, bringing the total figure since 2012 up to over 800. The Bahraini government expelled four of these ex-citizens in January, and a significant number emigrated, mainly to Iran, Iraq and Europe; those who remained within Bahrain lived as conditional residents, facing socioeconomic marginalization. Non-nationals were not automatically eligible for government benefits provided to most of the native population such as housing subsidies and were unlikely to be hired within the public sector, which makes up a disproportionately large share of the labour market.

## **UNFAIR TRIALS**

There continued to be credible reports in 2018 of coercion, including torture or other ill-treatment, being commonly used, especially in national security cases, in order to extract "confessions", which were then allowed to be used in court to convict defendants. In January a military court convicted civilians, including individuals who had been subject to enforced disappearance. It was the first military trial of civilians since 2011 and the first under Bahrain's new system of military jurisdiction over national security cases.

Trials of excessive numbers of defendants in the same cases continued in civilian courts, including a mass trial in June in which 115 defendants were stripped of their Bahraini nationality.

## **TORTURE AND OTHER ILL-TREATMENT**

Bahrain's first military trial of civilians since 2011 was accompanied by reports of torture or other ill-treatment of the defendants that were never adequately investigated. The National Institution for Human Rights, in a retrospective review based largely on the accounts of Bahraini

authorities, discounted the claims of torture, although the evidence it reviewed was consistent with the possibility of torture or other ill-treatment.

Bahraini prisons continued to be characterized by arbitrary punitive action, degrading treatment of prisoners, and withholding and/or unjustifiable delay of medical care. Prisoners with extremely grave conditions such as cancer and multiple sclerosis faced unaccountable delays in receiving their medication, and requests for surgery needed to alleviate chronic pain – in some cases allegedly due to injuries sustained at the hands of security forces or prison guards – were rarely granted. In an egregious case, Ahmed Merza Ismaeel, the brother-in-law of Shi'a political leader Sheikh Ali Salman, continued to be deprived of medication to manage his sickle-cell anaemia – an extremely painful blood disease – and had been in need of a cholecystectomy (surgery to remove the gall bladder) since summer 2016. The Ministry of Interior Ombudsman's office proved unresponsive or ineffective in addressing complaints of medical neglect in most of the cases Amnesty International documented.

The authorities subjected Nabeel Rajab and a group of 11 other prisoners of conscience held in Jaw prison to various forms of harassment and degradation. In the most serious form of mistreatment, the prison administration continued to refuse members of the group access to proper medical care unless they submitted to shackling. Though distribution of medication would not require prisoners to leave their cells, the prison administration refused to give prisoner of conscience Hassan Mshaima all of his medications unless he submitted to shackled trips to the prison infirmary. As a result, he had to be hospitalized for diabetic hyperglycaemia in January.

In September, guards under the commanding officer at Isa Town Women's Rehabilitation and Reform Centre physically assaulted prisoner of conscience Hajer Mansoor Hasan, Najah Ahmed Yusuf and Medina Ali Ahmed when they tried to join in Shi'a religious rites on the Muslim holy day of Ashoura

with other prisoners. Immediately after, new restrictions were imposed on all prisoners at Isa Town, including 23-hour lockup. The timing and the lack of any apparent administrative or security imperative indicated that the measures were purely punitive in nature. The National Institution for Human Rights justified the incident as “reasonable use of force... to guarantee the safety of the inmate[s]” and found no fault with respect to the prison’s lockup policy or other restrictive measures.

## **WOMEN’S RIGHTS**

Women faced discrimination in law and in practice. Transmission of nationality continued to be restricted to Bahraini fathers, so that Bahraini women who had children by men of other nationalities could not pass on their Bahraini citizenship.

## **MIGRANT WORKERS**

Migrant workers continued to face labour exploitation. Hundreds of workers took part in protests in June requesting their unpaid wages. The government did not respond to Amnesty International’s requests for information regarding the situation of workers at the engineering company Mercury MENA, which operated in several Arab Gulf states and had left many of its workers unpaid for over a year.

## **DEATH PENALTY**

Bahrain continued to issue death sentences in 2018, though no executions were reported. In positive developments on individual cases, the judiciary announced that it would review the death sentences previously issued against Mohamed Ramadan Husain and Husain Ali Mohamed in light of new evidence found by the Office of Public Prosecution’s Special Investigation Unit, and the king commuted several death sentences handed down against civilians under military jurisdiction to life imprisonment.

## **ACCESS**

Bahrain remained closed to independent outside observers in 2018. Amnesty International continued not to be granted access by the government. Multiple UN human rights bodies were also unable to visit the country. The UN Working Group on Arbitrary Detention reiterated its standing request made in January 2017 for a country visit. The Working Group on Enforced Disappearances issued its third reminder about a visit request that had been pending since 2015. The UN Special Rapporteurs on torture and on freedom of assembly and association had had requests to visit pending since 2011; the Special Rapporteur on torture had sent multiple follow-up requests to no avail.



Members of Egypt's banned Muslim Brotherhood are seen inside a glass dock during their trial in the capital, Cairo, on 28 July 2018. An Egyptian criminal court referred 75 death sentences, including of Muslim Brotherhood leaders, to the country's grand mufti for consultation on the same day. © Khaled Desouki / AFP / Getty Images

## EGYPT

Arab Republic of Egypt

Head of state: **Abdel Fattah al-Sisi**

Head of government: **Moustafa Madbouly (replaced Sherif Ismail in June)**

The scope of Egypt's human rights crisis expanded, as the authorities arrested opponents, critics, satirists, current and former human rights and labour rights activists, journalists, presidential candidates and sexual harassment survivors. The authorities used prolonged pre-trial detention to imprison opponents, and restricted and harassed civil society organizations and staff. The authorities used solitary confinement that amounted to torture and other ill-treatment and enforced disappearance against hundreds of people with impunity, and failed to investigate cases of extrajudicial

executions. Civilian and military courts issued mass verdicts after unfair trials and sentenced hundreds of people to death. The authorities prosecuted two women who spoke out against sexual harassment, while discriminating against women in law and practice. People were arrested on the basis of their real or perceived sexual orientation. The authorities prevented Christians from freely practising their beliefs and failed to hold to account those responsible for sectarian violence. The armed forces used US-imported banned cluster bombs in an ongoing military operation in Sinai.

## BACKGROUND

President Abdel Fattah al-Sisi won a second presidential term, with 97% of the valid votes. The authorities implemented new cuts to energy and

electricity subsidies and raised the prices of publicly administered services, including water, fuel and transport, leading to sporadic small protests that police repressed. President al-Sisi renewed the state of emergency every three months.

On 9 February, the military launched operation "Sinai 2018" against militants in North Sinai. Linked to the operation, the authorities introduced restrictions on movement and closed fuel stations, suspended schools and banned some commercial activities, including fishing.

A new law approved in July allowed the president to identify senior leaders of the armed forces whom he wished to shield from prosecution for any action committed between 3 July 2013 and 10 January 2016. The period covers 14 August 2013, when the security forces

and army killed up to 1,000 people in a single day during the dispersal of Rabaa al-Adawiya and Nahda square sit-ins.

## **FREEDOM OF EXPRESSION AND ASSEMBLY**

In January, the authorities intensified the crackdown on dissent they started in December 2017 in the run-up to the presidential elections, arbitrarily arresting at least 113 people solely for peacefully expressing critical opinions. The crackdown targeted a broad range of independent voices, including political and media critics, and satirists.

Among those arrested were many senior political figures who had publicly criticized the president or attempted to run against him in the presidential elections. Sami Anan, the military's former chief of staff, was arrested in January after he announced his candidacy. Abdelmonim Aboufotouh, founder of the Misr Al-Qawia political party, was arrested in February in relation to media interviews he had given. In April, a military court sentenced Hisham Genina, Egypt's former top auditor, to five years in prison after he criticized the president in a media interview. In October, a court upheld a suspended three-month prison sentence for "public indecency" against former presidential candidate Khalid Ali, thereby disqualifying him from running for office again.

President al-Sisi ratified two laws that muzzled independent media. The laws gave the state almost total control over print, online and broadcast media. They also allowed prosecutors to use vague charges to prosecute media entities and individuals with over 5,000 followers on social media, and give police and investigative authorities the power to monitor and block websites containing material they deemed harmful to national security.

The police responded harshly to people protesting peacefully against austerity measures. In May, security forces arrested at least 35 people on charges of "participating in unauthorized protests" and "membership in a terrorist group" for protesting against the rise in ticket prices

for the Cairo metro. The authorities ordered their release on probation, which required their incarceration in a police station for 12 hours every day.

## **FREEDOM OF ASSOCIATION AND HUMAN RIGHTS DEFENDERS**

The authorities continued to harass and restrict the work of civil society organizations and their staff. Investigative judges conducting a criminal investigation into the work and funding of Egyptian civil society organizations in relation to Case 173 of 2011, banned human rights lawyer Khalid Ali from travel in October. This brought the total number of NGO workers banned from travelling to 30. The judges also summoned six directors and staff members of civil society organizations for interrogation and later ordered their release on bail.

In April, the Court of Cassation overturned the 2013 convictions of 43 staff of US and German NGOs in the first part of Case 173 regarding foreign funding of NGOs, and ordered a retrial. In December, the Cairo Criminal Court acquitted all 43 defendants.

The authorities also began implementing the repressive 2017 NGO law against new organizations attempting to register or amend their by-laws, without having issued executive regulations. In November, the government announced that it would form a committee to amend the law.

Human rights defenders continued to face reprisals for their work. In March, the authorities arrested human rights lawyers Ezzat Ghoniem and Azzou Mahgoub for their role in supporting the families of forcibly disappeared individuals and detained them on unfounded charges. After a court ordered their release in September, they were forcibly disappeared by security forces and their whereabouts remained unknown at the end of the year.

In October, the authorities arrested at least 31 human rights defenders and lawyers, including Hoda Abdelmoniem and Mohamed Abu Horira, former spokesperson for the Egyptian

Coordination for Rights and Freedoms, and held them incommunicado for 21 days, prompting the organization to suspend its activities. On 21 November, Hoda Abdelmoniem appeared at the office of the public prosecution for questioning but was subsequently returned to incommunicado detention at an undisclosed location.

In May, labour and human rights lawyer Haytham Mohamdeen was arrested and accused of participating in a protest against the metro price rises, even though he did not participate in the protest. He was released on 30 October on probation, under which he had to spend 12 hours every week detained in a police station.

## **UNFAIR TRIALS AND ARBITRARY DETENTION**

The authorities used prolonged pre-trial detention to imprison opponents and activists. Prosecutors and judges used vague and unfounded charges to arbitrarily detain critics, with regular renewals of detention and without referral to trial, based only on National Security Agency investigations. Among those detained were blogger Wael Abbas and satirist Shady Abu Zied, held in pre-trial detention since May on charges of "membership in a banned group" and "disseminating false information". Wael Abbas was released on probation on 11 December, requiring him to report to a nearby police station for four hours twice a week.

Courts continued to issue verdicts after unfair mass trials. In September, the Cairo Criminal Court issued its verdict in the grossly unfair mass trial of 739 people for participating in the sit-in at Cairo's Rabaa al-Adawiya Square on 14 August 2013, during which the security forces and army shot dead more than 900 protesters. The court sentenced 75 people to death, 47 to 25 years in prison, and 612 to prison sentences ranging from five to 15 years, including 22 children. Among them was photojournalist Mahmoud Abu Zied "Shawkan", who was sentenced to five years in prison after he had already spent over five years in pre-trial detention merely for taking photos of the Rabaa

sit-in dispersal. Of the group, 346 had spent five years in pre-trial detention and remained in prison at the end of 2018. The court also ordered the defendants to pay collectively the total amount of damages and imprisoned them for six more months for failure to pay.

## **ENFORCED DISAPPEARANCES AND EXTRAJUDICIAL EXECUTIONS**

The authorities continued to use enforced disappearances against critics and human rights lawyers and defenders, for periods of up to 30 days. According to the Egyptian Commission for Rights and Freedoms, security forces subjected at least 82 people to enforced disappearance between January and August. Islam Khalil, a former victim of enforced disappearance and torture and other ill-treatment, was forcibly disappeared for 20 days between 10 March and 1 April and then charged with fabricated offences.

The Ministry of the Interior said that more than 164 people were shot dead in exchanges of fire with security forces during the year. Neither prosecutors nor other authorities investigated these incidents or allegations that many of the victims were unarmed and in police custody before being shot. In May, a video was published online showing military officers extrajudicially executing an unarmed child in Sinai; Amnesty International verified it as genuine.

## **TORTURE AND OTHER ILL-TREATMENT**

The authorities continued to use torture and other ill-treatment in places of detention, and subjected prisoners to prolonged and indefinite solitary confinement for periods ranging between three weeks and over four years. In some cases, prison authorities detained prisoners in small cells that lacked proper lighting, ventilation or beds, forcing inmates to sleep on the ground, and prohibited prisoners from using toilets when they needed them. They also provided insufficient food. Such treatment amounted to torture in at least six cases. In one case, the authorities detained a 12-year-old child, Abdallah

Boumidan, in solitary confinement for more than six months.

The authorities denied prisoners access to adequate medical care. They prevented human rights defender Hanan Badr el-Din, co-founder of the Families of the Disappeared League, who has a genetic disorder that causes fever and painful inflammation of the abdomen, lungs and joints, from regularly accessing the health care she needed and only occasionally allowed her family to bring in the necessary medication.

## **DEATH PENALTY**

Courts continued to hand down death sentences after unfair mass trials and military trials.

In September, the Cairo Criminal Court sentenced 75 men to death after a grossly unfair trial. The same month, the Court of Cassation upheld death sentences against 20 men, including one aged 78. In both cases, the court did not prove the individual criminal responsibility of those convicted, and lawyers reported that the court did not allow many of their witnesses to appear or accept evidence they tried to submit.

In March, the Military High Court upheld death sentences against Ahmed Amin Ghazali and Abdul Basir Abdul Rauf, even though the conviction relied on “confessions” extracted under torture while they were held incommunicado. In December, the Supreme Military Court of Appeals formally accepted their appeal, overturning their death sentences and ordering a retrial.

Tens of people convicted by both civilian and military courts were executed.

## **WOMEN’S RIGHTS**

Sexual harassment remained widespread and the authorities took limited steps to hold those responsible to account. The process for officially reporting sexual harassment remained extremely strenuous for women survivors. State institutions, including prosecutors and police stations, failed to respect the privacy of survivors, a shortcoming that

had led in the past to reprisals against survivors. In a rare case, in September, a court sentenced a man to two years in prison for sexually harassing two women.

The authorities arrested two women, Mouna al-Mazbouh and Amal Fathy, after they spoke out against sexual harassment in Egypt on their Facebook accounts. In September, Amal Fathy, a human rights defender, was sentenced to two years in prison. On 30 December, an Egyptian court rejected her appeal and upheld the two-year prison sentence against her. She also faced separate charges of “membership in a terrorist group” in a second case under which she was held in pre-trial detention until her provisional release on probation on 27 December. In July, a court sentenced Lebanese tourist Mouna al-Mazbouh to eight years in prison; this was reduced on appeal in September to a suspended one-year sentence and she was released later that month.

## **FREEDOM OF RELIGION AND BELIEF**

The government continued to restrict the right of Christians to worship in law and practice, and failed to bring those responsible for sectarian violence against Christians to justice. The authorities granted full registration to only 588 out of almost 3,730 churches and associated buildings that had applied for it under the new Law on the Construction and Reparation of Churches, which required approvals from several state bodies, including security services.

The authorities also closed at least four churches, in some instances after they were attacked by locals and in others based on allegations that they were unlicensed or in violation of their original designation, despite having applied for registration. This practice is in violation of the Law on the Construction and Reparation of Churches, which states that the authorities must not close down churches that have applied for registration.

In February, a court sentenced 19 Muslim men to a one-year suspended prison sentence and fined a Christian man for “building an unlicensed church” after several men attacked the church

in December 2017 in a village in Giza governorate. An appeals court later struck down the conviction of the Christian man.

In April, after several men burned down the houses of Christians in a village in Beni Souef governorate and attempted to attack a church there, security forces arrested 20 Christian men and accused them of assault and “incitement to violence”, but later released them.

In August, security forces arrested five Christian men in a village in Aswan and accused them of “holding religious rituals in an unlicensed building” – a church awaiting registration – after several men surrounded the church to protest against the prayers being held there. The authorities released the attackers and the five men after agreeing to an informal settlement.

## **RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE**

The authorities arrested and prosecuted LGBTI individuals on the basis of their real or perceived sexual orientation and gender identity.

In February, the authorities arrested two men and accused them of “public indecency”. The prosecution ordered their release after charging them with organizing a party without a licence. Also in February, nine men were arrested and detained for “habitual debauchery” under the Law on the Combating of Prostitution. In April, police arrested two men for “public indecency” and detained them, before bringing them before prosecutors. The case had not been referred to trial by the end of 2018.

## **REFUGEES’ AND MIGRANTS’ RIGHTS**

Security forces deported at least one asylum-seeker to a country where his life or safety were at risk, in violation of the

principle of *non-refoulement*. Military judges prosecuted Egyptians and foreign nationals leaving or entering Egypt by land outside official crossings; these areas are considered military zones. Those convicted tended to be sentenced to terms of imprisonment, which were suspended in the case of Egyptians.

In October, security agencies arrested a Sudanese critic and held him incommunicado for three days. They then deported him to Sudan, where he was at risk of torture and other ill-treatment and faced several charges that could carry the death penalty. In January, the head of the Southern Military Region ratified a one-year suspended prison sentence issued by a military court against 13 Syrians. The authorities released 11 of the men but deported the other two to Sudan.

## **LABOUR RIGHTS**

The authorities forcibly dispersed strikes and held trade unionists in prolonged pre-trial detention. They also removed the names of hundreds of outspoken, independent candidates from ballot papers for elections for leadership roles in independent and state labour unions in June, which led to unrepresentative unions controlled by pro-government figures.

In April, security forces arrested five men and one woman for participating in a peaceful strike in Cairo over the refusal of their employers to pay annual bonuses. The prosecutor ordered their release. In October, the authorities arrested two members of the nursing trade union, a man and a woman, for “disseminating false news” and “membership in a banned group”. They were both released by the end of the year, but one of them was referred to trial in November.

## **MILITARY OPERATION IN SINAI: HUMAN RIGHTS VIOLATIONS**

The authorities enforced a strict media blackout on the military campaign in

Sinai. The military stated on several occasions that it had used air strikes to kill individuals identified as militants, instead of attempting to apprehend them and bring them to justice.

In February, the military shared two videos on its social media accounts in relation to a military operation in North Sinai. The first showed US-made CBU-87 Combined Effects Weapons, a type of cluster bomb, being loaded onto fighter jets set to be deployed to North Sinai. The second, released 12 days later, showed an unexploded US-made Mk 118 cluster munition, which could only have been dropped by the Egyptian air force. Cluster munitions are banned under international law.

In October, the military killed four men at a checkpoint as they were leaving their workplace. The military did not announce an investigation into the incident.

The authorities continued to harass and threaten journalists covering the military operation in North Sinai. In May, a military court sentenced journalist and researcher Ismail el-Iskandrani to 10 years’ imprisonment for his work on the operation. In September, police raided and burned down the family home of a journalist in Arish known for covering the events in Sinai for an opposition news channel based in Turkey. Police had previously raided his house and asked his family about his whereabouts.



Demonstration in support of protesting steel workers by their families in the city of Ahvaz, Iran, in December 2018. The placards read: “We are the children of workers. We stand alongside them.” © Iranian Labour News Agency

## IRAN

Islamic Republic of Iran

Head of state: **Sayed Ali Khamenei**

Head of government: **Hassan Rouhani**

The human rights situation in Iran severely deteriorated. The authorities suppressed the rights to freedom of expression, association and peaceful assembly, as well as freedom of religion and belief, and imprisoned hundreds of people who voiced dissent. Trials were systematically unfair. Torture and other ill-treatment were widespread and committed with impunity. Floggings, amputations and other cruel, inhuman and degrading punishments were carried out. The authorities sanctioned pervasive discrimination and violence based on gender, political opinion, religious belief, ethnicity, sexual orientation, gender identity, and disability.

Executions took place, sometimes in public, and thousands remained on

death row. They included people who were under the age of 18 at the time of the crime.

## BACKGROUND

In March, the UN Human Rights Council renewed the mandate of the UN Special Rapporteur on the situation of human rights in Iran.

In August, the UN Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights criticized the reimposition of sanctions against Iran after the United States’ unilateral withdrawal from the nuclear deal, stating that international sanctions must be lawful, proportional and must not harm the human rights of ordinary citizens. He said: “These unjust and harmful sanctions are destroying the economy and currency of Iran, driving millions of people into poverty” and will “likely lead to silent deaths in hospitals as medicines run out”.

Clashes continued to take place along Iran’s borders, during which armed groups killed dozens of border guards.

Iran conducted military operations in support of government forces in the armed conflict in Syria, from where it also launched rockets against Israel.

## FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The authorities intensified their crackdown on the rights to freedom of expression, association and peaceful assembly, jailing hundreds of people on spurious national security charges. Among those targeted were peaceful political dissidents, journalists, online media workers, students, filmmakers, musicians and writers, as well as human rights defenders including lawyers, women’s rights activists, minority rights activists, trade unionists, environmental activists, anti-death penalty campaigners, and those seeking truth, justice and reparation for the mass executions and enforced disappearances of the 1980s.

## EXCESSIVE USE OF FORCE

Tens of thousands of men and women took to the streets throughout the year to protest against poverty, corruption, repression and authoritarianism.

Two major nationwide protests took place in January and July/August. Security forces violently dispersed the protests, beating unarmed protesters and using live ammunition, tear gas and water cannons against them, causing deaths and injuries.

