



CAIRO INSTITUTE
FOR HUMAN RIGHTS STUDIES
Institut du Caire pour les études des droits de l'homme
مركز القاهرة لدراسات حقوق الإنسان

**56th Session of the African Commission for Human and Peoples' Rights
Banjul– April 2015
Oral Statement by the Cairo Institute for Human Rights Studies
Item 4: Human Rights Situation in Africa**

Overview of Human Rights in North Africa

Thank you, Madame Chair, Distinguished Commissioners

On behalf of the CIHRS, I would like report on the most concerning issues with regards to the human rights situation in the North Africa region and Sudan during the past 12 months. The overall human rights situation throughout this region has continued to deteriorate, with the exception of Tunisia, which continued to demonstrate progress in laying the ground for the respect of the rule of law and fundamental rights and freedoms.

In January 2014, **Tunisia** adopted a new constitution that upholds many human rights standards, followed by holding successful elections. However, a matter of concern remains the counter-terrorism draft law, which was submitted to the parliament in March 2015. The bill, while containing some improvement to the counter-terrorism law adopted since 2003, as well as to the previous draft submitted in 2014, it continues to hold several problematic provisions. The definition of what constitutes a terrorist activity remains vague, allowing for several infringements on basic rights and freedom, including the right to peaceful protest and association. In addition, the draft law allows for a 15 day pre-trial incommunicado detention for suspects with no guarantees to their basic rights to lawyers or family visits as well as other provisions that hinder due process and the right to fair trial.

In **Egypt**, there has been a massive crackdown on human rights work and civil society. NGO work remains restricted by a draconian NGO law that disregards even Egypt's own constitution. Human rights NGOs continue to be regularly subjected to intimidation, judicial harassment, office raids and travel bans¹. In addition, the president issued a troubling counter-terrorism decree², that uses vague terms to define terrorist entities, thus making legitimate peaceful opposition parties, independent unions and rights organizations, potentially subject to inclusion on the designated terrorist list.³ Furthermore, thousands of peaceful protesters, students, journalists and human rights defenders have been arrested, prosecuted and sentenced under an overly restrictive and controversial protest law. Another huge concern are the recent mass death sentences, issued by the judiciary against defendants accused of having affiliations with the Muslim Brotherhood, in politicized cases, and lacking the basic standards of due process and fair trial.⁴

¹ <http://www.cihrs.org/?p=10572&lang=en>

² Law No. 8/2015

³ <http://www.cihrs.org/?p=11031&lang=en>

⁴ The sentence was labeled by UN experts as a 'profound disgrace',
<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15556&LangID=E>



CAIRO INSTITUTE
FOR HUMAN RIGHTS STUDIES
Institut du Caire pour les études des droits de l'homme
مركز القاهرة لدراسات حقوق الإنسان

Also in **Sudan**, the crackdown on civil society has dramatically intensified. In December 2014, the offices of the Sudanese Human Rights Monitor (SHRM) in Khartoum were raided⁵, shortly after its founder, distinguished human rights figure Dr. Amin Mekki Madani and Mr. Farouk About Issa were arrested and kept in detention until their release earlier this month. 16 newspapers have been reported to have had their publications confiscated⁶ and three civil society organizations have been shut down since January 2015⁷. In addition, the Sudanese Parliament passed amendments to the Interim