In January, around 5,000 protesters were arrested. The judiciary spokesman said 25 protesters were killed but that “the weapons used and responsible [for the deaths] did not belong to the security forces”. In July/August, over 100 protesters were arrested. At least one protester was killed. No officials were held accountable.

In June, security forces in Khuzestan province unnecessarily used tear gas against protesters in Ahvaz and other cities who were demonstrating against water shortages and poor water quality. The interior minister denied reports that a male protester was killed.

## ARBITRARY ARRESTS AND DETENTIONS

Authorities arbitrarily arrested and detained thousands of individuals. Most were denied access to an independent lawyer of their choosing. Hundreds of them faced unfair trials, lengthy prison sentences, torture and other ill-treatment.

Dozens of environmental activists were arrested throughout the year. Four were charged with “corruption on earth”, which carries the death penalty.

Hundreds of people were arrested at private mixed-gender parties. Some were subjected to flogging sentences.

In May, 17-year-old Maedeh Hojabri was briefly detained for posting on her Instagram account videos of herself dancing. Her forced “confession” was broadcast on state television.

Human rights defenders and lawyers continued to face arbitrary arrest, detention and prosecution in reprisal for their work. Prominent human rights lawyer Nasrin Sotoudeh and her husband, Reza Khandan, were arrested and faced charges in connection with their support of women protesting against forced *hijab* (veiling). Other lawyers arrested and/or prosecuted included Amir Salar Davoudi, Arash Keykhosravi, Ghassem Sholeh-Sa’di, Farokh Forouzan, Mohammad Najafi, Mostafa Daneshjoo, Mostafa Tork Hamadani, Payam Derafshan and Zeynab Taheri.

Authorities arrested and detained, prosecuted or continued to imprison at least 112 women human rights defenders.

In June, the head of the judiciary implemented the Note to Article 48 of the Code of Criminal Procedure, which denies individuals facing some charges, including those related to national security, the right to access a lawyer of their own choosing during the investigation stage and forces them to choose from a short list of lawyers approved by the head of the judiciary.

## CRACKDOWN ON MEDIA

Censorship of all forms of media and jamming of foreign satellite television channels continued.

Some journalists and online media workers were arbitrarily arrested and detained; several were prosecuted and received prison and/or flogging sentences. The Association of Journalists remained suspended.

Administrators of the popular mobile messaging application Telegram were given harsh prison sentences. In April, Telegram was banned, although millions of Iranians continued to use it through circumvention tools.

Facebook, Twitter and YouTube remained blocked.

## HOUSE ARRESTS OF OPPOSITION LEADERS

In August, the Supreme Leader rejected the president’s proposal to release opposition leaders Mehdi Karroubi and Mir Hossein Mousavi and the latter’s wife, Zahra Rahnavard, from house arrest, where they have remained without charge or trial since 2011.

## TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment, including prolonged solitary confinement, remained systematic, especially during interrogations. Authorities failed to investigate allegations of torture or exclude “confessions” obtained under torture as evidence against suspects.

At least nine people died in custody under suspicious circumstances following their arrests in connection with the protests in late 2017 and early 2018. Officials claimed some had committed suicide, claims which were disputed by their families. After reporting torture marks on some victims’ bodies, lawyer Mohammad Najafi was arrested; he was later sentenced to a total of 14 years in prison and 74 lashes for charges including “disturbing public order”.

In February, Canadian Iranian academic and environmental activist Kavous Seyed Emami died in Evin prison following his arbitrary arrest two weeks earlier. Authorities claimed he committed suicide and refused to release his body unless his family agreed to an immediate burial without an independent autopsy.

Prisoners held for politically motivated reasons were denied adequate medical care, often as punishment; in some cases, this amounted to torture. Human rights defender Arash Sadeghi developed cancer in prison. Authorities tortured him by deliberately depriving him of specialist medical care.

Prisoners endured cruel and inhuman conditions of detention, including overcrowding, inadequate food, insufficient beds, poor ventilation and insect infestations.

## CRUEL, INHUMAN OR DEGRADING PUNISHMENT

Judicial authorities continued to impose and carry out, including in public, cruel and inhuman punishments amounting to torture.

Scores of individuals faced flogging sentences for theft and assault as well as for acts that, under international human rights law, must not be criminalized. Such acts included attending peaceful protests and cultural gatherings, having extra-marital relationships and attending mixed-gender parties.

In April, three minority rights activists from the Azerbaijani Turkic ethnic minority were sentenced to four months' imprisonment and 40 lashes for "disrupting public order" by participating in a peaceful cultural gathering.

In July, a man known as M.R. was tied to a tree in Razavi Khorasan province and flogged 80 times. He had been convicted a decade earlier of consuming alcohol when he was 14 or 15 years old.

The Supreme Court imposed and upheld amputation sentences. In January, authorities amputated the hand of a man, referred to as A.Kh., in Mashhad, Razavi Khorasan province, reportedly for stealing livestock and other valuables.

The authorities continued to issue blinding sentences.

## FREEDOM OF RELIGION AND BELIEF

Freedom of religion and belief was systematically violated in law and practice. The authorities continued to impose, on people of all faiths and none, codes of public conduct rooted in a strict interpretation of Shi'a Islam. The right to change or renounce religious beliefs continued to be violated. While Amnesty International did not record any new cases in 2018, those who professed atheism remained at risk of arbitrary arrest and detention, torture and other ill-treatment and the death penalty for "apostasy".

Gonabadi Dervishes faced a vicious crackdown, particularly since February, when a peaceful protest was violently quashed. Hundreds were arrested and over 200 were sentenced after unfair trials to between four months and 26 years in prison, flogging, internal "exile", travel bans, and bans on membership of political and social groups. In February, 92-year-old Nour Ali Tabandeh, the spiritual leader of the Gonabadi Dervish religious minority, was put under house arrest.

Christians, including converts, continued to face harassment, arbitrary arrest and detention, and harsh prison sentences. Raids on house churches continued. Victor Bet-Tamraz and Shamiram Issavi, ethnic Assyrian Christians, and Amin Afshar-Naderi and Hadi Asgari, Christian converts, were sentenced to between five and 15 years in prison for peacefully practising their faith.

Widespread and systematic attacks continued against the Baha'i minority, including arbitrary arrests and imprisonment, forcible closure of businesses, confiscation of property, bans on employment in the public sector and denial of access to universities. Destruction and desecration of Baha'i cemeteries continued.

Other religious minorities not recognized under the Constitution, such as Yaresan (Ahl-e Haq), were also persecuted for practising their faith and faced systematic discrimination, including in education and employment.

Sunni Muslims continued to report discrimination, including exclusion from political office.

## DISCRIMINATION – WOMEN AND GIRLS

Women faced entrenched discrimination in family and criminal law, including in relation to divorce, employment, inheritance and political office. Iran's Civil Code continued to deny Iranian women married to non-Iranian men the right to pass their nationality to their

children. Women had limited access to affordable, modern contraception.

A long-standing bill to protect women against violence remained stalled. The authorities continued to fail to criminalize gender-based violence, including domestic violence and marital rape. Acts of violence against women and girls, including domestic violence and early and forced marriage, were widespread.

According to official sources, between 21 March and 21 September, at least 366 girls aged below 15 and 29 girls aged below 10 were married. The parliament continued to debate a proposed amendment to Article 1041 of the Civil Code on the age of marriage. The amendment, which would ban marriage for girls under 13, was rejected by the parliament's judicial and legal committee in December but remains under parliamentary review. If approved, the legal age of marriage for girls would be raised from 13 to 16, although girls aged between 13 and 16 could still be married subject to approval both from a court and from state medical doctors who would determine whether the child in question was "physically capable" of consummating the marriage.

A bill aimed at giving some married women permission to travel abroad without spousal approval remained under review.

Dozens of women peacefully protesting against the abusive, discriminatory and degrading practice of forced *hijab* by taking off their headscarves in public were violently assaulted and arrested. Millions of others were routinely harassed and assaulted in public places by the "morality police" for failing to comply with Iran's strict Islamic dress code. Women were banned from singing and at times playing musical instruments in public. In January, popular singer Benyamin Bahadori refused to perform at a concert in Kerman after the Ministry of Culture and Islamic Guidance banned female members of his group from appearing on stage.

The authorities' ban on women entering football stadiums remained in place. Thirty-five women were briefly detained in March as they tried to enter a stadium to watch a local football match.

## DISCRIMINATION – ETHNIC MINORITIES

Ethnic minorities, including Ahwazi Arabs, Azerbaijani Turks, Baluchis, Kurds and Turkmen, continued to face entrenched discrimination, curtailing their access to education, employment and adequate housing. Continued economic neglect of regions with large minority populations exacerbated poverty and marginalization. The Persian language remained the sole medium of instruction in primary and secondary education.

Iran's border guards unlawfully shot and killed with impunity tens of Kurdish *kulbars*, porters carrying goods on their backs between Iran and Kurdistan Region of Iraq.

Members of minorities who spoke out against violations of their rights faced arbitrary arrest, torture and other ill-treatment, unfair trials and imprisonment.

Hundreds of Azerbaijani Turks, including minority rights activists, were violently arrested in connection with peaceful cultural gatherings.

The authorities continued their persecution of the Ahwazi Arab minority. In April, up to 400 Ahwazi Arabs were reportedly arrested in connection with protests that took place after state television broadcast a children's show that excluded Arabs from a map displaying the geographical locations of Iran's ethnic minorities. In October, following a deadly armed attack on a military parade in Ahvaz the previous month, during which at least 24 people, including spectators, were killed, authorities waged a sweeping crackdown against Ahwazi Arabs in Khuzestan province. Over 700 people, including minority rights activists, were arrested and detained incommunicado. Ahwazi

Arab activists outside Iran reported that 22 were executed in secret.

## WORKERS' RIGHTS

Bans on independent trade unions persisted.

Thousands of workers staged peaceful demonstrations and strikes in protest at unpaid wages, poor working conditions and other grievances. Authorities arrested hundreds, sentencing many to prison terms and flogging.

In August, teacher Mohammad Habibi was sentenced to 10 and a half years in prison, 74 lashes, a two-year travel ban and a two-year ban on "membership in political and social parties, groups or collectives" for charges stemming from his peaceful trade union activities.

In September, six more teachers were sentenced to flogging and prison terms for taking part in a peaceful protest calling for higher wages. More than a dozen others were arrested when nationwide strikes took place in October and November.

In October, hundreds of striking truck drivers were arrested and threatened with the death penalty.

In November, dozens of striking workers from the Haft Tapeh Sugar Cane Company were arrested.

In December, dozens of steel workers in Ahvaz were violently arrested following weeks of strikes.

## DEATH PENALTY

Courts continued to impose death sentences and executions were carried out after unfair trials, some in public.

There was a drop in the number of drug-related executions following amendments to the anti-narcotics law.

A number of individuals who were under 18 at the time of the crime of which they

were convicted were executed and many others remained on death row.

The Islamic Penal Code continued to provide for stoning as a method of execution.

The death penalty was maintained for some consensual same-sex sexual conduct, as well as for vaguely worded offences such as "insulting the Prophet", "enmity against God" and "spreading corruption on earth".

The authorities arrested individuals whom they described as "financially corrupt" and "saboteurs of the economy". Many were convicted before newly established special courts dealing with crimes involving financial corruption and sentenced to death, lengthy prison terms, and flogging. Defendants were denied access to lawyers of their own choosing, had no right to appeal against prison sentences, and were given only 10 days within which to appeal death sentences.

In June, Mohammad Salas, from the Gonabadi Dervish minority, was executed after an unfair trial for the murder of three police officers during a protest in February. The sole evidence was a "confession" he said he made under torture.

In September, Kurdish prisoners Zaniar Moradi, Loghman Moradi and Ramin Hossein Panahi were executed in Raja'i Shahr prison, Karaj, after unfair trials. All three were denied access to their lawyers after arrest and said they were tortured into making "confessions".



Ayesha, a mother of six, sits inside a tent inside a camp for internally displaced persons in Hamam al-Alii, Iraq, on 17 March 2018. Originally from Hawija, a town that had been controlled by the Islamic State armed group (ISIS), Ayesha had moved to the camp six months earlier with her children and cousins. She told Amnesty International: “If we go back, they [the Iraqi authorities] have told us that they will kill our children because they are connected by blood to ISIS.” © Amnesty International

## IRAQ

Republic of Iraq

Head of state: **Barham Ahmed Salih (replaced Fuad Masum in October)**

Head of government: **Adil Abdul Mahdi (replaced Haider al-Abadi in October)**

Since Iraqi authorities declared the end of the military operations to retake control of areas from the armed group calling itself Islamic State (IS) in late 2017, during which thousands of men and boys were killed or went missing, many thousands of female-headed households across the country were left struggling to survive. Armed actors under the control of Iraqi authorities collectively punished families with perceived affiliation to IS, including by denying them access to humanitarian aid, refusing to issue them crucial documents, and restricting their freedom of movement. Women in families with perceived IS affiliation were also

subjected to sexual violence, including rape. Torture in detention was endemic. Courts continued to sentence individuals convicted of terrorism-related offences to death, frequently after unfair trials that relied on torture-tainted evidence. Iraq continued to use the death penalty extensively. Protesters demanding access to jobs, basic services and medical care were shot, beaten, arrested and detained by security forces. IS carried out bomb attacks on the capital, Baghdad, and in several other governorates, often targeting civilians. IS fighters abducted dozens of civilians and members of the security forces and summarily killed them.

## BACKGROUND

Millions of internally displaced Iraqis returned to their areas of origin after the military operations to retake areas from IS ended in late 2017. However, hundreds of thousands remained displaced in camps and informal sites.

In May, Iraq held parliamentary elections, but the formation of the government stalled owing to electoral fraud allegations. Parliament consequently voted for a manual recount of all votes, but this resulted in no significant change to the result. On 2 October, Barham Ahmed Salih was elected as president. On 24 October, the new prime minister, Adel Abdul Mahdi, and 14 of the suggested 22 cabinet members were sworn in amidst disagreement among legislators.

Tens of thousands of residents in the southern governorate of Basra were reported to have been poisoned and hospitalized by polluted drinking water, fuelling ongoing protests against government corruption and mismanagement of the neglected south.

The UN estimated that 939 people were killed by “acts of terrorism, violence and armed conflict in Iraq” in 2018. At least four women, among them a human rights

activist, were shot dead in what appeared to be targeted killings. Iraqi authorities stated that an investigation into the deaths would be launched.

In late November 2018, severe storms and floods displaced tens of thousands of people, caused serious damage to infrastructure and impacted several camps of internally displaced peoples (IDPs) in Ninewa governorate, according to the UN.

Turkish air strikes and shelling continued in areas under Kurdistan Regional Government (KRG) control in north-east Iraq, reportedly resulting in civilian deaths.

## **INTERNALLY DISPLACED PEOPLE**

By November, humanitarian organizations had recorded that more than 4 million IDPs had returned to their areas of origin. The flow of returns slowed in the second half of the year and almost 2 million people remained displaced, the majority of whom were reported to be living outside formal camps. Secondary displacements and new arrivals to formal camps were also reported. People who remained displaced cited several reasons for not returning home, including damage and destruction to housing; lack of job opportunities, basic infrastructure and public services, including health care; and insecurity due to unexploded ordnance, improvised explosive devices (IEDs), arbitrary arrests, harassment and intimidation by armed people, and in some cases fears of a new insurgency by IS.

## **COLLECTIVE PUNISHMENTS**

The wave of enforced disappearances since 2014, and the deaths of many men during the military operations against IS in Iraq, left thousands of female-headed families struggling for survival. Families, particularly those headed by women, were stigmatized and collectively punished for being perceived to have links with IS owing to factors outside their control, such as being related, however distantly, to men involved with IS, or for fleeing from areas believed to be IS strongholds. In IDP camps, many were denied access to food, water and health care. They were also refused new or replacement identity cards and other

civil documents, often meaning that they could not work, collect family pensions or send their children to school. In addition, their freedom of movement was severely restricted because of their lack of documentation or by camp authorities who prevented them from leaving camps, placing them in de facto detention.

Such families also faced verbal harassment, including sexual harassment and intimidation from people bearing arms, camp authorities and other camp residents. Women with perceived IS ties were subjected to sexual violence, including rape and sexual exploitation, primarily by armed actors affiliated with military and security forces in the camps.

## **BLOCKS ON RETURNS AND SECONDARY DISPLACEMENT**

Families with perceived ties to IS were regularly prevented from returning to their homes or places of origin as a result of threats from neighbours, tribal and local authorities, and Iraqi forces, including the Popular Mobilization Units (PMU) and Tribal Mobilization militias. Displaced families attempting to return to their home areas were turned back at checkpoints if they did not have the documentation deemed necessary or their relatives appeared on “wanted lists” of men affiliated with IS.

Those who managed to return to their areas of origin said they were subjected to forced displacement, evictions, arrests, looting of their homes, house demolitions, threats, sexual abuse and harassment, and discrimination. Some families witnessed security forces attacking and arresting families affiliated with IS and so returned to the camps.

## **EXCESSIVE USE OF FORCE**

Between July and September, security forces in Basra, including SWAT (Special Weapons and Tactics) forces, killed over a dozen protesters and injured hundreds of others when they used excessive force, including by firing live ammunition and tear gas, to disperse a series of protests demanding employment opportunities and better public services. Security forces chased protesters fleeing the scene

and, according to witnesses, trapped and then beat them with metal rods and rifle butts, and used electroshock devices against some of them. They also assaulted or detained journalists covering protests, at times on the pretext that they had filmed security measures being taken around government buildings or had blocked roads.

In apparent retaliation against these deaths, protesters set light to government buildings and buildings affiliated with political parties and factions of the PMU. Activists present at one such incident on 6 September said that at least one of three protesters killed was shot by an armed guard of a political party building that was being attacked by other protesters.

Similar protests broke out in the capital, Baghdad, and in other governorates. In Baghdad, security forces arbitrarily arrested and detained protesters. They beat and used electroshock devices against detained protesters, interrogated them and forced them to sign papers without disclosing their contents, before releasing them.

Then Prime Minister Haider al-Abadi ordered an investigation into the violence during the Basra protests. Subsequently, the authorities dismissed and replaced a number of security and local government officials.

Amidst the protests in September, the authorities severely restricted access to the internet, including social media platforms. Peaceful protesters in southern Iraq and Baghdad believed the authorities deliberately disabled internet access before security forces fired at them, as they were unable to share images and videos depicting the abuses.

## **KURDISTAN REGION OF IRAQ**

Kurdish security forces and armed individuals in civilian clothes violently dispersed peaceful protests in Erbil and Dohuk in March. Teachers, health workers and other public sector workers, as well as activists took to the streets across the Kurdistan Region of Iraq to protest against austerity measures and delays in payment of and cuts to salaries of state employees. Scores of

protesters and several journalists were detained and said they were tortured or otherwise ill-treated and forced to sign pledges that they would not take part in demonstrations again.

KRG officials stated that the arrested protesters were charged with inciting violence and then transferred to court. They added that the protesters had not been granted a permit to stage the protests and that members of political parties had incited violence.

## ABUSES BY ARMED GROUPS

IS killed and injured civilians throughout Iraq in suicide bombings and other deadly attacks that were indiscriminate or deliberately targeted civilians in crowded markets, residential areas and other public spaces. IS claimed bombings in Baghdad and other governorates, particularly Anbar, Diyala, Salah al-Din, Ninewa and Kirkuk. IS fighters were reported to have abducted and killed dozens of civilians and members of Iraqi security forces in rural areas. Fake checkpoints manned by IS fighters in attire similar to that worn by security forces were reported on highways linking various governorates to the capital. In late June, the bodies of six members of the security forces were found in Salah al-Din governorate. A video circulated earlier in the week had shown the six captured by IS and included threats to kill the men if Iraqi authorities did not release female prisoners suspected of having links to IS.

The UN stated that approximately 3,000 Yazidis were still missing as well as thousands of people from other religious minorities whom IS had also targeted. In November 2018, the UN Assistance Mission for Iraq and the Office of the UN High Commissioner Human Rights reported the discovery of over 200 mass graves in several governorates, adding that the graves contained individuals believed to have been killed for not conforming to IS rules.

## UNFAIR TRIALS

Iraq's criminal justice system remained critically flawed. Trials fell considerably short of international standards. Individuals held on suspicion of being affiliated with IS were denied the right

to an adequate defence and often were compelled to "confess" under duress. Courts continued to admit torture-tainted evidence and convict individuals under the Anti-Terrorism Law, more often than not resulting in death sentences.

Security officers threatened and in some cases arrested lawyers in court who were seeking to defend IS suspects and families perceived to be affiliated with IS. According to reports, this deterred other lawyers from working with individuals suspected of affiliation with IS.

## ARBITRARY ARRESTS AND ENFORCED DISAPPEARANCES

Thousands of men and boys who were arbitrarily arrested and forcibly disappeared by central Iraqi and Kurdish forces while fleeing IS-held areas between 2014 and 2018 remained missing. Security forces, including the PMU, regularly arrested and forcibly disappeared men with perceived IS ties, at times directly from IDP camps. Iraqi and KRG authorities continued to operate overcrowded detention facilities, some of them secret. Released detainees and witnesses reported inhumane conditions.

## TORTURE AND OTHER ILL-TREATMENT

Those detained by central Iraqi and Kurdish forces were routinely tortured and subjected to other forms of ill-treatment during interrogation, often to extract "confessions". Former detainees reported witnessing other detainees die as a result of such abuse.

## DEATH PENALTY

Courts continued to hand down and uphold death sentences; scores of people were sentenced to death by hanging in 2018. Over two dozen women, particularly foreign nationals, were sentenced to death because a male relative, often their husband, was suspected of belonging to IS. A report by Associated Press said that Iraqi authorities had, since 2003, detained or imprisoned at least 19,000 people accused of links to IS or other terror-related offences, and had sentenced thousands of them to death.

The media office of then President Fuad Masum announced on several occasions that he had ratified "batches" of death sentences that had been upheld by courts.

Despite flagrant violations of due process, Iraq continued to carry out executions, sometimes of more than 10 individuals at a time. Executions were sometimes retaliatory and in response to public outrage after bombings and other deadly attacks, often claimed by IS. For example, on 28 June, then Prime Minister Haider al-Abadi called for the swift execution of convicted "terrorists" whose death sentences had been ratified. The call quickly followed the killing of six members of the security forces abducted by IS fighters (see above). The Ministry of Justice subsequently announced that 13 people had been executed.

## IMPUNITY AND LACK OF REMEDY

A report by the US authorities in June stated that US military actions had killed 499 civilians in Iraq, Syria, Afghanistan and Yemen in 2017, adding that hundreds of reports of civilian casualties from the same year were still to be assessed.

Yazidi women who had survived prolonged IS captivity and enslavement continued to lament the lack of an accessible and unified system of medical and psychosocial care. In August, Yazidi women who had recently escaped IS captivity in Syria and returned to Iraq told Amnesty International that they had struggled to pay for medical and psychological care and often felt let down by the international community.

A local NGO told Amnesty International that, since 2014, around 68 mass graves had been uncovered in Sinjar, north-western Iraq, that the bodies had still not been exhumed and that the sites were not being protected, despite Iraq's Law on Protection of Mass Graves.

A committee established by the prime minister's office in June 2016 to look into the abduction and forcible disappearance by PMU militias of 643 men and boys from Saqlawiya in Anbar governorate had still not publicly released any findings by the end of 2018.



*Palestinian Jihad Shawamrah stands on the ruins of his house, which he demolished in order not to face the prospect of Israeli settlers moving in, after he lost a land ownership case in Israeli courts, in the East Jerusalem neighbourhood of Beit Hanina, 19 July 2018. © Reuters/Ammar Awad*

## ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES

State of Israel  
 Head of state: **Reuven Rivlin**  
 Head of government: **Benjamin Netanyahu**

New legislation entrenched discrimination against non-Jewish citizens. Israeli forces killed more than 290 Palestinians, including over 50 children; many were unlawfully killed as they were shot while posing no imminent threat to life. Israel imposed an illegal blockade on the Gaza Strip for the 11th year in a row, subjecting approximately 2 million inhabitants to

collective punishment and exacerbating a humanitarian crisis. Freedom of movement for Palestinians in the West Bank remained restricted through a system of military checkpoints and roadblocks. Israeli authorities unlawfully detained within Israel thousands of Palestinians from the Occupied Palestinian Territories (OPT), holding hundreds in administrative detention without charge or trial. Torture and other ill-treatment of detainees, including children, remained pervasive and was committed with impunity. Israel continued to demolish Palestinian homes and other structures in the West Bank and in Palestinian villages inside Israel, forcibly evicting residents. The Israeli justice system continued to fail to adequately ensure accountability and redress for victims of grave violations of international humanitarian and human rights law. The authorities continued to deny asylum-

seekers access to a fair or prompt refugee status determination process; hundreds of African asylum-seekers were deported and thousands were threatened with deportation. Conscientious objectors to military service were imprisoned.

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### BACKGROUND

The Israeli authorities continued to expand illegal settlements and related infrastructure in East Jerusalem and elsewhere in the occupied West Bank, including by legalizing outposts built without state authorization on private Palestinian land. They held local elections in October across Israel and in illegal settlements including in occupied East Jerusalem and the occupied Golan Heights.

Negotiations between Israeli and Palestinian authorities remained stalled. On 15 May, the USA moved its embassy from Tel Aviv to Jerusalem in violation of international law. Two police investigations recommended that Prime Minister Benjamin Netanyahu be indicted over corruption allegations. The attorney general had not yet ruled on the recommendations by the end of the year.

Waves of armed hostilities broke out between Israel and Palestinian armed groups in the Gaza Strip. Israeli forces launched dozens of air strikes on Gaza, killing 46 people. Palestinian armed groups launched hundreds of rockets into Israel, killing one Palestinian civilian. On 13 November 2018, after two days of intense hostilities by both sides, a ceasefire between Israel and Palestinian armed groups, brokered by Egypt, was announced. Individual Palestinians, most unaffiliated to armed groups, attacked Israelis in the West Bank and in Israel, killing at least 13. Attacks by settlers on Palestinians resulted in the death of a Palestinian woman.

Israel reportedly conducted scores of air strikes inside Syria.

## DISCRIMINATION

Israel continued to pass legislation that discriminates against non-Jewish citizens, particularly Palestinians. The Basic Law: Israel as the Nation-State of the Jewish People, passed in July, described the Israeli state as being only for the Jewish people, confirming the status of the almost one fifth of the population who are Palestinian citizens of Israel as second-class citizens.

## UNLAWFUL KILLINGS

Israeli military and security forces killed at least 195 Palestinians, including at least 41 children, in demonstrations in Gaza and the West Bank. Many were unlawfully killed as they were shot while posing no imminent threat to life.

Israeli forces killed scores of Palestinians in the Gaza Strip during sustained

protests that started in March for the right to return of refugees to land from which they were displaced 70 years earlier, and against the Israeli blockade of the Gaza Strip. According to the Palestinian Centre for Human Rights, 180 were killed, among them 35 children, three paramedics and two journalists. While some protesters engaged in violence, including by burning tyres, unleashing incendiary kites and balloons towards Israel or throwing stones and Molotov cocktails in the direction of Israeli soldiers, social media videos, as well as eyewitness testimonies gathered by Amnesty International, Palestinian and Israeli human rights groups, show that Israeli soldiers shot and killed journalists, medical staff, bystanders and unarmed protesters who posed no threat to life; many were at distances of around 150-400m from the fence separating Gaza and Israel when they were shot. Some of these unlawful killings appeared to be wilful, which would constitute war crimes. Israeli forces also injured at least 13,458 Palestinians, many of them seriously, including more than 7,000 shot by live ammunition, according to the Palestinian Centre for Human Rights. In May, the UN Human Rights Council established a commission of inquiry into the killings and other abuses in the OPT since the protests began.

On 27 July, Majdi Ramzi al-Satri, 12, was killed after being shot in the head by a live bullet fired by Israeli security forces while standing 50m away from the fence, during his participation in a protest in Rafah.

Israeli air strikes and shelling killed at least 13 Palestinian civilians in the Gaza Strip not directly participating in hostilities. On 28 October, an Israeli drone missile killed three children, Khalid Bassam Abu Sa'ed, 14, Abdul Hamid Mohammed Abu Thaher, 14, and Mohammed Ibrahim al-Satri, 15, when they tried to cross the Gaza/Israel fence. For almost two hours ambulance crews were unable to enter the area due to shooting by Israeli forces from the other side of the fence.

## FREEDOM OF MOVEMENT AND RIGHTS TO HEALTH, WATER AND SANITATION

Israel's illegal air, land and sea blockade of the Gaza Strip entered its 11th year, restricting the movement of people and goods into and out of the area, and collectively punishing Gaza's 2 million residents. Israel increased the restrictions in July, saying this was in response to the launching of incendiary kites and balloons, rockets and mortars from Gaza into Israel. Several human rights organizations petitioned against these restrictions on the grounds that they constituted collective punishment prohibited under international humanitarian law. Israeli authorities lifted the additional restrictive measures on 20 October.

Throughout much of the year, the Gaza Strip suffered fuel shortages that resulted in a maximum of four hours of electricity per day. In October, the UN brokered a deal to allow Gaza's main electricity plant to be refuelled as part of a plan to increase electricity supply to eight hours per day. Electricity cuts worsened Gaza's water and sanitation crisis.

Israel reduced to a record low the number of medical permits issued to residents of the Gaza Strip to allow them to enter Israel and the West Bank for treatment. Denial of medical permits led to the deaths of at least eight Palestinians, according to the Al Mezan Center for Human Rights.

On 20 June, Masoud Abdul Hai Abu Saqer, 49, died at Erez checkpoint between Gaza and Israel, where he had presented himself for an interview with Israeli security services in the hope of being able to travel to an East Jerusalem hospital to obtain treatment for kidney cancer. Since he was diagnosed in December 2017 he had submitted four applications for a medical permit. The first three were rejected by the Israeli military. On the fourth occasion, he was summoned for an interview.

Almost 100 Israeli checkpoints and roadblocks continued to heavily restrict the movement of Palestinians in the West

Bank. Palestinians are denied access to tens of roads in the West Bank that are designated for the use of Israelis only.

## **ARBITRARY ARRESTS AND DETENTIONS**

Israeli authorities conducted hundreds of raids throughout the West Bank to arrest Palestinians without judicial orders detailing the reason for arrest. They placed in detention or continued to detain thousands of Palestinians from the OPT in prisons in Israel in violation of international humanitarian law. Israeli authorities used renewable administrative detention orders to hold Palestinians without charge or trial. Palestinian civilians were prosecuted in military courts that did not meet international standards of fair trial and more than 5,500 Palestinians, including 480 administrative detainees, were held in Israeli prisons at the end of the year, according to Palestinian human rights organization Addameer. Among those held were civil society leaders, NGO workers and journalists.

Khalida Jarrar, a member of the Palestinian Legislative Council and board member of the NGO Addameer, and Addameer staff member Ayman Nasser, remained held under administrative detention orders since their arrest in February 2017 and 17 September 2018 respectively.

## **TORTURE AND OTHER ILL-TREATMENT**

Israeli soldiers, police and Israel Security Agency (ISA) officers tortured and otherwise ill-treated Palestinian detainees, including children, with impunity, particularly during arrest and interrogation. Reported methods included beatings, slapping, painful shackling, sleep deprivation, use of stress positions and threats. Prolonged solitary confinement, sometimes for months, was commonly used as a punishment. Many families of Palestinian detainees and prisoners in Israel, particularly those in Gaza, were not permitted entry to Israel to visit their relatives.

Four Palestinians died in custody as a result of alleged torture or other ill-treatment by Israeli forces. One of them, Mohamed Khatib al-Rimawi, died from heart failure after Israeli forces beat him during a pre-dawn raid at his home in the West Bank village of Beit Rima on 18 September. Soldiers shackled him while unconscious before taking him away. An autopsy was conducted on 24 September in the presence of Israeli and Palestinian doctors. The Palestinian doctor's report noted that he had bruises on the torso, the right thigh and the back. It concluded that the fear and anxiety resulting from his arrest, coupled with a genetic condition of narrow arteries, led to a fatal restriction of blood flow to the heart. The Israeli military denied the beating and said the cause of death was still to be investigated.

Israel held 230 Palestinian children in prison, including 41 under the age of 16. According to Defense for Children International-Palestine, many children were beaten, threatened and intimidated after arrest, interrogated without their parents, and handed disproportionately harsh sentences. It added that children were tried in front of a military judge and placed with adults in the same prison facilities. Under international law, detention of children should be a measure of last resort and for the shortest appropriate time.

Some Palestinian prisoners were denied adequate medical care or received treatment in humiliating conditions. Raja'i Abdel-Qader, for example, received eight hours of continuous chemotherapy while his hands and feet were shackled.

## **FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

The authorities used a range of measures, including detentions, movement restrictions, judicial harassment and incitement campaigns, both in Israel and the OPT, to target activists, including human rights defenders, who criticized Israel's continuing occupation of the West Bank and Gaza Strip.

Israel started implementing the 2017 amendment to the Entry into Israel Law,

which banned entry into Israel or the OPT of anyone supporting or working for an organization that promotes a boycott of Israel or Israeli entities, including settlements. As a result, human rights defenders, lawyers, students and doctors were denied entry. Human Rights Watch staff member Omar Shakir had his work permit revoked on 9 May based on allegations that he supported such a boycott. He challenged the decision; the legal process was continuing at the end of the year.

On 25 May, the Ministry of Strategic Affairs published a report that listed European and Palestinian human rights organizations that allegedly support terrorism. The EU responded that Israel was spreading disinformation.

Israeli authorities continued to obstruct attempts to document human rights by denying human rights bodies entry to the OPT, including the UN Special Rapporteur on the human rights situation in the OPT.

Political leader Raja Eghbaria, a Palestinian citizen of Israel, was held first in detention for a month and then under house arrest without access to telephones or the internet, during his ongoing trial for Facebook posts that, according to the Israeli prosecution, contained incitement to terrorism. His lawyer argued that the posts, while praising Palestinians who were killed after shooting members of Israeli security forces, included no call to violence and that their meaning in Arabic had been altered by the state's Hebrew translation. Amnesty International agreed with this assessment.

## **FORCIBLE TRANSFERS, FORCED EVICTIONS AND DEMOLITIONS**

Israel demolished 148 Palestinian properties in the West Bank, including East Jerusalem, 139 for lack of permits and nine for punitive reasons, according to Israeli human rights organization B'Tselem; 425 people, including 191 children, were left homeless as a result. Punitive demolitions constitute collective punishment and are expressly prohibited under international law.

The Knesset (parliament) debated a bill that would raise the legal fees for contesting demolition orders in the West Bank, and prohibit non-profit organizations from submitting petitions against demolition orders if they were not directly affected by them.

In September, the Supreme Court approved the demolition of Khan al-Ahmar village and forcible transfer of its residents to make way for illegal Jewish settlements. The village was home to 180 members of the Bedouin community and a school that educated 170 children in the area. The Office of the Prosecutor of the International Criminal Court released a statement in October reminding Israel that extensive destruction of property without military necessity and population transfers in an occupied territory constitute war crimes under the Rome Statute.

On 9 August, an Israeli air strike targeted and destroyed the al-Mishal cultural centre in Gaza, in violation of international law, which prohibits the destruction of cultural buildings unless they are being used for military purposes.

The authorities also demolished Palestinian homes inside Israel that they said were built without permits, including in Palestinian towns and villages in the Triangle (a concentration of Palestinian communities adjacent to the north-west of the West Bank), the Galilee and “unrecognized” Bedouin villages in the Negev/Naqab region. In August, Israeli police forcibly demolished the Bedouin village of al-Araqib for the 132nd time.

## **IMPUNITY**

The authorities failed to adequately ensure accountability in the aftermath the 2014 Gaza-Israel conflict, during which Israeli forces killed some 1,460 Palestinian civilians, many in evidently

unlawful attacks including war crimes. They had previously indicted only three soldiers for looting and obstructing an investigation. In August, the Military Attorney General closed the case relating to an attack on Rafah on 1-4 August 2014, when between 135 and 200 civilians were killed.

In May, the Supreme Court rejected a petition by Israeli human rights groups to order the army to stop using lethal force against demonstrators in the Gaza Strip.

## **VIOLENCE AGAINST WOMEN AND GIRLS**

Violence against women persisted in Israel. At least 20 women were killed as a result of gender-based violence, according to the group Women Against Violence. The group said the authorities prosecuted all cases involving the killing of Jewish women, but only half of those involving women who were Palestinian citizens of Israel. The group, along with other organizations and some legislators, criticized the lack of police action to bring perpetrators of such crimes to court, in particular with regard to so-called “honour killings”.

## **REFUGEES AND ASYLUM-SEEKERS**

The authorities continued to deny asylum-seekers from Eritrea and Sudan access to a fair and prompt refugee status determination process. Some 6,530 asylum claims were closed or denied unlawfully in 2018, while some 15,000 were pending at the end of the year. Only 11 claimants from Eritrea or Sudan had been granted refugee status since 2008.

In January, Israel accelerated its deportations of Eritreans and Sudanese asylum-seekers. As a result, 668 were deported to Rwanda and Uganda or their

countries of origin. Another 300 or so were detained in Saharonim prison for refusing to leave Israel; the practice ended in April, after the Supreme Court found the detentions unlawful.

As a result of a decision by the interior minister in May, about 300 Sudanese people were given temporary residency status in order to close pending appeals and avoid a Supreme Court ruling obliging Israel to grant refugee status to all Sudanese asylum-seekers.

## **CONSCIENTIOUS OBJECTORS**

At least six Israeli conscientious objectors to military service were imprisoned. One of them, Adam Rafaelov, was awaiting trial at the end of the year.



Jordanian policemen try to detain a demonstrator during a protest near the prime minister's office in Amman, Jordan, on 6 June 2018. Prime Minister Hani Al-Mulki resigned on 4 June after a wave of anti-austerity protests by citizens suffering from high unemployment and repeated price hikes. © Ahmad Gharabli/AFP/Getty Images

## JORDAN

Hashemite Kingdom of Jordan  
 Head of state: **King Abdullah II bin al-Hussein**  
 Head of government: **Omar Al-Razzaz (replaced Hani Al-Mulki in June)**

People were subjected to prolonged pre-trial detention, solitary confinement and torture and other ill-treatment. Freedom of expression was curtailed: journalists and activists critical of the government or King Abdullah were detained; access to the internet was restricted; and online content was censored. Proposed amendments to the cybercrime law that would further threaten freedom of expression stalled after demonstrations against the legislation. The authorities opened a shelter for women at risk of family violence in the name of “honour”.

However, women’s rights continued to be restricted in law and practice, including in relation to abortion, guardianship, marriage and inheritance. The rights of migrant workers continued to be violated and insufficiently protected in law. Jordan continued to offer sanctuary to around 2.7 million refugees, though the rights of some of them were violated. Death sentences were passed; there were no executions.

### BACKGROUND

Jordan remained part of the US-led military coalition fighting in Iraq and Syria against the armed group calling itself Islamic State (see Iraq and Syria entries), and of the Saudi Arabia-led coalition engaged in the armed conflict in Yemen (see Yemen entry).

The UN Human Rights Council held the third Universal Periodic Review of Jordan on 8 November. Jordan accepted 131 recommendations, agreed to examine another 21 and rejected 74 others related to, among other issues, ratification of human rights treaties, abolition of the death penalty, “honour” killings, repeal of the Crime Prevention Law, nationality rights, prevention of torture in detention and protection of migrant workers.

On 30 May, trade unions called a strike to protest against amendments to the 2014 tax law presented by the government of Hani Al-Mulki and supported by the International Monetary Fund. The next day, the government raised fuel and electricity prices, triggering further protests. On 1 June, King Abdullah ordered a freeze on price

hikes, but protests continued. On 4 June, Al-Mulki resigned and the next day King Abdullah appointed Omar Al-Razzaz as prime minister. The protests ended after Al-Razzaz announced that the new government would withdraw the amendments. In September, the government presented an amended tax law; it exempted lower-paid individuals from filing tax returns, but still prompted strong public criticism.

## DETENTION

The General Intelligence Directorate (GID) continued to subject people to prolonged pre-trial detention, solitary confinement and torture and other ill-treatment, according to the National Centre for Human Rights (NHRC) and other organizations. Detainees held in GID prisons were not allowed unsupervised visits, even by lawyers.

Administrative governors continued to issue thousands of administrative detention orders under the 1954 Crime Prevention Law, which allows detention of up to one year without charge or trial or any means of legal remedy.

## FREEDOM OF EXPRESSION

The authorities continued to harass, intimidate, detain and imprison activists and journalists who voiced criticism of the government or King Abdullah. Several journalists were summoned for interrogation and detained for days without charges being brought against them. The authorities also enforced bans on the distribution of selected books for religious, moral and political reasons; restricted or disrupted access to the internet; and censored online content.

In September, the House of Representatives, the lower house of parliament, referred a number of draft amendments to the cybercrime law to its legal committee for review. They included provisions that threatened freedom of expression. One contained an overly broad definition of online “hate speech”, which would criminalize statements that spread rumours against

people with the aim of damaging their reputation in the absence of incitement to violence and carry harsh sanctions. In December, following demonstrations against the law, the government suspended the process to subject the amendments to further examination.

## WOMEN’S RIGHTS

Following a long-standing campaign by Jordanian women’s rights organizations, including Mizan – Law Group for Human Rights, the Ministry of Social Development opened Amneh House shelter for women at risk of family violence in the name of “honour”. By the end of the year, 16 women were living in the shelter. The shelter’s regulations, published in May, guaranteed that no one could be held in the shelter against their will. Civil society organizations were still debating whether the shelter would end the long-standing practice of imprisoning women at risk in “protective custody” through the (mis)use of powers set out under the Crime Prevention Law of 1954.

While celebrated reforms had been made to the Penal Code in 2017, no further action was taken to modify discriminatory provisions. Articles 321 and 322 continued to criminalize abortion, even in cases of rape, and Article 282 criminalized adultery. As of 27 October 2018, seven women were in prison on adultery charges.

Some provisions of the Penal Code also contributed to other forms of discrimination against women in practice. According to the women’s rights organization Sisterhood Is Global International (SIGI) – Jordan, a provision penalizing the failure to pay back contractual debts has led to the prosecution of women who were being pressured or deceived by family members to take loans. SIGI also reported that, among the 17 women on death row at the end of 2018, some had been sentenced for killing their abusive husband in self-defence.

The Personal Status Law continued to discriminate against women and girls,

including in the areas of guardianship, marriage, divorce, common marital property and inheritance. In practice, guardianship established was interpreted widely to restrict women’s autonomous decision-making on issues of marriage and residence until the age of 30. The police continued to act on demands by guardians to forcibly return women “absent” from their guardian’s home.

In the context of poor enforcement of alimony payments following decisions of Shari’a courts, an alimony fund provided for in a 2010 amendment to the Personal Status Law became available in early 2018 and benefited at least 400 divorced women whose former husbands had not made maintenance payments.

## MIGRANTS’ RIGHTS

While positive measures were adopted in 2017 to combat human trafficking and improve occupational safety, they remained insufficient to ensure the protection of migrant workers’ rights. Migrant domestic workers continued to be inadequately protected from abuse by their employers and agents, and remained at risk of arbitrary detention by the state. According to activists with access to detention facilities, scores of women migrant domestic workers were administratively detained in 2018, mostly because they had been unable to pay visa overstay fees.

Non-Jordanian domestic workers who were not married reported giving birth at home to avoid losing custody of their children and faced barriers registering their children or travelling with them to their home countries. It is illegal in Jordan to give birth outside of wedlock and migrant women were less able than their Jordanian counterparts to access family or community support to circumvent legal threats.

## CHILDREN’S RIGHTS

In September, the government cancelled the requirement of five years’ uninterrupted residence for women married to non-Jordanians as a condition

for their children to access certain rights and benefits, and took the positive step of accepting as official ID the card issued to these children by the Department of Civil Status and Passports. The rights and benefits were related to education, health care, employment, investment, property ownership and obtaining driving licences, in addition to permanent residence.

Citizenship laws continued to discriminate against children of Jordanian mothers and non-Jordanian fathers, who unlike children of Jordanian fathers married to non-Jordanians, were denied Jordanian citizenship.

## **REFUGEES AND ASYLUM-SEEKERS**

Jordan hosted over 670,000 Syrian refugees registered by UNHCR, the UN refugee agency, of whom some 125,000 lived in camps, in addition to over 13,000 Palestinian refugees from Syria and over 2 million long-term Palestinian refugees, among others.

Of 37,000 Syrian refugees in Azraq camp, nearly 9,500 remained in Village 5, an area fenced off from the rest of the

camp. Most people in this area had been transferred there in 2016 on the basis that they would be screened and then relocated outside Village 5. Their status remained unclear. Unlike refugees in other parts of the camp, those in Village 5 were not allowed to leave the area, visit relatives in other parts of the camp, obtain temporary leave permits or access work outside the camp.

In March, the Ministry of Interior launched a campaign to rectify the status of Syrian refugees living informally in urban areas. The campaign targeted Syrians who had left refugee camps without permission to settle in host communities or who had arrived in Jordan across informal border crossings and not registered with UNHCR. The rectification allowed them to benefit from the protection and assistance provided by UNHCR and to receive a Ministry of Interior service card.

The NCHR stated in August that Syrian refugees had been facing an increasing risk of deportation since the beginning of 2017 and that authorities were returning refugees to Dara'a governorate despite the lack of infrastructure and security there.

## **INTERNATIONAL JUSTICE**

In September, Jordan appealed against the International Criminal Court (ICC) ruling that Jordan had failed to comply with its obligations as a state party to the Rome Statute of the ICC for not executing the court's request for the arrest and surrender of Sudanese President Omar Al-Bashir when he visited Jordan in 2017. The ICC had issued two arrest warrants for Al-Bashir on charges of genocide, war crimes and crimes against humanity in Darfur, Sudan.

## **DEATH PENALTY**

Courts continued to hand down death sentences; no executions were carried out.



A Kuwaiti woman holds signs reading in Arabic “no to banning books” and “yes for freedom of mind, yes for freedom to read, and yes for freedom of thought”, during a demonstration outside the National Assembly building in Kuwait City on 29 September 2018, in protest against the government’s new censorship regulations on publications, which resulted in the banning of many books from entering the country. © Yasser Al-Zayyat/AFP/Getty Images

## KUWAIT

State of Kuwait

Head of state: **Sabah al-Ahmad al-Jaber al-Sabah**

Head of government: **Jaber al-Mubarak al-Hamad al-Sabah**

The authorities continued to unduly restrict the rights to freedom of expression and peaceful assembly, including by prosecuting and imprisoning government critics under criminal defamation laws. Members of the Bidun minority continued to face discrimination and were denied the right to a nationality. Migrant workers remained inadequately protected against exploitation and abuse. Courts continued to hand down death sentences; no executions were reported.

### BACKGROUND

Kuwait led mediation efforts to resolve the Gulf crisis that erupted in June 2017, when Bahrain, Egypt, Saudi Arabia and the United Arab Emirates (UAE) severed relations with Qatar. Kuwait remained part of the Saudi Arabia-led coalition engaged in armed conflict in Yemen (see Yemen entry).

The government terminated the employment contracts of over 3,000 foreign employees in the public sector under a nationalization policy.

In September, the government established the National Committee on International

Humanitarian Law; its purpose will be to review judicial verdicts and legislation relating to international humanitarian law in light of the Geneva Conventions.

### FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The rights to freedom of expression, association and peaceful assembly remained curtailed. The authorities prosecuted government critics under provisions of the Penal Code that criminalize speech deemed offensive to the emir or disparaging to neighbouring countries. In August, the government proposed a law that would punish with five years in prison anyone who defames or disparages the crown prince or his deputy.

Blogger and online activist Abdullah Saleh was sentenced in his absence to a total of 25 years' imprisonment in different cases simply for expressing views on social media deemed "insulting" to Bahrain, Saudi Arabia and the UAE. In February, the Court of Cassation upheld the prison sentences of 13 people for publicizing or reciting extracts of a speech by former opposition member of parliament Musallam al-Barrak, for which he was sentenced to two years in prison in 2015. In May, Hamad al-Naqi, who had received a 10-year prison sentence in 2012 for "insulting the Prophet Muhammad and the Sunni Muslim rulers of Saudi Arabia and Bahrain on social media", was pardoned and released after serving half his sentence.

In June, Kuwait's minister of social affairs dissolved the board of directors of the Kuwait Liberal Society for participating in a forum on free thought with a Dutch political party, joining the Arab Liberal Federation (a network of political parties) and fundraising during the month of Ramadan without prior official permission. A member of the Society was sentenced to six months in jail for a Twitter post.

In July, the Court of Cassation upheld the convictions of 16 opposition politicians, human rights defenders and peaceful demonstrators, including eight former or current members of parliament, on charges relating to their participation in a 2011 protest. The convictions were based on politically motivated charges after trials that violated international standards of fairness and contravened the rights to freedom of expression and peaceful assembly. Trial observer Pete

Weatherby, who was part of a legal team monitoring the trial, was blocked from entering the country.

## **DISCRIMINATION - BIDUN**

In March, a law was passed that allows Bidun to join the military. Parliament also approved a draft law that would grant Kuwaiti citizenship to up to 4,000 Bidun, but it had not been enacted by the end of the year.

The authorities continued to withhold citizenship from more than 100,000 Bidun long-term residents of Kuwait, who remained stateless and unable to access a range of public services. In June, the minister of education rejected a parliamentary proposal to register children of Bidun at public schools. According to the ministry's regulations, registration is only allowed for Bidun children born of Kuwaiti mothers, and children and grandchildren of Bidun categorized as "martyrs" after being killed during the Iraqi invasion of 1990.

## **DEPRIVATION OF NATIONALITY**

In October, the Council of Ministers approved the reinstatement of Kuwaiti nationality for several individuals, including government critics, whose citizenship had been revoked several years earlier.

## **MIGRANT WORKERS**

Migrant workers continued to face exploitation and abuse under the *kafala* (sponsorship) system, which ties a worker's visa to their employer

and prevents them from changing jobs without the employer's consent. Migrant domestic workers, mostly women, remained especially at risk and exposed to physical, sexual and psychological abuse by their employers.

In February, the Philippines imposed a ban on the deployment of Filipino workers to Kuwait following the murder of a Filipina domestic worker by her employers. It also facilitated the voluntary repatriation of thousands of migrant workers. Following months of diplomatic crisis, the ban was lifted in May after Kuwait and the Philippines signed a bilateral agreement regulating some working conditions for domestic workers.

## **WOMEN'S RIGHTS**

Women continued to face discrimination in law and practice. In particular, the law accords women fewer rights than men in family matters such as divorce, child custody, inheritance, nationality rights and domestic violence.

## **DEATH PENALTY**

Courts continued to hand down death sentences for offences including murder and drug trafficking; no executions were reported.



An aerial view shows an informal tent settlement housing Syrian refugees in the area of Delhamiyeh, in the central Bekaa Valley, Lebanon, on 17 January 2019. Aid organizations say they are doing their best to distribute emergency aid to the most vulnerable among the estimated 340,000 Syrian refugees living in Bekaa Valley. © Joseph Eid/AFP/Getty Images

## LEBANON

Lebanese Republic

Head of state: **Michel Aoun**

Head of government: **Saad Hariri**

Lebanon hosted 1.5 million refugees from Syria, but kept its border closed to people fleeing the ongoing conflict in neighbouring Syria. It also hosted tens of thousands of other refugees, most of them long-term Palestinian refugees who continued to face discriminatory laws that excluded them from accessing certain services and jobs. The penal code continued to discriminate against women in law and practice. Police harassed and abused lesbian, gay, bisexual, transgender and intersex (LGBTI) people, especially in refugee and migrant communities.

Peaceful activists and others were detained for social media posts that criticized political, religious or economic authorities. Death sentences were passed; there were no executions. A law was passed to create a national commission to investigate the whereabouts of thousands of persons who went missing or were forcibly disappeared during the 1975-1990 armed conflict in Lebanon.

### BACKGROUND

On 6 May, Lebanon held long-awaited parliamentary elections initially scheduled for 2013; a proportional representation system was applied for the first time. On 24 May, the new parliament named Saad Hariri to serve a third term as prime minister. He was

not able to form a government before the year's end due to political feuds.

In April, a conference held in the French capital, Paris, to support Lebanon's development and reform pledged the country an aid package worth over US\$11 billion, comprising US\$10.2 billion in loans and US\$860 million in grants.

In September, parliament held an exceptional session and passed 15 of 28 draft laws that had been put to vote. Most related to the aid package, but parliament also ratified the Arms Trade Treaty and approved a controversial waste management law despite serious concerns about its implications for people's health and the environment. Access to essential services, including electricity and water, remained severely curtailed across the country.

## REFUGEES AND ASYLUM-SEEKERS

Lebanon hosted 1.5 million Syrian refugees, including 950,334 registered with UNHCR, the UN refugee agency, according to update it issued on 30 November. A government decision of May 2015 continued to bar UNHCR from registering newly arrived refugees. Refugees continued to return to Syria throughout 2018 either spontaneously or in groups organized by the Lebanese General Security. UNHCR verified through interviews at its reception centres that, as of 30 November, 4,996 individuals had returned on their own to Syria in 2018, but acknowledged that this number did not reflect the total number of spontaneous returns. It said on 17 December that, so far that year, it had been present at over 70 group returns facilitated by the General Security, involving a total of 9,895 people.

In August, the government facilitated birth registration for Syrian refugees by waiving a requirement that children born in Lebanon between January 2011 and February 2018 had to be registered within a year of birth and that parents had to obtain court documents to register the children. The move was expected to enable more than 50,000 unregistered Syrian children to acquire the necessary documents.

Syrian refugees continued to face financial and administrative difficulties in obtaining or renewing residency permits, exposing them to a constant risk of arbitrary arrest, detention and forcible return to Syria. They also continued to face severe economic hardship.

In January, 15 Syrians – children, women and men – froze to death near the Masnaa border crossing in eastern Lebanon as they were attempting to enter the country irregularly.

Lebanon also hosted tens of thousands of other refugees, most of them long-term Palestinian refugees. Palestinian refugees remained subject to discriminatory laws that exclude them from owning or inheriting property, accessing public education and health services, and working in at least 36 professions. At least 3,000 Palestinian refugees who do not hold official identity documents faced further restrictions, denying them the right to register births, marriages and deaths.

## TORTURE AND OTHER ILL-TREATMENT

Since Lebanon passed an anti-torture law in September 2017, the National Human Rights Institute, which is mandated to oversee the law's implementation, among other tasks, remained inactive. The government failed to allocate it an independent budget or trigger the process for nominating the five members needed to form the National Preventive Mechanism against torture.

In March, a military court acquitted actor Ziad Itani of charges of spying for Israel, and released him. He had spent three and a half months in unlawful detention. The court also charged the former head of the Internal Security Forces' cyber-crimes bureau of fabricating evidence against the actor and falsely accusing him. Ziad Itani reported that he had been tortured in detention; he said that men in civilian clothes had beaten him, tied him in a stress position, hung him by his wrists, kicked him in the face, threatened to rape him, and threatened to hurt and prosecute his family. The authorities failed to investigate the allegations.

## WOMEN'S RIGHTS

Lebanese legislation, including the penal code and personal status codes, continued to discriminate against women.

Women's rights organizations reported that provisions of the penal code that criminalized adultery were discriminatory in practice, with more women being charged under the law than men. They also reported that the law was sometimes used by husbands and other male family members to seek revenge.

Reproductive health services specifically needed by women, such as those relating to abortion, were still criminalized. In practice, abortions were obtained generally through medication and in private clinics. However, the high cost of abortions and the lack of information about them remained barriers to women in vulnerable situations, particularly refugee and migrant women.

Civil society organizations reported that police continued to harass and detain sex workers, even though the selling of

sex is not illegal. A health NGO, SIDC (Soins Infirmiers et Développement Communautaire), reported that, in a survey of 50 women engaging in transactional sex, 45 claimed discrimination or abuse in public health care settings and 10 reported that they had faced physical abuse in detention centres or police stations.

Women migrant workers continued to suffer discriminatory practices under the *kafala* (sponsorship) system restricting their rights to freedom of movement, education and health, including sexual and reproductive health.

## RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

According to reports, police continued to harass and abuse LGBTI people, especially in refugee and migrant communities, sometimes resorting to Article 534 of the penal code, which criminalizes "sexual intercourse contrary to nature".

In May, the Internal Security Forces (ISF) banned several activities organized by Beirut Pride to mark the International Day against Homophobia and Transphobia, and detained the organizer overnight. The ISF cited security concerns following threats by an Islamist group.

In October, the General Security (GS) attempted to shut down a conference of LGBTI activists from the Middle East and North Africa region, organized by the Arab Foundation for Freedom and Equality (AFE). After failing to make the AFE's executive director sign a pledge to cancel all conference activities, GS officers ordered the hotel to shut down the conference. The GS did not explain their concerns, although the action followed threats by an Islamist group.

In July, a district court of appeal ruled that same-sex consensual sex was not a criminal offence.

## FREEDOM OF EXPRESSION

Different security forces arrested and interrogated several human rights defenders, peaceful political activists

and other individuals for social media posts criticizing political, religious or economic authorities. Those targeted had their legal rights violated, including the right to a lawyer. In the course of the interrogations, security officers revealed that they had accessed some of their personal data, such as messages they had sent and received on messaging services and transcripts of phone calls they had made. Most were freed without charge after a short period of detention, but several of the activists arrested were blackmailed into signing pledges that they would refrain from certain activities as a precondition for their release.

## **RIGHT TO HOUSING**

In February, the Central Bank revealed that several banks had nearly exhausted their quota of stimulus funds allocated

for the entire year. As a result, the subsidized loan programme was frozen and there were serious doubts about its future and that of the Public Corporation for Housing, the only official body managing the right to housing for middle- and low-income citizens.

In September, parliament approved an exceptional allocation of US\$66 million to finance housing loans, and gave the government six months to draft a sustainable housing policy.

## **ENFORCED DISAPPEARANCES AND ABDUCTIONS**

In November, parliament passed a law creating a national commission to investigate the whereabouts of thousands of persons who went missing or were forcibly disappeared during

the 1975-1990 armed conflict in Lebanon. Associations of families of the victims concerned, along with partner organizations, had campaigned for such a development for over three decades.

## **INTERNATIONAL JUSTICE**

In September, the closing arguments concluded in *Prosecutor v. Ayyash et al.*, the case relating to the 14 February 2005 attack which killed 22 individuals, including former Lebanese Prime Minister Rafik Hariri, and injured 226 others. At the end of the year, the judges had yet to issue their verdict.

## **DEATH PENALTY**

Courts continued to hand down death sentences; no executions were carried out.



Libyan militiamen loyal to the Government of National Accord, Libya's internationally recognized government, keep watch from a position south of the Libyan capital, Tripoli, on 25 September 2018. © Mahmud Turkia / AFP / Getty Images

## LIBYA

State of Libya

Head of state: **Fayez Serraj (disputed)**

Militias, armed groups and security forces continued to commit with impunity crimes under international law and gross human rights violations and abuses, including war crimes, throughout the year. Clashes between competing militias resulted in an increased number of civilian casualties. Thousands of people were held indefinitely without any judicial process following arbitrary arrest, including many detained since 2011. Torture and other ill-treatment were widespread in state prisons and detention centres controlled by militias

and armed groups. Militias and armed groups contributed to the collapse of law enforcement and the judiciary by harassing judges and lawyers. They were also responsible for kidnappings for ransom, as well as arbitrary arrests and abductions of those identified as political opponents. Thousands of Libyan families remained internally displaced. Refugees, asylum-seekers and migrants suffered serious human rights violations and abuses, including rape and extortion, at the hands of state officials, militias and smugglers. The authorities failed to protect women from gender-based violence by militias and armed groups, and women activists were targeted with gender-based violence and smear campaigns. Courts handed down death sentences, but no executions were reported.

## BACKGROUND

The security situation remained volatile. Militias, armed groups and security forces affiliated to the internationally recognized Government of National Accord (GNA) in the west and the self-proclaimed Libyan National Army (LNA) in the east continued to operate outside the rule of law. The GNA, established under the 2015 UN-brokered Libyan Political Agreement, remained weak as it continued to struggle to exert effective control on the ground.

Four main militias operating under the Ministry of Interior dominated the capital, Tripoli, carving out territorial influence and power, infiltrating government institutions and building economic strongholds.

The political stalemate continued. International calls for UN-backed elections agreed at a summit in Paris, France, in May were overshadowed by the outbreak of conflict in Tripoli in late August. Other international efforts, including a conference held in Palermo, Italy, in November, made little progress, while renewing commitment for elections to take place in the first half of 2019. In mid-May, the LNA, led by General Khalifa Haftar, launched an offensive against the eastern city of Derna, following a blockade it had imposed on the city for a year. The LNA sought to consolidate its power and expel the Derna Security Force (previously known as the Derna Shura Council).

In June, Ibrahim Al-Jodhran, former commander of the Petroleum Facilities Guard, a militia group that between 2013 and 2016 controlled the Oil Crescent region – a coastal area and the source of Libya's main oil exports – launched a military operation to reclaim the region from the LNA. LNA forces quickly regained control of the area. On 15 September, the UN Security Council imposed sanctions on Ibrahim Al-Jodhran, imposing a travel ban and freezing his assets for a series of acts, including attempting to export Libyan oil illegally and attacking oil installations.

## ARMED CONFLICT ABUSES

Militias, armed groups and security forces continued to commit with impunity crimes under international law and gross human rights violations abuses in the context of armed hostilities, including war crimes, throughout the year. Clashes between competing militias resulted in hundreds of civilian casualties including deaths, most due to attacks that were indiscriminate, and made it difficult for people to access basic facilities such as hospitals and schools. Renewed conflict in Tripoli in late August and September cost 115 civilians their lives, according to Ministry of Health figures. The LNA's assault on Derna in May involved intensive aerial and artillery bombardment and led to ferocious fighting on the ground where civilians were killed or injured as a result and exacerbated an already dire humanitarian situation.

The International Criminal Court (ICC) continued to have jurisdiction over crimes under international law committed in Libya since 15 February 2011, under a referral made by the UN Security Council in 2011. On 4 July, the ICC issued a second arrest warrant against Mahmoud al-Werfalli, a former field commander of the Special Forces Brigade (Al-Saiqa) affiliated to the LNA, for the war crime of murder, after he was filmed on 24 January extrajudicially executing 10 people. The killings took place just hours after two car bombs were detonated at the Biala Radwan mosque in the centre of the eastern city of Benghazi. The first warrant for his arrest was issued in August 2017.

## ARBITRARY ARRESTS, DETENTIONS AND ABDUCTIONS

Militias, armed groups and security forces affiliated to the ministries of interior and defence under the Tripoli-based UN-backed GNA and the eastern-based LNA continued to arbitrarily arrest and indefinitely detain thousands of people without charge. Many detainees had been held since 2011 and most were held with no judicial oversight or means to challenge the legality of their detention.

In the west, militias operating as security forces under the GNA regularly conducted arbitrary arrests and abductions of people from their homes and workplaces, targeting victims on the basis of their regional origin, perceived political opinions, profession or perceived wealth in order to extract cash ransoms.

Detainees in Matiga prison on Tripoli's eastern outskirts, run by the Special Deterrent Forces (Radaa), a militia group affiliated to the GNA and on the government's payroll, were held indefinitely without a judicial process. They were kept in overcrowded cells with insufficient food and water and denied access to medical services. On 29 April, Radaa forces arrested Suleiman Qashout, a prominent TV anchor, for organizing a media award ceremony that the militia perceived as contradicting their social values. Radaa forces also used arbitrary detention to exert political pressure on

opponents. Fares Al-Jodhran, a relative of Ibrahim Al-Jodhran, was held throughout 2018 without charge in Matiga prison.

On 15 March, an unknown militia abducted Masoud Erhouma, the military prosecutor of the GNA, in front of his house in Tripoli's Salah Eddine area. In April, news sources reported that he had escaped. On 28 March, an unidentified militia abducted Abdulrauf Beitelmal, head of the Tripoli Municipality Council, from his home. He was held for a day before being released.

On 4 April, Salem Ghreby and Omar Khalifa, both former Guantánamo detainees, were deported from Senegal to Libya, after which their whereabouts were unknown. No official charges were brought against them.

## FREEDOM OF EXPRESSION

Armed groups and militias aligned with the GNA and LNA harassed, abducted and attacked journalists, human rights defenders and other activists, forcing many to flee the country.

On 11 January, members of the Bab Tajoura militia, affiliated to the GNA, abducted Mariam al-Tayeb, a journalist based in Tripoli, near her home because of views she expressed on social media. The group took her to their headquarters, where they beat her until she momentarily lost consciousness. They freed her several hours later following a campaign on Facebook calling for her release.

In January, a woman activist from Benghazi who had used social media to criticize Khalifa Haftar and the LNA was forced to leave Libya along with her entire family when the LNA's Military Intelligence Unit sought to arrest her for her posts.

On 31 July, the GNA-affiliated militia Al-Nawassi brigade, based in Tripoli, arrested four international journalists – Ahmed Elumami (a Reuters correspondent), Hani Amara (a Reuters cameraman) and brothers Mahmoud Turkia and Hamza Turkia (AFP photographers) – while they were covering a story on migration at Abu Sitta naval base in Tripoli. They were released 10 hours later.

In August, journalist and photographer Musa Abdul Kareem was killed in unclear circumstances and his body dumped on the side of a road in the southern city of Sabha, his hometown. Reports indicate that, weeks before his death, he had co-authored an article published in *Fasanea*, a Sabha-based newspaper he edited, around ongoing criminality in the city.

## JUSTICE SYSTEM AND IMPUNITY

The judicial system remained dysfunctional and ineffective. Courts and prosecutors' offices were unable to provide recourse for victims of human rights violations or bring to justice those suspected of criminal responsibility for such abuses. Perpetrators of serious human rights abuses continued to operate without fear of being held to account for their crimes.

Libyan authorities launched initiatives to integrate militias and armed groups into an institutionalized security sector. These attempts overlooked the groups' records of serious human rights abuses and disregarded the need to ensure accountability for past crimes. Militias and armed groups acted as de facto police, abducting individuals they accused of criminal offences and detaining them unlawfully.

In March, Saddik Essour, the head of investigations in the office of the public prosecutor, announced that 205 arrest warrants had been issued for Libyans and foreign nationals suspected of involvement in a smuggling network for migrants heading to Europe. No further steps were taken to implement the warrants.

In central Libya, armed groups abducted judge Abdelsalam Al-Senoussi and prosecutor Ismail Abdelrahman, along with two security officers, from a courthouse in the town of Waddan on 22 July in retaliation for the detention of two people on smuggling charges. All the abducted men were released after two days.

## TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment were widespread in prisons, detention centres and unofficial places of detention, with victims having no possibility of any form of protection or redress. Victims recounted mock executions, beatings and floggings with a rubber hose; many were left with clear signs of torture, including broken limbs.

## INTERNALLY DISPLACED PEOPLE

Thousands of Libyan families remained internally displaced due to the ongoing clashes and hostilities as well as the lack of access to basic services, targeted violence, threats and human rights violations that continued to occur throughout the country. Many had been in a protracted state of displacement since 2011. The UN Special Rapporteur on the human rights of internally displaced persons reported a dire humanitarian situation throughout Libya in which the most vulnerable internally displaced persons had few mechanisms to support themselves and had their access to essential household goods – such as food – reduced due to insecurity, inflation and limited availability of cash in the country. She also noted that many faced serious protection concerns and that state authorities linked to either the GNA or LNA were doing very little to bring an end to their displacement.

On 1 February, Tawerghan families internally displaced since 2011 travelled from the east, south and west of Libya, attempting to return to the town of Tawergha following a decree issued by the Presidential Council - the body created under the Libyan Political Agreement to carry out the functions of the head of state - on 26 December 2017 to initiate a return process. Armed groups blocked the families from returning to their homes, using violence and intimidation, on the pretext that other parts of the agreement had not been fully implemented. Some 202 Tawerghan families subsequently set up camps in the area of Qararat al-Qataf, around 50km south-west of Tawergha, and in Harawa, east of Sirte.

On 3 June, representatives of the city of Misrata and the town of Tawergha signed a reconciliation pact ensuring safe return for the Tawerghan people. However, the GNA did not enforce the agreement.

On 10 August, a militia belonging to the Ghnewa brigade, a GNA-affiliated militia based in Tripoli, attacked the Tariq Al-Mattar camp for internally displaced people in Tripoli, home to over 500 Tawerghan families. The attack resulted in the forced eviction of around 1,900 internally displaced people from the camp by the militia and the arbitrary arrest of 94 residents by the brigade.

## REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

The situation for refugees, asylum-seekers and migrants in Libya remained bleak. Militias and armed groups subjected them to arbitrary arrest and abduction, as well as sexual and other violence and extortion both inside and outside facilities they ran. On 7 June, the UN Security Council sanctioned four Libyan nationals for involvement in human trafficking and smuggling migrants, freezing their assets and imposing travel bans and other measures.

Libyan authorities continued to unlawfully detain refugees, asylum-seekers and migrants, mainly those intercepted at sea, in centres recognized by the authorities, formally operated under the Ministry of Interior and run by the Department for Combatting Illegal Migration (DCIM). These centres were, however, largely controlled by militias who did not necessarily adhere to the central authorities' chain of command. Refugees, asylum-seekers and migrants were kept in appalling conditions. They were also subjected to forced labour, torture and other ill-treatment, and verbal abuse by guards, often to extract money from their families in exchange for their release. Women in particular were subjected to rape in official centres and while being held by armed groups, often resulting in unwanted pregnancies.

There was no judicial oversight over these detention centres. Refugees, asylum-seekers and migrants were held without

any judicial process. They could not challenge their detention and were not offered legal counsel. The DCIM often held women, men and children together, breaching international standards on detention.

Libya, which is not a party to the 1951 UN Refugee Convention, continued to refuse to recognize UNHCR, the UN refugee agency. In the absence of a national asylum framework, the authorities did not recognize the status of refugees. Previously, they had recognized people from certain countries as in need of international protection and released them from detention to UNHCR. In 2018 this practice was halted and the authorities refused to release anyone from detention except those being evacuated by international organizations to third countries or those who paid a bribe.

## **WOMEN'S RIGHTS**

Libyan authorities failed to protect women, including journalists, bloggers, human rights defenders and other activists, from gender-based violence at the hands of militias and armed groups or ensure that they were able to express themselves freely.

Women who spoke out against corruption or the violent actions of militias or the LNA were subjected to threats, abduction and gender-based violence by them. Such women were also subjected to gender-related slurs by militias and smear campaigns on social media, including allegations of adultery and engaging in sex work. Harmful gender stereotypes and social stigma attached to women's activism normalized these forms of abuse and forced many women to withdraw from the public space altogether.

On 27 December, police forces affiliated to the Ministry of Interior in Benghazi raided a café in the city where a group of nearly 20 young girls, most with their mothers, were attending a gathering they had organized on Twitter. The police arrested the manager and staff on grounds of "immoral behaviour".

## **DEATH PENALTY**

Courts imposed dozens of death sentences. In January, a military court in Misrata sentenced Salah Gadhafi to death by firing squad for his involvement in violence in the 2011 uprising in Libya. No executions were reported.



Protesters in the Moroccan city of Al Hoceima shout slogans during a demonstration against the government on 11 June 2017. The demonstration was part of social justice protests in the northern Rif region, commonly known as HIRAK EL-RIF. © Fadel Senna / AFP / Getty Images

## MOROCCO/ WESTERN SAHARA

Kingdom of Morocco

Head of state: **Mohammed VI**

Head of government: **Saad-Eddine El Othmani**

The rights to freedom of expression and assembly were heavily restricted, mainly in relation to peaceful protests in the northern cities of Al Hoceima and Jerada. Courts sentenced journalists, protesters and human rights defenders to long prison sentences following grossly unfair trials. Authorities banned or limited the activities of several associations. In Western Sahara, Moroccan authorities, which administer the non-self-governing territory, used unnecessary force to disperse peaceful demonstrations.

Migrants and refugees continued to face unlawful arrest, detention and forcible return to their countries of origin. Despite flaws, new laws improved protection of women from violence and strengthened the rights of domestic workers.

### BACKGROUND

The UN Security Council prolonged the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO) for six months in both April and October without adding a human rights component.

In December, the parliament adopted a law restoring compulsory military service for men and women, without adequate provision for conscientious objection.

The European Commission increased its financial support to Morocco aimed at containing migration.

### FREEDOM OF EXPRESSION

Journalists, citizen journalists and human rights defenders were sentenced to prison terms for expressing their views peacefully online. Prosecutors used disproportionate and inappropriate security-related charges based on offences in the Penal Code and counter-terrorism legislation.

In February, a court in Al Hoceima sentenced lawyer Abdessadak El Bouchattaoui to two years in prison and a fine for online posts in which he criticized the use of excessive force by the authorities during sustained social

justice protests in the northern Rif region in 2017, commonly known as HIRAK EL-RIF. Later in February, the same court sentenced Nawal Benaissa to a 10-month suspended prison term and a fine for online comments in which she criticized the authorities' approach to HIRAK EL-RIF.

In November, a Casablanca court convicted Taoufik Bouachrine, director of *Akhbar Al-Youm* newspaper, of sexual assault charges that he has always denied and sentenced him to 12 years in prison.

In June, a Casablanca court convicted journalist Rabie Lablak and online citizen journalists Mohamed El Asrihi, of Rif24.com, and Fouad Essaidi, of Facebook page Awar TV, to five years in prison in relation to their coverage of HIRAK EL-RIF. The same court convicted Hamid El Mahdaoui, Badil.info director, to three years' imprisonment for "failing to report a security threat" in connection with the same protests. On 14 November, a Rabat appeal court confirmed the five-year jail sentence against HIRAK EL-RIF protester El Mortada Iamrachen for posts he published on Facebook.

Seven people, including academic Maati Monjib, outspoken journalist Ali Anouzla and other journalists and activists, remained on trial at the end of the year on charges including "threatening state security" for promoting a mobile application for citizen journalism and "advocating terrorism" for an article Ali Anouzla published in 2013.

In June, the UN Working Group on Arbitrary Detention called on Morocco to immediately release Saharawi Equipe Media journalist Mohamed El Benbari, imprisoned since 2015, on the grounds that his detention violated his rights to freedom of expression and association and to a fair trial.

## FREEDOM OF ASSOCIATION

Authorities imposed restrictions on freedom of association by banning or limiting the activities of several associations.

Between January and June, authorities prevented at least five activities related to human rights education that were being organized by the Moroccan Association for Human Rights (AMDH) from taking place. In June they banned a conference on individual freedoms being organized by another NGO, the Democracy and Liberties Collective, which was due to be held in Casablanca. On 26 December, authorities issued a dissolution order against Racines, a cultural association based in Casablanca, after it hosted in its office the recording of three episodes of the controversial web-based chat show *1 dîner, 2 cons*.

The authorities continued to restrict the access to the country of international organizations, including Amnesty International, to conduct research on human rights.

## FREEDOM OF ASSEMBLY

Authorities banned demonstrations or used excessive or unnecessary force at least twice in 2018. Courts used the law on public gatherings to sentence peaceful protesters to harsh prison terms.

On 13 March, the interior minister banned protests in the mining city of Jerada after a series of protests following the December 2017 deaths of two brothers in a mine. The following morning security forces violently dispersed a sit-in by protesters; five police trucks drove into the crowd and ran over at least one individual, paralysing 15-year-old Abdelmoula Ziker's lower body. No investigation was opened. Authorities prosecuted at least 70 people in relation to the peaceful protest.

In June, Moroccan police violently dispersed a peaceful protest in Laayoune during a visit by the UN special envoy for Western Sahara. In September, Moroccan police used unnecessary force against peaceful protesters opposing an EU-Morocco fisheries deal that was agreed in August; the EU Court of Justice had ruled in February that the deal did not apply to the waters adjacent to the territory of Western Sahara.

## UNFAIR TRIALS, TORTURE AND OTHER ILL-TREATMENT

Courts continued to convict activists after grossly unfair trials. In Al Hoceima, Oujda and Casablanca, courts relied heavily on "confessions" extracted under duress. On 26 June, a Casablanca court convicted 53 prisoners detained in relation with HIRAK EL-RIF; the sentences ranged from fines to 20 years in prison. During the trial, the court did not exclude evidence allegedly obtained by torture or other ill-treatment and refused to hear more than 50 defence witnesses. The court held the prisoners in a high-sided box with tinted glass, a practice which is degrading and undermines the presumption of innocence.

By the end of the year, the authorities had yet to establish a National Preventive Mechanism against torture, as provided for by the law on the reorganization of the National Human Rights Council (CNDH), adopted in February, and by the Optional Protocol to the Convention against Torture, ratified by Morocco in 2014.

## DETENTION – PRISON CONDITIONS

Prison authorities moved detainees connected with protests between prisons and to prisons far from their home cities as a form of reprisal.

HIRAK EL-RIF protester Achraf El Yakhoulfi was held in Ain Sbaa 1 Local Prison, known as Okacha prison, near Casablanca, over 550km from Al Hoceima, his home town. In August, he was transferred to another prison between the cities of Taza and Rabat for nine days after he began a hunger strike to protest against the prison administration's refusal to allow him family visits.

In September, Okacha prison officials moved prisoner of conscience Nasser Zefzafi, a leader of HIRAK EL-RIF, out of solitary confinement, in which he had been held since his arrest in May 2017.

## RIGHTS OF MIGRANTS, ASYLUM-SEEKERS AND REFUGEES

From July onward, the authorities launched a widespread and

discriminatory crackdown on thousands of sub-Saharan migrants, asylum-seekers and refugees, especially in the north of Morocco, raiding neighbourhoods and informal settlements inhabited by refugees and migrants. Thousands of sub-Saharan migrants, including children and pregnant women, were unlawfully arrested during the raids and transported to remote areas in the south of the country or close to the Algerian border. On 12 August, two sub-Saharan nationals arrested in Tangiers died during their transfer to the south. In September, dozens of sub-Saharan migrants, including minors, were detained without due process in the basement of the police headquarters in Tangiers for at least four weeks. According to the AMDH, dozens of sub-Saharan migrants arrested in the north were held in an informal detention centre in Arekmane, close to Nador,

Security forces continued to co-operate with the Spanish authorities in the summary expulsion and push-back of migrants and asylum-seekers from Spain to Morocco. Between August and October, the Spanish authorities expelled as a group at least 171 sub-Saharan migrants and potential asylum-seekers to Morocco after they crossed into the Spanish enclaves of Ceuta and Melilla. Moroccan authorities forcibly returned dozens of those arrested and expelled from Spain to their countries of origin, including Cameroon, Côte d'Ivoire, Guinea and Senegal, in some cases in violation of the principle of *non-refoulement*.

On 25 September, the Moroccan navy intercepted a boat with at least 15 Moroccan nationals in Moroccan waters close to the northern town of Fnideq. They shot at them to make them stop the boat,

apparently believing they were migrants seeking to reach Spain. A woman was killed and three men were injured.

## **WOMEN'S RIGHTS**

A law to combat violence against women came into effect in September. It introduces new offences, increases existing penalties in cases of spousal or family violence, proposes new measures to protect survivors of violence during and after judicial proceedings, and establishes new bodies to co-ordinate and complement judicial and governmental efforts to combat violence against women. However, it fails to define rape in line with international standards or recognize marital rape. It also perpetuates derogatory gender stereotypes and does not address obstacles to accessing justice and services for survivors of violence owing to the continuing criminalization of consensual sexual relations outside marriage.

Women continued to be subjected to sexual and gender-based violence and were discriminated against in practice. Abortion remains criminalized unless the health of the mother is at risk, and is subject to spousal consent, which restricts women's autonomous decision-making. In all other cases, women seeking or undergoing abortion and health professionals alike risk imprisonment and other penalties.

## **RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE**

Same-sex sexual relations remained a criminal offence punishable by up to three years in prison under Article 489 of the Penal Code. LGBTI people continued to face police harassment. Victims of

homophobic and transphobic attacks reported being afraid to approach the police to file complaints because of the risk of arrest under Article 489.

## **RIGHTS OF DOMESTIC WORKERS**

In October, parliament passed a new law on domestic workers. It stipulates that domestic workers are entitled to written contracts, maximum working hours, guaranteed days off, paid vacations and a specified minimum wage. It sets the minimum age for domestic workers at 18, with a phase-in period of five years, during which 16- and 17-year-old domestic workers can still work. Employers who violate these provisions will face financial penalties, with prison sentences for repeat offenders in some cases. Despite these gains, the new law still offers less protection to domestic workers than the Moroccan Labour Code, which does not refer to domestic workers.

## **DEATH PENALTY**

Courts continued to hand down death sentences. No executions had been carried out since 1993.

## **POLISARIO CAMPS**

The Polisario Front again failed to hold to account those responsible for committing human rights abuses in the 1970s and 1980s in the camps that have been under its control since that period.



Construction workers stop to watch the 2015 Tour of Oman, a 161km road race from Bayt Al Naman Castle to Al Wutayya on 17 February 2015 in Muscat, Oman.  
© Bryn Lennon / Getty Images

## OMAN

Sultanate of Oman

Head of state: **Qaboos bin Said Al Said**

Head of government: **Qaboos bin Said Al Said**

The authorities continued to unduly restrict freedom of expression by arresting, detaining and harassing activists and government critics. A new penal code contained harsh penalties for the peaceful exercise of a range of human rights. Women continued to face discrimination in law and practice. The death penalty remained in force; no executions were reported.

### BACKGROUND

In January, hundreds of Omanis took to the streets to protest peacefully against high unemployment rates, prompting

the government to temporarily freeze recruitment of foreign workers in the private sector and launch a plan to secure some 25,000 jobs for nationals. It warned it would prosecute private establishments that failed to comply with the government's "Omanization" policies.

Oman maintained a neutral stance in the regional crisis in which Bahrain, Egypt, Saudi Arabia and the United Arab Emirates severed relations with Qatar.

### ARBITRARY DETENTIONS AND UNFAIR TRIALS

The authorities carried out waves of arbitrary arrests of residents in Musandam province. Between April and July, tens of residents were summoned for interrogation for electronically circulating information about the history of the province. Many were released several days later. Five men, all from

the al-Shuhuh tribe and including a national of the United Arab Emirates, were arrested in May and April and held incommunicado for several months. The authorities did not disclose the legal basis for their arrest, citing only vague "national security" grounds. The five men's trials began in July. The accused were not permitted to speak to their lawyers or receive or review any documents relating to the case before trial, violating international standards of fairness. Between August and October, a court in Muscat sentenced the five men to life imprisonment on charges that included "using information technology to prejudice the security and unity of the country and its territories".

### FREEDOM OF EXPRESSION

In January, a new penal code entered into force. It substantially increased jail terms prescribed for the exercise of

some rights and contains vaguely worded provisions that give sweeping powers to the authorities. For instance, Article 97 considers speech against the sultan, the head of state, a crime against national security and punishable with between three and seven years' imprisonment. Similarly, Article 102 provides for imprisonment for between three months and three years for disparaging foreign heads of state or state representatives visiting Oman. Other overly broad articles weakened the protection of activists, bloggers and dissidents. Blasphemy provisions criminalize the peaceful exercise of the rights to both freedom of expression and freedom of religion and belief.

In April, the Internal Security Forces detained online activist Youssef Sultan al-Arimi for two weeks for views he published on social media. On 28 April, internet activist Hassan al-Basham, whose three-year prison sentence was confirmed by a court of appeal in November 2017 on charges related to online expression, died in prison after his health deteriorated. In June, the authorities pardoned and released writer and cinema critic Abdullah Habib, who was imprisoned in April for "blasphemy" and "using the internet for what would prejudice public order".

The authorities also hindered journalists' access to information on human rights issues.

## **FREEDOM OF ASSOCIATION AND ASSEMBLY**

The new penal code also threatens to stamp out civic space by criminalizing forms of association "aimed at combating the political, economic, social or security principles of the state".

The right to freedom of peaceful assembly also continued to be tightly controlled. At least 30 people were arrested for protesting against unemployment in January but later released. In May, the public prosecution affirmed it would take legal measures against tribal assemblies and anyone who assists or promotes these on social media.

## **WOMEN'S RIGHTS**

Women continued to face discrimination in law and practice. They are not accorded equal rights in law in relation to matters such as divorce, child custody, inheritance and passing their nationality on to their children. Gender-based violence and marital rape are not prohibited by law.

## **RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE**

Same-sex sexual relations continued to be criminalized under the new penal code issued in January.

## **DETENTION CONDITIONS**

Amnesty International received several consistent reports of mistreatment in detention, including beatings and medical neglect. Severe physical abuse, including beatings with metal pipes, were reported at the headquarters of the criminal investigations unit in the Qurum area of Muscat. Amnesty International also received credible allegations of unsanitary conditions and medical neglect of seriously ill prisoners at Samail prison in the mountains of northern Muscat.

## **MIGRANT WORKERS**

Migrant workers continued to face exploitation and abuse as a result of the restrictive *kafala* (sponsorship) system, that ties them to their employers. Migrant workers depend on their employers, who also act as their sponsors, to enter the country and cannot change jobs without their permission. This severely limits their ability to escape abusive working conditions and facilitates exploitation. Domestic workers continued to bear the brunt of this system and remained excluded from the protection of the labour law.

## **DEATH PENALTY**

The new penal code retained the death penalty for a range of crimes. No executions were reported during the year.



*Palestinians clash with policemen during a demonstration to protest against a decision by the Palestinian authorities to grant public land to the Russian church, in the West Bank city of Hebron, on 4 February 2017. © Hazem Bader / AFP / Getty Images*

## PALESTINE (STATE OF)

Palestine (State of)

Head of state: **Mahmoud Abbas**

Head of government: **Rami Hamdallah**

The Palestinian authorities in the West Bank and the Hamas de facto administration in the Gaza Strip continued their crackdowns on freedom of expression and peaceful assembly. Palestinian forces in the West Bank and Gaza used arbitrary arrests and detention against people criticizing the authorities to which they reported. Widespread torture and other ill-treatment of detainees remained common and were committed with impunity under both authorities. Security forces

in the West Bank used excessive force while conducting arrests and dispersing peaceful protests. The Palestinian authorities based in Ramallah continued to impose punitive measures against people in Gaza that exacerbated the dire humanitarian crisis resulting from Israel's 11-year illegal blockade. Women in both the West Bank and Gaza faced discrimination and violence. Courts in Gaza continued to hand down death sentences. Lesbian, gay, bisexual, transgender and intersex (LGBTI) people were subjected to arbitrary arrest and ill-treatment.

### BACKGROUND

The divisions between the Fatah-led Palestinian authorities in the West Bank and the de facto Hamas administration

in the Gaza Strip deepened following an assassination attempt on Palestinian Prime Minister Rami Hamdallah on 13 March during a visit to Gaza. Efforts by Egypt to reconcile the rival political parties of Fatah and Hamas broke down.

In April, the Central Council of the Palestinian Liberation Organization (PLO) convened for the first time in 22 years in response to the USA's recognition of Jerusalem as Israel's capital. Hamas and Islamic Jihad, neither of which is currently a member of the PLO, were invited to the meeting but did not attend; the Popular Front for the Liberation of Palestine, which is a member, boycotted the meeting, seeing it as a way for the Palestinian president to circumvent democratic processes.

A new social security law approved by the Palestinian government in Ramallah came into force on 1 November. The law faced strong popular opposition, drawing some of the largest demonstrations in the West Bank in years. Opponents of the law were worried that monthly employee deductions would be unmanageable for workers and that the Palestinian authorities were either not stable enough or too corrupt to guarantee the security of their contributions.

In September, the US administration stopped funding the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which provides vital services for some 5 million Palestinian refugees. The decision left shortfalls in humanitarian funding in the Occupied Palestinian Territories, particularly the Gaza Strip where almost 80% of the population depends on aid.

Gaza remained under an Israeli air, sea and land blockade, in force since 2007. Egypt continued to enforce an almost total closure of the Rafah border crossing with Gaza, compounding the dire economic and humanitarian situation for Gaza's 2 million inhabitants. The UN Office for the Coordination of Humanitarian Affairs warned that Gaza was on the brink of a humanitarian catastrophe.

## **FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

With the Palestinian Legislative Council still dormant, President Mahmoud Abbas issued decrees that restricted freedom of expression and peaceful assembly, and limited the ability of civil society organizations to operate freely. Meanwhile, the authorities in both the West Bank and Gaza arbitrarily arrested peaceful demonstrators and critics, including journalists, university students and human rights activists, and persisted in their crackdown on online expression.

According to the Palestinian Centre for Development and Media Freedoms, an NGO, the Palestinian authorities in the West Bank were responsible for 77 attacks on media freedom during the year. These included arbitrary arrests,

ill-treatment during interrogation, confiscation of equipment, physical assaults and bans on reporting. The Hamas authorities in Gaza were responsible for 37 such attacks.

The Palestinian authorities in the West Bank continued to clamp down on online freedom of expression through the amended Electronic Crimes Law. In May, Ahmad Awartani, a youth council leader in the town of Anabta, was charged with defamation in relation to a Facebook post in which he said that he did not pledge loyalty to President Abbas.

In July, Palestinian forces arrested four Palestinian activists, including one journalist, because of their online activism and opposition to the sanctions imposed on Gaza by the Ramallah-based authorities. On their release, Ibrahim al-Masri, Huthifa Abu Jamous, Hussein Shejaiya and Ghassan Atawneh were told that action would be taken against them under the Electronic Crimes Law if they did not sign a pledge to refrain from inciting opposition to the Ramallah-based authorities on social media.

## **EXCESSIVE USE OF FORCE**

Security forces in the West Bank and Gaza continued to use excessive force to disperse peaceful demonstrations and during arrests.

On 13 June, the West Bank-based security forces quashed a demonstration organized by Palestinian activists in Ramallah demanding that the Ramallah-based authorities lift the sanctions imposed on the Hamas-run Gaza Strip. At least 52 demonstrators and bystanders were arbitrarily arrested and beaten in detention. Amnesty International staff member Laith Abu Zeyad was among those arbitrarily detained and beaten. He had been apprehended and attacked by two security officials in civilian clothes on his way to monitor the demonstration.

On 18 June, men in civilian clothes affiliated with the Hamas de facto administration attacked a peaceful demonstration calling for an end to the 11-year political division between

Fatah and Hamas, including by beating protesters with batons and forcing journalists to delete photos and videos of the demonstration.

On 9 August, Palestinian security forces killed Ibrahim Odeh al-Jahalin from the town of al-Ezariyeh in the West Bank during an operation targeting the illegal sale of diesel fuel. The young man was a bystander and was mistakenly shot in the head in a situation where the use of lethal force was unnecessary.

On 20 September, customs police in the West Bank city of Jericho severely beat a grocery store owner in the village of al-Auja for allegedly selling unlicensed tobacco products. A video shows masked men carrying weapons and assaulting the man and his two sons. The Ramallah-based authorities announced they would open an investigation.

## **TORTURE AND OTHER ILL-TREATMENT**

While the State of Palestine's ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment on 29 December 2017, Palestinian security forces in both the West Bank and Gaza continued to use widespread torture and other ill-treatment with impunity. The Independent Commission for Human Rights (ICHR) received 285 allegations of torture and other ill-treatment of detainees held in the West Bank and Gaza.

On 3 August, Ahmad Abu Hamada, also known as "Zabour", died in custody. Palestinian police said he suffered a heart attack while his family claimed that his death was a result of ill-treatment. His family called for an investigation, but the Palestinian government did not open one.

## **ARBITRARY DETENTION**

Palestinian authorities in the West Bank used a 1954 law to administratively detain dozens of people on the order of a regional governor, many on political grounds, according to Palestinian human rights organizations. Such detentions require no charges and lack due process. The ICHR documented 201 cases of such detentions.

## **WOMEN'S RIGHTS**

Women and girls continued to face discrimination in law and practice, and were inadequately protected against sexual and other gender-based violence, including so-called "honour" killings. At least 21 women and girls were reported to have been killed in the West Bank and Gaza, mainly by male relatives in "honour" killings, according to civil society organizations.

On 14 March, in a welcome step, Palestinian authorities repealed Article 308 of the 1960 Penal Code that had allowed individuals suspected of rape to avoid prosecution and imprisonment if they married their victims.

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Despite increasing protests both in Gaza and the West Bank the Palestinian authorities based in Ramallah continued to impose punitive measures against Gaza; these included decreasing electricity and water subsidies, restricting the entry of medicine, and decreasing or freezing salaries together with cutting off financial assistance to hundreds of families. For example, in May, the West Bank authorities imposed new salary cuts to some 38,000 civil servants in Gaza, without warning or justification; their salaries dropped to 35% of their value in 2016, severely impacting their and their families' right to an adequate standard of living.

## **DEATH PENALTY**

In June, the State of Palestine acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. However, neither the Palestinian authorities in the West Bank nor the Hamas de facto administration in Gaza took any steps to translate this commitment into practice.

In Gaza, Hamas-administered courts sentenced at least 12 people to death.

## **RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE**

Even though same-sex relationships were not criminalized in the West Bank, alQaws for Sexual and Gender Diversity in Palestinian Society, a civil society organization, documented five cases of LGBTI activists who were arbitrarily arrested and ill-treated by Palestinian security forces in the West Bank; all were released after a few hours. The organization also reported that a number of other LGBTI individuals were arbitrarily arrested and questioned by such forces.

Meanwhile, Section 152 of the Penal Code applicable in Gaza continued to criminalize homosexual acts and consider them punishable by up to 10 years' imprisonment.

## **ABUSES BY ARMED GROUPS**

Palestinian armed groups in Gaza occasionally fired indiscriminate rockets into Israel, killing one Palestinian civilian. While the Hamas authorities prevented rocket firing much of the time, they failed to prosecute those responsible. While most of the Palestinian attackers responsible for stabbing, shooting and carrying out other attacks on Israelis in the West Bank and Israel, which killed eight Israeli civilians during the year, were not members of Palestinian armed groups, these groups frequently praised the attacks.

## **JUSTICE SYSTEM**

On 5 September, 14 of the 27 judges on the Palestinian Supreme Court resigned in protest at the amendment of the judicial authority law by the Justice Sector Development Committee established by President Abbas by decree on 6 September 2017. The Palestinian Judges' Club said that the amendment would bring the judicial sector fully under the control of the executive.

The Palestinian authorities in the West Bank received judicial backing to consider the police as a military rather than a civilian institution. As a result, police officers could only be tried in military courts, making it harder for victims of police abuse to access justice.



A construction worker takes a break at a building site in Doha, Qatar, on 10 May 2014. © Warren Little / Getty Images

## QATAR

State of Qatar

Head of state: **Tamim bin Hamad bin Khalifa Al Thani**

Head of government: **Abdullah bin Nasser bin Khalifa Al Thani**

Qatar acceded to two major international human rights treaties, but included reservations that limited their effect, particularly with regards to the rights of women and migrants. It also passed a political asylum law. The government made some positive reforms in relation to migrant workers, including the partial removal of the requirement for an exit permit and the introduction of a labour dispute mechanism. However, migrant workers continued to be at risk of exploitation and abuse. Freedom of expression remained unduly restricted. A new law was issued allowing the children of Qatari women married to non-Qataris to acquire permanent residency, but they were still unable to acquire Qatari

nationality. More generally, women continued to face discrimination in law and practice. Courts issued death sentences; no executions were reported.

### BACKGROUND

The diplomatic crisis between Qatar and its Gulf neighbours of Saudi Arabia, Bahrain and the United Arab Emirates (UAE) persisted. Sanctions imposed by these states against Qatar separated multinational families, cut short international students' education, eliminated cross-border jobs, and caused a rise in food prices in Qatar that was detrimental for low-income classes, especially migrant workers.

Qatar contested before the International Court of Justice sanctions imposed by the UAE, arguing that the UAE's order for all Qataris to leave the country violated its obligations under the Convention on

the Elimination of All Forms of Racial Discrimination. In July, the court issued provisional orders for the UAE to allow former Qatari residents to complete academic studies, access courts and reunite with family members in the UAE.

Several hundred members of the al-Ghufran clan of the al-Murra tribe remained stateless. They continued to face severe socioeconomic marginalization and their children were born stateless.

### LEGAL DEVELOPMENTS

Qatar acceded to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) in May. However, its inclusion of reservations significantly reduced the scope of the treaties' human rights protection. Some of these reservations undermined the object and purpose of these treaties. For example, Qatar rejected Article 3 of the ICCPR on "the

equal right of men and women in the enjoyment of all civil and political rights” because it “contravenes” the provision of the Constitution that states that only male descendants of the Al Thani dynasty may inherit rule over the state. Similarly, it rejected Article 3 of the ICESCR on “the equal right of men and women in the enjoyment of all economic, social and cultural rights” and Article 23(4) of the ICCPR on “equality of rights and responsibilities” in marriage. Qatar also stated upon accession that it would interpret as it chose provisions concerning inhuman treatment, freedom of conscience and the right of religious minorities to practise their faith. Another reservation concerning migrant workers’ right to unionize impinged on freedom of association.

Qatar passed a political asylum law in September, a positive move weakened by problematic aspects such as the broad discretion granted to the Minister of Interior over asylum applications, the risk of impunity associated with the law’s exclusion provisions, and the power of the Minister of Interior to deport refugees if they engage in “political activity” in Qatar.

## MIGRANTS’ RIGHTS

The government introduced some positive reforms in relation to migrant workers, who made up more than 90% of Qatar’s workforce. However, they continued to be at risk of exploitation and abuse. Despite new legislation relating to exit permits, the sponsorship system continued to tie migrant workers to their employers by limiting their ability to change jobs without the employer’s permission during the period of their contract, which could be up to five years.

On 18 March, labour dispute resolution committees, a fast-track judge-led mechanism, became operational. While it increased the speed with which workers’ labour complaints were considered, cases were not settled within the three-week period specified in the law, with hundreds of cases taking over three months to be finalized. Workers whose companies were facing financial trouble were still unable to reclaim unpaid wages.

On 29 April, the International Labour Organization (ILO) opened an office in Doha as part of a three-year technical

co-operation agreement under which the Qatari government committed to revising its laws in line with international labour standards and with the guidance of ILO experts.

On 28 October, Law No. 13 of 2018 entered into force. It partially removed the exit permit requirement, allowing the vast majority of migrant workers covered by the Labour Law to leave the country without seeking their employers’ permission. However, the law retained some exceptions, including the ability of employers to request exit permits for up to 5% of their workforce, depending on the nature of their work. Exit permits were still required for employees who fell outside the remit of the Labour Law, including over 174,000 domestic workers in Qatar and all those working in government entities.

Domestic workers, mostly women, continued to be particularly at risk of exploitation and abuse despite the domestic workers law passed in 2017. The law failed to protect domestic workers adequately, both in terms of falling short of international standards and poor enforcement. Some domestic workers were able to successfully claim their unpaid wages at the labour dispute resolution committees.

Unlike Qatari nationals, migrant workers were still unable to form or join trade unions, and the government’s reservations to the ICCPR and ICESCR suggested that this was unlikely to change in the near future.

On 30 October, the Emir established the Workers’ Support and Insurance Fund to provide, among other things, funds to pay workers who won their cases before labour dispute resolution committees but failed to recover the money from companies. The fund was not yet operational by the end of the year.

Third-party auditors of projects for football’s World Cup in 2022 in Qatar showed that abuses such as contract substitutions and excessive working hours remained present in a significant majority of contractors they investigated. At least 78 migrant workers from India, Nepal and the Philippines employed by MENA Mercury, an engineering company working on projects linked to the World Cup, were stranded for months in Qatar

living in squalid conditions without money after the company failed to pay them. The workers, many of whom had accumulated large debts due to exploitation by recruitment agents, were still waiting for their unpaid wages at the end of the year.

## FREEDOM OF EXPRESSION

Freedom of expression remained restricted in law. For example, Article 138 of the Penal Code still provided for the punishment with imprisonment of anyone insulting the flag of Qatar or one of its allies and Article 278bis of the law continued to authorize the closure of newspapers running fundraising advertisements by groups without a fundraising permit.

In January, two members of the Federation of Nepali Journalists attending an event in Doha on freedom of the press were arrested and deported.

Najeeb al-Nuaimi, a lawyer who represented the writer Mohammed al-Ajami while he was imprisoned for a poem critical of the ruling family, remained banned from travelling.

## WOMEN’S RIGHTS

Women continued to face discrimination in law and practice. Family law discriminated against women, including by making it much harder for women than men to seek a divorce, and placing women at a severe economic disadvantage if they sought a divorce or their husband left them.

In September, a new law was issued allowing the children of Qatari women married to non-Qataris to acquire permanent residency. However, they were still unable to acquire Qatari nationality because of discriminatory provisions in the nationality law.

Women remained inadequately protected against violence, including within the family.

## DEATH PENALTY

New death sentences were issued against foreign nationals convicted of murder. No executions were reported.



Saudi Arabian human rights defenders and activists. Top row (left to right): Samar Badawi, Aziza al-Yousef, Loujain al-Hathloul. Bottom row (left to right): Iman al-Nafjan, Nassima al-Sada, Mohammad Salih al-Bajadi. © Private

## SAUDI ARABIA

Kingdom of Saudi Arabia  
Head of government: **Salman bin Abdulaziz Al Saud**

The authorities severely restricted the rights to freedom of expression, association and assembly. Many human rights defenders and government critics, including women's rights activists, were arbitrarily detained. The public prosecution called for the execution of Shi'a activists and religious clerics for expressing dissent. Many activists were sentenced to lengthy prison terms, including under counter-terrorism legislation following grossly unfair trials before the Specialized Criminal

Court (SCC). A Saudi Arabian journalist was extrajudicially executed in the Saudi Arabian consulate in Istanbul, Turkey. The authorities used the death penalty extensively, carrying out scores of executions for a range of crimes, including drug offences. Torture and other ill-treatment of detainees remained common. Despite limited reforms, including allowing women to drive, women faced systematic discrimination in law and practice and were inadequately protected against sexual and other violence. Discrimination against the Shi'a minority remained entrenched. The authorities continued to arrest, detain and deport foreign workers to countries where they were at risk of human rights violations.

## BACKGROUND

Crown Prince Mohammad bin Salman embarked on a widely publicized tour of the UK, USA, France and Spain early in the year. The UK and Saudi Arabia announced a humanitarian partnership worth over US\$100 million to create vital infrastructure in drought and conflict-stricken countries. The USA and Saudi Arabia sealed a multi-billion dollar weapons deal during Crown Prince Mohammad bin Salman's visit to the USA.

The Saudi authorities faced little international criticism for the continued crackdown on human rights defenders and others, or the wave of arbitrary detentions of prominent women's rights

activists in May. The only country that voiced some criticism was Canada; the Saudi Arabian government responded with punitive diplomatic and economic measures. However, the EU and several European states condemned the extrajudicial execution of Saudi Arabian journalist Jamal Khashoggi in Turkey in October (see below).

The Saudi Arabia-led coalition committed war crimes and other serious violations of international law during its continuing military campaign in neighbouring Yemen (see Yemen entry).

There was no resolution to the regional crisis in which Bahrain, Egypt, Saudi Arabia and the United Arab Emirates (UAE) severed relations with Qatar in 2017.

## **FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

The authorities escalated their repression of all forms of dissent, including peaceful expression in support of human rights, both online and offline. They harassed, arrested and prosecuted government critics, academics, clerics, members of the Shi'a minority and human rights defenders, including women's rights activists. Several human rights defenders were sentenced to prison terms for their activism. Other activists and government critics detained in September 2017 faced trial before the SCC.

In June, in his report of a 2017 visit to Saudi Arabia, the former UN Special Rapporteur on the promotion and protection of human rights while countering terrorism expressed concerns about Saudi Arabia's use of its counter-terrorism law against individuals peacefully exercising their rights to freedom of expression, association and assembly. The cyber-crime law continued to criminalize criticism of government policy and practice as well as commentary on current affairs. Activists and human rights defenders were sentenced to lengthy prison terms for the peaceful exercise of their rights to freedom of expression, association and assembly under this law.

Economics writer Essam al-Zamel was brought before the SCC in October. He was accused of, among other things, sowing discord through his writings on Twitter and meeting foreign diplomats and providing them with information and analysis about the kingdom's policies without informing the Saudi Arabian authorities.

The authorities did not permit political parties, trade unions or independent human rights groups, and continued to prosecute and imprison those who set up or participated in unlicensed human rights organizations. All gatherings, including peaceful demonstrations, remained prohibited under an order issued by the Ministry of Interior in 2011.

## **HUMAN RIGHTS DEFENDERS**

The authorities continued to imprison human rights defenders, arresting and prosecuting them under counter-terrorism and other laws. By the end of the year, virtually all Saudi Arabian human rights defenders were in detention or serving prison terms, or had been forced to flee the country.

In January, the SCC sentenced Mohammad al-Otaibi and Abdullah al-Attawi to 14 and seven years in prison respectively, on charges based on provisions of the counter-terrorism law and its follow-up decrees, as well as the cyber-crime law. They were sentenced on account of their peaceful activism and for setting up a human rights organization. In February, Issa al-Nukheifi and Essam Koshak were sentenced to six and four years in prison respectively, to be followed by travel bans of equal lengths, for their Twitter posts criticizing the authorities and calling for human rights reforms.

The current Special Rapporteur on the promotion and protection of human rights while countering terrorism, together with five other UN Special Procedure mandate holders, deplored "Saudi Arabia's continued use of counter-terrorism and security-related laws against human rights defenders" and urged it to "end the repression and release all those detained for peacefully exercising their rights".

In May, the authorities launched a wave of arrests targeting many individuals, including prominent women's human rights defenders. Among those arrested were Loujain al-Hathloul, Iman al-Nafjan and Aziza al-Yousef, who had campaigned against the ban on women driving and the male guardianship system. Ibrahim al-Modeimigh, a lawyer and human rights advocate, and youth activist Mohammad al-Rabea were accused in state-aligned media of violating Royal Decree 44/A, a follow-up decree to the 2014 counter-terrorism law, for their human rights work and women's rights activism; they were smeared as traitors and agents of foreign embassies. They were detained incommunicado and in solitary confinement for the first three months of their detention. Ibrahim al-Modeimigh was released in December. The others remained detained without charge or trial at the end of the year.

Mohammed al-Bajadi, founding member of the Saudi Civil and Political Rights Association (ACPRA), was rearrested in May. The authorities had forced ACPRA to disband in 2013.

In August, two other prominent women human rights activists, Samar Badawi and Nassima al-Sada, were arbitrarily detained. They remained held without charge or trial at the end of the year.

Scores of other activists and human rights defenders, including members of ACPRA, continued to serve lengthy prison sentences on charges based on their peaceful human rights work.

## **EXTRAJUDICIAL EXECUTIONS**

In October, Saudi Arabian journalist Jamal Khashoggi was extrajudicially executed inside the Saudi Arabian consulate in Istanbul. Almost three weeks after his disappearance in the consulate on 2 October, and following conflicting reports about his fate, including claims by the Saudi Arabian authorities that he had left the consulate unharmed, the Saudi Arabian public prosecution announced that he had died following a "fist fight" inside the

consulate. In November, Turkey's chief prosecutor said that Jamal Khashoggi was strangled as soon as he entered the consulate and then dismembered as part of a premeditated plan. The UN High Commissioner for Human Rights pressed for an impartial investigation and urged the Saudi Arabian authorities to reveal the whereabouts of Jamal Khashoggi's body. By year's end, Saudi Arabia had not set up an independent investigation into the killing.

## DEATH PENALTY

Courts continued to impose death sentences for a wide range of crimes, including drug offences and conduct that is not recognized as crimes under international law and standards, such as "sorcery" and "adultery". The authorities generally failed to abide by international standards of fair trial and safeguards for defendants in capital cases. Such cases were often held in secret and their proceedings were summary with no legal assistance or representation, as well as no translation services for foreign nationals through the various stages of detention and trial. Death sentences were regularly based on "confessions" which defendants said were extracted under torture.

In November, the families of 12 Saudi Arabian men sentenced to death after a grossly unfair mass trial learnt that the cases of their relatives had been transferred to the Presidency of State Security, a body reporting directly to the king. However, it was unclear whether their sentences had been ratified by the king before the end of the year.

The authorities routinely failed to inform families of their relatives' imminent execution or failed to inform them immediately after executions had been carried out. In October, the authorities executed Tuti Tursilawati, an Indonesian domestic migrant worker, without informing her family or the Indonesian authorities prior to her execution.

The authorities continued to use the death penalty as a tool to crush dissent, as manifested in the public prosecution's

recurring calls for the execution of several Shi'a activists and religious clerics on charges related to the peaceful exercise of their rights to freedom of expression, association and assembly. Prominent religious cleric Sheikh Salman al-Awda, who was arbitrarily detained in September 2017, was at risk of the death penalty after the public prosecution called for his execution on charges related to, among other things, his affiliation to the Muslim Brotherhood and his calls for government reforms and regime change in the Arab region. Five Shi'a activists, including Israa al-Ghomgham, also faced the death penalty for charges related to their participation in protests for greater rights and reforms in the Shi'a-majority Eastern Province.

In August, the king issued the Law on Juveniles. This stipulated a maximum prison sentence of 10 years for juveniles in cases where they might otherwise be sentenced to death, except for crimes punishable by death under Shari'a (Islamic law). By excluding these, it fell short of international human rights law, which strictly prohibits the use of the death penalty against people under the age of 18 at the time of the crime. At least four juvenile offenders remained at risk of imminent execution at the end of the year.

## TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment of detainees remained common and widespread, particularly to extract "confessions". In his June report, the former UN Special Rapporteur on the promotion and protection of human rights while countering terrorism noted that trial judges did not appear to take seriously allegations of torture or other ill-treatment, and expressed particular concern that the SCC had refused to launch investigations into allegations of torture.

In March, reports emerged that, among those detained in a wave of anti-corruption arrests of current and former officials and businessmen in November

2017, one had died in custody and at least 17 needed hospital treatment after being subjected to physical abuse.

In November, several activists, including a number of women detained since May 2018 in Dhahban prison outside the city of Jeddah, were reportedly tortured, sexually harassed and otherwise ill-treated during interrogation. One of the activists reportedly attempted to take her own life repeatedly inside the prison.

## WOMEN'S RIGHTS

On 24 June, the royal decree lifting the driving ban on women in Saudi Arabia entered into force, allowing women to drive in the country. A month earlier, women's rights activists and the leading campaigners for women's right to drive were arbitrarily detained (see above).

In February, the Ministry of Commerce and Investment announced that women did not need the permission of a male guardian to start their own business. This followed a royal decree issued in 2017 calling on government entities to refrain from requesting the authorization of a male guardian for any services unless stipulated in existing regulations that required it. However, these promised reforms largely appeared not to be implemented in practice. The Committee on the Elimination of Discrimination against Women noted with concern the lack of enforcement of a 2012 ministerial decree stipulating that women no longer needed a guardian's permission to work. As a result, women were still required to have permission from a male guardian – their father, husband, brother or son – to enrol in higher education, seek employment, travel or marry.

Women and girls continued to face discrimination in law and practice more broadly. Saudi Arabian women married to foreign nationals could not pass on their nationality to their children, unlike men in a similar situation. The Committee on the Elimination of Discrimination against Women commented with concern on the low participation of women in the labour market in its concluding observations on

Saudi Arabia's third and fourth periodic reports. It also noted with concern that access to education for disadvantaged groups of girls, especially migrant girls, girls with disabilities and girls living in rural and remote areas and in poverty remained limited.

The Shura Council debated a proposal to regulate and limit child marriages by stipulating strict conditions to the marriage of girls under the age of 18, which specialized judges must ensure are fulfilled. However, women and girls remained inadequately protected from sexual and other forms of violence.

## **DISCRIMINATION – SHI'A MINORITY**

Shi'a Muslims continued to face discrimination because of their faith, limiting their right to express religious

beliefs and access justice, as well as the right to work in a number of public sector professions and access state services.

Shi'a activists accused of supporting or taking part in demonstrations in Eastern Province or expressing views critical of the state were put on trial and in some cases faced the death penalty following unfair trials.

## **MIGRANTS' RIGHTS**

The authorities continued their crackdown on irregular migrants, arresting, detaining and deporting over 2 million foreign workers. In October, the Ministry of Interior announced that about 1.9 million people had been arrested and 500,000 deported in a campaign that began in November 2017 to arrest migrants accused of violating

residential, border security and labour regulations and laws. The authorities deported thousands of Yemeni workers to Yemen, where they were at risk of human rights violations, in contravention of the principle of *non-refoulement*.

In June, the Committee on the Elimination of Racial Discrimination noted with concern that domestic workers, two thirds of whom were migrant women, continued to face abusive working practices such as long working hours, non-payment of wages, retention of passports and physical and sexual abuse.



Men wait by the side of the road for casual labour in Raqqa, Syria, on 5 February 2018. Many labourers end up clearing partially destroyed or damaged buildings, a very risky endeavour; in many of them, the Islamic State armed group placed mines, which frequently kill and injured civilians. © Amnesty International

## SYRIA

Syrian Arab Republic

Head of state: **Bashar al-Assad**

Head of government: **Imad Khamis**

Parties to the armed conflict continued to commit with impunity serious violations of international humanitarian law, including war crimes, and gross human rights abuses. Government and allied forces carried out indiscriminate attacks and direct attacks on civilians and civilian objects using aerial and artillery bombing, including with internationally banned weapons, killing and injuring hundreds of people. Government forces maintained lengthy sieges on densely

populated areas, restricting access to humanitarian and medical aid to thousands of civilians. Government forces lifted the siege of Eastern Ghouta in April; this was followed by restrictions that impeded some of the displaced civilians from returning to the formerly besieged areas. Security forces arrested and continued to detain tens of thousands of people, including peaceful activists, humanitarian workers, lawyers and journalists, subjecting many to enforced disappearance and torture or other ill-treatment, and causing deaths in detention. Government forces disclosed the fate of some of the disappeared but failed to provide the families with remains or information around the circumstances of the disappearances.

The government violated the right to housing. Armed opposition groups with the support of Turkey subjected civilians in Afrin to a wide range of abuses, including confiscation and looting of property, and arbitrary detention, torture and other ill-treatment. The US-led coalition failed to acknowledge or investigate the large scale of civilian deaths and destruction caused by their 2017 bombing campaign on Raqqa against the armed group calling itself Islamic State (IS). By the end of 2018, the conflict had caused the deaths of more than 400,000 people and displaced more than 11 million people within and outside Syria.

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## BACKGROUND

The armed conflict in Syria entered its eighth year. Government forces and their allies, including Russia and Iran, captured areas previously held by armed opposition groups in Eastern Ghouta, the northern part of Homs governorate and Daraa governorate. This led to the evacuation to Idlib of armed fighters and their families and some civilians, especially humanitarian workers, doctors and rescue workers.

The US-led coalition, with the support of the Syrian Democratic Forces (SDF), continued to attack IS positions in Deir el-Zour governorate in eastern Syria. Armed opposition groups supported by Turkey captured Afrin, a predominantly Kurdish area, in northern Aleppo governorate. They attacked the SDF, killing and injuring scores of civilians and displacing hundreds to neighbouring towns and villages. Clashes between armed opposition groups such as Hay'at Tahrir al-Sham, the Ahrar al-Sham Islamic Movement and the Nour el-Dine Zinki Movement in Idlib governorate killed and injured several high-level commanders and civilians. Several attacks by Israel targeted Iranian and Hizbullah forces in Syria.

Russia continued to block efforts by the UN Security Council to pursue justice and accountability. On 10 April, Russia vetoed a resolution aimed at identifying the perpetrators of a chemical weapon attack in Douma in Damascus Countryside governorate three days earlier. On 14 April, the USA, UK and France accused the Syrian government of perpetrating the attack and launched several strikes on government positions. On 27 June, the Organisation for the Prohibition of Chemical Weapons passed a resolution granting it a mandate to identify perpetrators of chemical weapons attacks.

UN efforts to broker peace and establish a committee to draft a new Syrian constitution were unsuccessful. Talks by parties to the conflict and their allies continued in various capital cities. The sponsors of the talks – Russia, Iran and

Turkey – aimed to address the issue of detentions and abductions in Syria as well as the situation in Idlib. In September, talks brokered by Russia and Turkey resulted in a 15km demilitarized zone on the southern Idlib front line. As part of the deal, armed opposition fighters and government forces withdrew from the zone, paving the way for Russian and Turkish forces to monitor the deal's implementation.

The Independent International Commission of Inquiry on the Syrian Arab Republic, established by the UN Human Rights Council in 2011, continued to monitor and report on violations of international law committed by parties to the conflict, although it remained barred by the government from entering Syria.

In June, a German court issued an international arrest warrant against Jamil Hassan, head of the Syrian Air Force Intelligence, accused of overseeing the torture and other ill-treatment, including rape, of detainees between 2011 and 2013. In November, French prosecutors issued international arrest warrants against three senior government and intelligence officials, including Jamil Hassan; Ali Mamlouk, head of the National Security Bureau; and Abdel Salam Mahmoud, head of the Air Force Intelligence Investigative Branch at Mezzeh military airport.

## ARMED CONFLICT – VIOLATIONS BY THE GOVERNMENT AND ITS ALLIES

### Direct attacks on civilians and civilian objects and indiscriminate attacks

Government and allied forces continued to commit war crimes and other serious violations of international humanitarian law, including indiscriminate attacks and direct attacks on civilians and civilian objects. Government forces, with the support of Russia, repeatedly attacked areas controlled by armed opposition groups, including Eastern Ghouta and Daraa and Idlib governorates, killing and injuring civilians. They carried out indiscriminate attacks and direct attacks on civilian homes, hospitals and medical

facilities, including artillery shelling and air strikes, often using unguided weapons such as barrel bombs, incendiary weapons and internationally banned cluster munitions. For example, on 22 March, Russian forces carried out an air strike using an incendiary weapon on a residential building, burning to death 37 civilians – mainly women and children – in an air-raid shelter in Arbin, Eastern Ghouta.

Between January and April, government forces attacked 22 hospitals in Eastern Ghouta, according to local humanitarian organizations, killing and injuring several civilians, including medical workers and patients. In July, government forces, with the support of Russia, attacked five field hospitals in al-Harak, Busr al-Harir, Mseifra, Seida and al-Jiza in Daraa governorate, damaging or destroying the field hospitals and preventing medical workers from providing medical services.

## SIEGES AND DENIAL OF HUMANITARIAN ACCESS

Government forces continued to besiege Eastern Ghouta, a predominantly civilian area in Damascus Countryside governorate, until April, when armed opposition groups surrendered following relentless bombing of civilian areas and after reaching three local agreements with armed groups, leading to the evacuation of fighters and displacement of some civilians.

During the siege, government forces had deprived around 250,000 residents in Eastern Ghouta of access to medical care, other basic goods and services and humanitarian assistance. Doctors and medical workers were unable to provide adequate medical care to those injured by air strikes, artillery shelling and other attacks, or to those who were ill owing to a lack of surgical supplies, medical equipment and medicine, particularly for the treatment of chronic diseases such as cancer, heart problems and diabetes. The lack of access to food, humanitarian aid and other life-saving necessities led to a rise in acute malnutrition. Government forces continued to restrict access to UN humanitarian agencies and their implementing partners across Syria.

## **RESTRICTION OF CIVILIAN MOVEMENT**

Despite the lifting of the siege of Eastern Ghouta in April, government forces continued to restrict the movement of civilians in and out of Douma, a town in the area. Some civilians were allowed to return to their homes following a security screening, but others were allowed to access the area for only 48 hours if they left their ID with security forces. People residing in Douma needed authorities' approval to leave the town.

Afrin residents fleeing a military offensive by Turkey-supported armed groups sought refuge in the al-Shahba region. Government forces allowed some of the injured and chronically ill to access Aleppo city, the nearest place where they could receive adequate medical care. Many, however, failed to obtain such permission. Government forces also prevented civilian movement outside the al-Shahba region, forcing many people to pay large amounts of money to smugglers to evade the restrictions in order to search for adequate living conditions.

## **ARMED CONFLICT – ABUSES BY ARMED GROUPS AND ALLIES**

### **Confiscation and looting of property**

In March, Turkey's military and armed opposition groups receiving Turkish military support, including Ferqa 55, Jabha al-Shamiye, Faylaq al-Sham, Sultan Mourad and Ahrar al-Sharqiye, gained control of Afrin, a predominantly Syrian Kurdish area in northern Aleppo governorate, after an offensive launched against the People's Protection Units (YPG), the military force of the Autonomous Administration governed by the Syrian Kurdish Democratic Union Party (PYD). These armed groups confiscated and looted civilian property, using homes as military headquarters. Residents saw their homes and businesses used and run by displaced families from Eastern Ghouta and Homs. For example, Ferqa 55 confiscated and used the home of a resident in Afrin as a military base while another armed group took control of two of his shops.

Some of these groups, and Turkish armed forces, turned schools into military bases, preventing access to education for thousands of children.

## **ARBITRARY DETENTION, TORTURE AND OTHER ILL-TREATMENT**

Armed groups supported by Turkey were responsible for at least 86 incidents of arbitrary detention of civilians for ransom, as punishment for residents who asked to reclaim their property or because of baseless accusations of affiliation to the PYD or YPG. For example, a man who returned to Afrin following the end of the offensive was taken away by a pro-Turkey armed group who refused to tell his relatives his whereabouts or fate. He had been the head of a civilian local committee perceived to support the PYD.

The pro-Turkey armed group Sultan Mourad arbitrarily detained journalists, teachers, engineers and activists, as well as former employees of the PYD and YPG fighters, and subjected some to torture and other ill-treatment.

## **ARMED CONFLICT – AIR STRIKES BY US-LED COALITION**

Despite mounting pressure, the US-led coalition continued to deny responsibility for causing hundreds of civilian deaths in Raqqa during the four-month bombing campaign to defeat IS in 2017. By June 2018, the coalition had accepted responsibility for just 23 civilian deaths there. A month later, following an in-depth investigation by Amnesty International, it accepted responsibility for a further 77 civilian deaths. However, this admission did not lead to any measures to compensate victims, and the coalition continued to block requests to disclose the circumstances in which the fatal strikes took place.

## **ABUSES BY THE PYD-LED AUTONOMOUS ADMINISTRATION**

The Autonomous Administration continued to control most of the

predominantly Kurdish northern border regions. It arbitrarily arrested and detained a number of Syrian Kurdish opposition activists, including members of the Kurdish National Council in Syria. Many were held in prolonged pre-trial detention in poor conditions.

## **REFUGEES AND INTERNALLY DISPLACED PEOPLE**

By the end of the year, 6.6 million people had been displaced within Syria and more than 5 million people had sought refuge outside Syria since the start of the crisis in 2011. Lebanon, Jordan and Turkey, the countries hosting most of the refugees, continued to block the entry of new refugees, exposing them to further attacks, abuses and deprivation in Syria. The number of resettlement places and other safe and legal routes for refugees offered by Western and other states fell far below the needs identified by UNHCR, the UN refugee agency.

In 2018, around 14,800 refugees from Lebanon and 750,000 internally displaced people returned to their homes in Aleppo, Homs, Hama, Damascus and Damascus Countryside governorates, according to UNHCR. The authorities in Lebanon and Turkey said that over 300,000 refugees returned to Syria. The dire humanitarian conditions in neighbouring countries – exacerbated by the lack of humanitarian aid, the inability of refugees to find jobs, and administrative and financial obstacles to obtain or renew residency permits – pushed refugees to return to a precarious future in Syria.

In northern Syria, thousands of displaced people continued to live in makeshift camps that did not provide an adequate standard of living, with limited access to aid, basic services, food, health care, education and livelihood opportunities.

## **ENFORCED DISAPPEARANCES**

Syrian security forces held thousands of detainees without trial, often in conditions that amounted to enforced disappearance. Tens of thousands of

people remained disappeared, the majority since 2011. They included peaceful activists, humanitarian workers, lawyers, journalists, peaceful critics and government opponents as well as individuals detained in place of relatives wanted by the authorities.

In May, the government disclosed the death of some of the disappeared by updating civil status records. For example, the relatives of brothers Yehya and Maen Sherbaj;i, who had received no information about their whereabouts or fate since they were forcibly disappeared in 2012, found out they were dead when the authorities updated the civil status records. In such cases, the authorities failed to provide the families with remains or information about the circumstances of the enforced disappearance and death.

## **RIGHT TO HOUSING**

In 2012, the government adopted Legislative Decree 66, allowing authorities to demolish informal settlement areas in Damascus and Damascus Countryside governorates to convert them into urban development zones. In February 2018, the government passed Law 10, which gives land and home owners or their relatives one year to assemble the necessary paperwork and claim their property once a zone has been designated. According to research by the Norwegian Refugee Council, barely one in five Syrian refugees has title deeds in their possession. While the legislation provided some provisions that ensure the right of home owners in designated zones to apply for alternative housing and financial compensation, it fell short of protecting the rights of people who lived in informal settlements, who lack security

of tenure and whose residence is unlikely to be recorded in the land registry. It was not clear what would happen to unclaimed properties.

Women whose husbands or fathers had been killed or gone missing during the conflict faced serious obstacles in claiming their property as the deeds were often in the name of their male relatives. Such women lacked the required official documentation or proof of the whereabouts of their male relatives that would allow them to act on behalf of the deed holders.

## **DEATH PENALTY**

The death penalty remained in force for many offences. The authorities disclosed little information about death sentences passed and no information on executions.



A woman attends the first session of a trial before the specialized criminal chamber in Gafsa, Tunisia, on 26 September 2018. The trial followed investigations carried out by the country's Truth and Dignity Commission. © Amnesty International / Callum Francis Redfern

## TUNISIA

Republic of Tunisia

Head of state: **Béji Caïd Essebsi**

Head of government: **Youssef Chahed**

The Truth and Dignity Commission (IVD) finalized its work investigating past human rights violations despite an attempt by the parliament to end its work prematurely. Transitional justice trials on grave past human rights violations began before specialized criminal chambers. The authorities repeatedly renewed the state of emergency and used it to justify arbitrary restrictions on freedom of movement. Torture and other ill-treatment of detainees continued,

but complaints hardly ever reached trial. The authorities arbitrarily arrested protesters and prosecuted people for the peaceful expression of their views. Police and other security forces at times used excessive force during law enforcement operations. The Law on Eliminating Violence against Women came into effect. Proposed legal reforms to establish equality between men and women in matters of inheritance and to decriminalize same-sex sexual relations were submitted to the parliament. Lesbian, gay, bisexual, transgender and intersex (LGBTI) people continued to face harassment, arrest and imprisonment. Water shortages and inadequate water distribution resulted in repeated water cuts in several regions, prompting

protests, particularly in the hottest months of the year. Death sentences were handed down, but there were no executions.

## BACKGROUND

The authorities renewed the nationwide state of emergency five times; emergency measures had been in place since late 2015. Protests against unemployment, poor living conditions and water shortages continued, particularly in marginalized and underdeveloped regions. On 24 December, protests took place in Kasserine following the death of journalist Abderrazak Zorgui, who set himself on fire to protest against

economic conditions. Protesters clashed with security forces for three consecutive nights, during which police used tear gas to disperse protesters allegedly throwing stones and burning tyres.

The parliament again failed to elect the first third of the members of the Constitutional Court, a step due since 2015.

An acute political crisis between the two major political parties, al-Nahda and Nidaa Tounes, ended their coalition in September.

## TRANSITIONAL JUSTICE

In March, the parliament voted against a decision by the IVD to extend its mandate by seven months in order to complete its final report and referrals of cases of past human rights violations to specialized criminal chambers. However, the government announced in May that it would give the IVD the necessary time to finalize its work. In December, the IVD presented its final report to the president and at the end of the year was waiting for a response to requests for meetings with the head of government and the parliament to share the report with them before publication. The report included the IVD's verified findings, the identification of individuals responsible for human rights violations, the reasons underlying grave violations and recommendations to ensure non-recurrence of such violations.

Between March and December, the IVD referred 72 cases to trial before 13 specialized criminal chambers. These included cases of enforced disappearance, death under torture, unnecessary or excessive use of force against peaceful protesters, and killings of peaceful protesters. In May, the first trial opened in the court of first instance in Gabes in the south of the country; it concerned the enforced disappearance of Kamal Matmati in 1991. Very few of the various hearings saw the alleged perpetrators appear in court. Victims' lawyers urged judges to issue the accused with travel bans and official summons.

## FREEDOM OF MOVEMENT

The authorities continued to impose emergency measures, often in an arbitrary manner. The Ministry of the Interior used border control orders, known as S17 orders, to unlawfully restrict the right to freedom of movement of thousands of individuals. In many cases, the orders amounted to travel bans, restricting people to their governorate of residence. Such measures were often imposed in a discriminatory manner based on appearance, religious practices or previous criminal convictions and without providing the reason or obtaining a court order. This often left those affected unable to challenge the restrictions in court or seek justice for violations suffered. The measures negatively affected individuals' livelihoods and sometimes led to arbitrary arrest and short-term detention. In November, the spokesperson of the administrative court in Tunis stated that the Ministry of the Interior's use of S17 orders should be considered unlawful. In December, a ministry official told Amnesty International that the interior minister had set up a working group to reform the S17 measure and end its arbitrary implementation and had issued an instruction not to tie the denial of travel documents to S17 orders.

## TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment of detainees continued, mostly during arrest and in pre-charge detention. The vast majority of complaints filed by lawyers failed to reach trial.

In February, four police officers allegedly beat up a man in a police station in Ben Arous, a city just south of Tunis. They were also reported to have forced him to strip naked, sprayed him with tear gas and made him stand naked in the rain with a tyre around his waist. The four officers were charged with torture. In response, on 26 February a union of law enforcement officials called on officers not to perform their functions at the Ben Arous court of first instance

until the accused officers were released. The same day, armed security forces protested inside the court to put pressure on the investigative judge to release their colleagues, which is what occurred later that day.

## FREEDOM OF EXPRESSION AND PEACEFUL ASSEMBLY

The authorities arbitrarily arrested protesters and prosecuted people for the peaceful expression of their views.

In January, police arrested Kais Bouazizi, a blogger, and charged him with "harming public order" after he shared Facebook posts that urged people to take to the streets to protest against the government's economic policies. Later that month, the interior minister said the ministry would prosecute bloggers if they misled protesters. The same month, police or National Guard officers detained and interrogated at least four journalists in relation to their reporting of the protests. The National Guard summoned freelance journalist Mathieu Galtier on 10 January and asked him to reveal his sources, which he refused to do.

Courts continued to use Penal Code provisions to imprison people for defamation and to prosecute others for conduct protected by the right to freedom of expression. In January, the court of first instance in the city of Jendouba in north-west Tunisia sentenced Abdelaziz Aljaridi and Abdelaziz Alkhazri to six months' imprisonment each for defaming the president by allegedly spreading rumours about his death. On 7 December, a military court of appeal increased the sentence against parliamentarian and blogger Yassine Ayari in his absence to two months' imprisonment for a Facebook post in which he mocked the appointment of a senior military commander. The same court sentenced him in June to an additional three months' imprisonment for "undermining the morale of the army" and for causing "offence to the President of the Republic" for a Facebook post in which he criticized senior military commanders and the president.

## EXCESSIVE USE OF FORCE

Police and other security forces at times used excessive force when policing protests and sports events and conducting other law enforcement operations.

In January, following widespread protests against the new finance law, the authorities arbitrarily arrested hundreds of protesters. Police used unnecessary or excessive force against protesters and denied those arrested access to a lawyer. One protester, Khomsi Yeferni, died in Tebourba, a town 35km west of Tunis. Witnesses said that a police car ran over him; the Ministry of the Interior stated that he had a chronic respiratory condition and died as a result of tear gas inhalation.

In March, Omar Laabidi drowned after a police officer pushed him into a river near Rades sports stadium in the capital, Tunis, when he was trying to escape police officers chasing fans after a match ended in clashes. Witnesses said he had shouted out that he could not swim. In May, 17 police officers were charged with involuntary manslaughter and failure to provide assistance to a person in danger, the investigation was ongoing at the end of the year.

In October, customs officers shot dead Aymen Othmani while chasing him after a raid on a warehouse in the Sidi Hassine neighbourhood of Tunis. The prosecution indicted four officers who were investigated before being released temporarily, triggering violent confrontations between police and protesters. No progress in the investigation was announced before the end of the year.

## WOMEN'S RIGHTS

In February, the Law on Eliminating Violence against Women came into effect. It included guarantees for

protecting women and girls from gender-based violence.

Despite the repeal in September 2017 of the 1973 directive prohibiting marriage between “a Tunisian woman and a non-Muslim man”, in at least eight cases, Tunisian women reported difficulties in finding a local notary who would agree to register such marriages. They said notaries claimed they had yet to receive or read the new regulations on such marriages.

Women continued to be severely underrepresented in government, holding only three of 28 ministerial posts.

In June, the Individual Freedoms and Equality Committee, established by the president, released its report on issues related to individual freedoms and gender equality. Among its welcome – albeit controversial – recommendations was one to reform the inheritance law to establish equality between men and women. The president submitted to parliament a bill to this effect.

## RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

LGBTI people continued to face arrest under Article 230 of the Penal Code, which criminalizes consensual same-sex sexual relations. According to Damj, a Tunisian LGBTI NGO, in 2018 police arrested at least 115 individuals in relation to their perceived sexual orientation or gender identity, 38 of whom were later charged and convicted under Article 230 of the Penal Code.

The police continued to subject men accused of same-sex sexual relations to forced anal examinations, in violation of the prohibition of torture and other ill-treatment. Transsexual and transgender people continue to face police harassment and live with the risk of arrest under vague “public decency”

articles of the Penal Code, including Article 226*bis*.

Among the recommendations of the Individual Freedoms and Equality Committee in its June report was one to decriminalize same-sex sexual relations. A draft law that included the decriminalization of such relations was submitted by a group of members of parliament in October; at the end of the year it was awaiting consideration by the parliamentary committee on rights and liberties.

## RIGHT TO WATER

Water shortages became more acute after water supplies to the two main dams fell substantially. In July, the Ministry of Agriculture, Water Resources and Fisheries declared that Tunisia's hydraulic situation was “critical”. Water shortages and inadequate water distribution resulted in repeated water cuts in several regions, prompting protests, particularly in the hottest months of the year. These shortages had been impacting people's ability to use water for personal and domestic use. In July, protesters in Sfax, Kef, Gabes, Tabarka and Kelibia demanded solutions to the water shortages in their towns. The NGO Tunisian Water Observatory said that it had registered 404 water cuts and 104 protests related to access to water between May and June.

In March the government announced a number of projects in the framework of the Ministry of Agriculture's strategy to secure drinking water resources, but was hampered by floods in September that damaged water infrastructure.

## DEATH PENALTY

Courts continued to hand down death sentences; no executions had been carried out since 1991.



Filipino workers have their eyes scanned at a visa processing centre in Al Aweer, about 30km east of Dubai in the United Arab Emirates (UAE), on 1 August 2018.  
© Kamran Jebreili / AP / REX / Shutterstock

## UNITED ARAB EMIRATES

United Arab Emirates

Head of state: **Khalifa bin Zayed Al Nahyan**

Head of government: **Mohammed bin Rashed Al Maktoum**

Space for civil society remained nearly non-existent in the United Arab Emirates (UAE), with the country's most well-known human rights activist behind bars and high levels of fear dissuading victims of human rights violations and dissidents from speaking out. Arbitrary detention of foreign nationals was frequently reported. Women continued to face discrimination in law and in practice. The authorities introduced several labour reforms likely to be of benefit to migrant workers, but other policies left them vulnerable to exploitation. The authorities continued to deny nationality to thousands of individuals born within the UAE's borders, effectively rendering them stateless. Some detainees were held incommunicado and in undisclosed locations for weeks or months. Courts

handed down death sentences; no executions were reported.

### BACKGROUND

The UAE remained part of the Saudi Arabia-led military coalition that committed serious violations of international law in the armed conflict in Yemen (see Yemen entry). UAE troops and UAE-backed militias operating in southern Yemen carried out enforced disappearances and torture.

The UAE remained a member in the coalition of Gulf states imposing economic and political sanctions on Qatar. In July, the International Court of Justice issued provisional orders to the UAE to uphold its obligations under the Convention on the Elimination of All Forms of Racial Discrimination by allowing Qatari residents who had been forced to leave the UAE as a result of the regional crisis to reunite with family members, complete academic studies and access courts in the UAE.

### ARBITRARY ARRESTS AND DETENTIONS

On 4 March, UAE forces (acting with assistance from India) detained Latifa bint Mohammed bin Rashed Al Maktoum, a daughter of Dubai's ruler, in international waters after she tried to flee the UAE by yacht to seek asylum abroad. She continued to be held incommunicado, effectively a victim of enforced disappearance. Two of her companions – Finnish national Tiina Jauhiainen and French-US national Hervé Jaubert – as well as three Filipino crew members were detained at the same time and held for over two weeks.

Arbitrary detention of foreign nationals was frequently reported.

UK national Matthew Hedges, a student carrying out academic research in the UAE, was detained at Dubai International Airport in early May as he was about to leave the country. He was held, mainly incommunicado and in degrading and inhumane conditions, until October, when he faced an unfair trial on charges

of spying for the UK government. On 21 November he was convicted and sentenced to 25 years' imprisonment. Five days later he was pardoned and released.

Several Lebanese nationals working in the service sector were arbitrarily detained in early 2018 and held throughout the year without due process. They were denied access to legal representation and were not informed of any charges against them.

In September, Abudujilili Supi, a Chinese national of Uighur ethnicity, was detained without charge and held for a month before being allowed to leave the UAE for Turkey.

## FREEDOM OF EXPRESSION

Criticism of the government continued to be stifled by the prosecution and imprisonment of peaceful dissenters. On 29 May, Ahmed Mansoor, the last human rights defender in the UAE publicly documenting and speaking out against human rights violations in the country, was sentenced to 10 years in prison for comments posted on his social media accounts. This followed over a year in detention during which he was mainly held incommunicado in an unknown location. His trial was conducted in virtual secrecy, with no information published until after the verdict. According to the UAE's closely controlled press, Ahmed Mansoor was convicted of "publish[ing] false information, rumours and lies about the UAE", confirming, as had previous government statements, that the prosecution was based on the exercise of his right to freedom of expression. On 31 December the Federal Supreme Court, sitting as the State Security Court, upheld the conviction and sentence, rendering them final.

Academic and prisoner of conscience Nasser bin Ghaith remained incarcerated on speech-related charges, as did human rights lawyer and fellow prisoner of conscience Mohammed al-Roken. Nasser bin Ghaith went on hunger strike (while still taking fluids) on 7 October, protesting against medical neglect and irregular family visits in al-Razeen prison. He had been deprived of the medications he took pre-imprisonment for high blood pressure

and other ailments. His health was in a critical state at the end of the year.

## WOMEN'S RIGHTS

Women continued to face discrimination in law and in practice. Federal Law No. 28 on Personal Status contains multiple provisions entrenching the lack of equal status between men and women, stating for example that "a husband's rights over his wife" include the wife's "courteous obedience to him" and obligation "to look after the house", and placing conditions on a married woman's right to work or leave the house. Under Article 53 of the Penal Code, "a husband's discipline of his wife" is "considered an exercise of rights," language which can be read as an official sanction of spousal abuse. The government failed to protect women adequately from sexual and domestic violence.

## MIGRANTS' RIGHTS

The authorities introduced several labour reforms likely to be of particular benefit to migrant workers, including a decision to allow some workers to work for multiple employers, tighter regulation of recruitment processes for domestic workers and a new low-cost insurance policy that protected private sector employees' workplace benefits in the event of job loss, redundancy or an employer's bankruptcy.

However, the UAE maintained its no-minimum wage policy. This had a particularly negative impact on migrant workers, who comprised an estimated 85% of the country's workforce. Unlike UAE nationals, migrant workers did not receive government allowances for housing, subsidized health care and other services and were therefore far more dependent on wages for their livelihood. Migrants' wages were typically low relative to nationals and to price levels in the country, undermining their right to just and favourable conditions of work, and their right to an adequate standard of living.

In February Amnesty International wrote to UAE authorities requesting information and access to research the situation of workers at the engineering

company Mercury MENA, which operated in several Arab Gulf states and had left many of its workers unpaid for over a year. The UAE did not respond.

## STATELESSNESS

The UAE continued to deny nationality to at least 15,000 individuals who were born within its borders and had no other nationality, effectively rendering them stateless. This deprived them of a range of state services, such as free education provided for citizens, and made it difficult for them to find employment in state-supported industries that require security clearance.

Most of the indigenous UAE residents locked into statelessness were from the northern emirates such as Ajman and Sharjah, which are considerably poorer than Abu Dhabi and Dubai. A money-for-passports deal with the Comoros that was introduced in 2008 with the alleged purpose of regularizing the status of the stateless population failed to resolve the problem. As in previous years, some of those who had obtained five-year Comorian passports were left stateless again after their passports expired and they could no longer renew them, due to the Comorian government having ended the programme.

## TORTURE AND OTHER ILL-TREATMENT

The UAE failed to take steps to end torture and other ill-treatment in detention. Amnesty International documented eight cases in which detainees were held incommunicado and in undisclosed locations for weeks or months, greatly increasing the risk of human rights violations. In some cases, detainees were held in degrading conditions, denied personal hygiene items and the opportunity to bathe, or threatened with extreme violence.

## DEATH PENALTY

Courts continued to issue new death sentences, primarily against foreign nationals for violent crimes. No new executions were reported.



Children play outside a half-built structure in Gawa'la, a desert area on the outskirts of Aden, Yemen, in May 2018. Seven families, with more than 20 children, are squatting there, having been displaced from Yemen's western Hodeidah governorate. The UN estimates that more than 100,000 people were displaced in a ground and air offensive between December 2017 and May 2018 in which Yemeni government forces (backed by the Saudi Arabia-led coalition) attempted to oust control of the strategic port city of Hodeidah from Huthi forces. © Amnesty International

## YEMEN

Republic of Yemen

Head of state: **Abd Rabbu Mansour Hadi**

Head of government: **Maeen Abdulmalik Saeed (replaced Ahmed Obeid bin Dagher in October)**

All parties to the continuing conflict in Yemen committed war crimes and other serious violations of international law. Huthi forces, which controlled large parts of the country, indiscriminately shelled residential neighbourhoods and launched missiles indiscriminately into Saudi Arabia. The Saudi Arabia-led coalition, which supported the internationally recognized Yemeni government, continued to bomb civilian infrastructure and carry out indiscriminate attacks, killing and injuring

civilians. All parties to the conflict engaged in illegal practices, including arbitrary detention, enforced disappearance, and torture and other ill-treatment. Those targeted included journalists, human rights defenders and members of the Baha'i community. The Saudi Arabia-led coalition continued to impose excessive restrictions on the entry of essential goods and aid, while the Huthi authorities obstructed aid movement within the country, deepening the humanitarian crisis. Women and girls continued to face entrenched discrimination and other abuses; the conflict left them with less protection from sexual and other violence, including forced marriage. No information was publicly available about executions, but death sentences were reported.

## BACKGROUND

The divided territorial control of Yemen was entrenched as the conflict continued between the internationally recognized government of President Abd Rabbu Mansour Hadi, supported by the Saudi Arabia-led coalition, and the Huthis and their allied forces. Huthi forces consolidated their control over large parts of the country, including the capital, Sana'a. In April, Huthi leader Saleh al-Sammad was killed in a coalition attack; Mahdi al-Mashat replaced him.

President Hadi's government made several attempts to reassert its authority in the southern city of Aden. Clashes

broke out between government forces and rival factions, such as the Southern Transitional Council, which was backed by the United Arab Emirates (UAE), part of the Saudi Arabia-led coalition. The UAE also supported and armed militias in other areas of southern Yemen.

The on-off battle for Hodeidah resulted in hundreds of civilian casualties; the UN reported that nearly half a million people fled the governorate during the year. There was continued fighting between armed factions in the city of Ta'iz, too.

According to the Office of the UN High Commissioner for Human Rights, 6,872 civilians had been killed and more than 10,768 civilians wounded between 26 March 2015, when the Saudi Arabia-led coalition became involved in the conflict, and 8 November 2018. The UN Office for the Coordination of Humanitarian Affairs reported in June that 22.2 million people needed humanitarian assistance and that around half the population, 14 million people, were at imminent risk of famine. Cholera continued to affect the entire country.

UN-backed talks in Sweden concluded on 13 December, resulting in agreements on several confidence-building measures, including prisoner exchanges and a ceasefire in Hodeidah, which came into effect on 18 December. The UN Security Council then adopted Resolution 2451 on 21 December, insisting on full respect for the ceasefire and authorizing the deployment of a monitoring team to Yemen to oversee the implementation of the agreements.

## **VIOLATIONS BY HUTHI FORCES**

Huthi and allied forces continued to carry out indiscriminate attacks, shelling residential neighbourhoods and launching missiles indiscriminately into Saudi Arabia.

Huthi fighters fired mortars repeatedly into civilian areas of Hodeidah, according to people who had fled the city. A mortar hit the courtyard of Hays Rural Hospital on 25 March, killing a pharmacist and a nurse and injuring a 13-year-old boy.

Huthi forces further endangered civilians by basing troops and vehicles in residential areas. In November, Huthi and allied forces took up positions on a hospital roof in Hodeidah. They also planted internationally banned anti-personnel landmines that caused civilian casualties, prevented civilians from leaving the city and forcibly displaced civilians from their homes in areas captured from government forces.

## **VIOLATIONS BY THE SAUDI ARABIA-LED COALITION**

Coalition forces continued to be the main cause of civilian casualties, according to the UN. They committed with impunity serious violations of international human rights law and humanitarian law. They used imprecise munitions in some attacks, including large bombs with a wide impact that caused deaths and destruction beyond their immediate strike location.

Coalition air strikes mainly targeted Huthi-controlled or contested areas, in particular Sana'a, Ta'iz, Hajjah, Hodeidah and Sa'da governorates, during which hundreds of civilians were killed and injured. Many attacks were directed at military targets, but others were indiscriminate, disproportionate or directed against civilians and civilian objects, including residential areas, buses and gatherings such as weddings. In January, a coalition air strike destroyed the Naji family home in al Rakab in the southern governorate of Ta'iz. The mother and two sons, aged six and 10, were killed. The father, a son aged three and a baby daughter were injured. In August, a coalition aircraft attacked a bus in the town of Dhahyan in Sa'da governorate, killing 29 children and injuring 30 others.

## **ARBITRARY ARRESTS AND DETENTIONS**

Huthi forces, the Yemeni government, the Saudi Arabia-led coalition and UAE-backed Yemeni forces engaged in arbitrary detention practices.

In areas they controlled, Huthi forces arbitrarily arrested and detained critics and opponents as well as journalists, human rights defenders and members of the Baha'i community, subjecting scores to unfair trials, incommunicado detention and enforced disappearance. In September, they detained human rights defender Kamal al-Shawish incommunicado for over a month in an unknown location in Hodeidah. Six Baha'i men continued to be detained. Five of them faced charges that carried the death penalty: one, who had been held for nearly four years, was accused of apostasy; four were charged in September with serious offences, including espionage for foreign states.

The internationally recognized Yemeni government harassed, threatened and arbitrarily detained human rights defenders and other activists. In June, security forces arrested Radhya Almutawakel and Abdurashed Alfaqih, respectively chairperson and executive director of Mwatana Organization for Human Rights, in the southern city of Mukalla while they were travelling to Sey'un airport. Both were arbitrarily detained for a day before being released without charge. In October, government authorities and militias briefly detained Akram al-Shawafi, a human rights defender and founder of the Watch Team, a non-governmental organization. He was forced to relocate five times because of threats arising from his work on the treatment of civilians by the local authorities in Ta'iz.

UAE-backed Yemeni forces in southern Yemen conducted a campaign of arbitrary detentions and enforced disappearances. In May, Amnesty International investigated in Yemen the cases of 51 men held in a network of secret prisons by UAE and Yemeni forces operating outside the command of their own government, including individuals detained between March 2016 and May 2018. The cases involved egregious violations, including enforced disappearances and torture and other ill-treatment amounting to war crimes. Some of the men were released between June and August, but many remained arbitrarily detained and over a dozen were still missing.

## **RESTRICTIONS ON ESSENTIAL GOODS**

The Saudi Arabia-led coalition continued to impose excessive restrictions on the entry of essential goods and aid, while the Huthi authorities obstructed aid movement within the country, deepening the humanitarian crisis.

Vessels travelling to Yemen's Red Sea ports had to wait for coalition clearance; the resulting delays exacerbated a fuel shortage, reduced access to food, clean water and sanitation, and contributed to the spread of preventable diseases. Huthi forces imposed excessive and arbitrary bureaucratic procedures that restricted the movement of humanitarian staff and aid. They sometimes attempted to control the delivery of aid and demanded bribes to allow humanitarian projects to operate.

Under international humanitarian law, all parties are obliged to allow and facilitate rapid and unimpeded delivery of impartial humanitarian assistance for civilians in need, and ensure freedom of movement of authorized humanitarian personnel.

## **WOMEN'S RIGHTS**

The protracted conflict exacerbated discrimination against women and girls, and left them with less protection from sexual and other violence, including forced marriage.

## **DEATH PENALTY**

The death penalty remained in force for many crimes. No information was publicly available about executions, but death sentences were reported. On 2 January, the Specialized Criminal Court in Huthi-controlled Sana'a sentenced Hamid Haydara to death after a grossly unfair trial. He was tried on account of his beliefs and peaceful activities as a member of the Baha'i community. In February, one woman and two men were forcibly disappeared, ill-treated and given a patently unfair trial before being sentenced to death by a court in Sana'a for allegedly aiding an enemy country. The trial was part of a wider pattern of the use of expedited mass trials by Huthis to persecute political opponents, including journalists and academics.

# HUMAN RIGHTS IN THE MIDDLE EAST AND NORTH AFRICA

## REVIEW OF 2018

This report documents the state of human rights in the countries of the Middle East and North Africa during 2018. It is composed of a regional overview and 19 country entries, subdivided by key human rights themes.

The killing of Palestinian protesters by Israeli forces in Gaza and the murder of journalist Jamal Khashoggi in a Saudi Arabian consulate glaringly illustrated the unaccountability of Middle Eastern and North African states that resorted to lethal and other violence to repress dissent. The crackdown on civil society actors and political opponents increased significantly in Egypt, Iran and Saudi Arabia. Across the region, authorities used arbitrary detention, excessive force against protesters and administrative measures to restrict civil society.

Armed hostilities in both Iraq and Syria decreased. As a result, fewer civilians were killed, but many continued to suffer the impact of serious violations, including war crimes, committed by all parties to the conflicts in Libya, Syria and Yemen particularly, as well as the devastating humanitarian situations that arose from or were exacerbated by their actions.

Despite the repression, 2018, like 2017, saw limited positive developments at a legislative and institutional level with respect to women's rights and violence against women. Significant developments aimed at addressing past violations occurred in Lebanon and Tunisia.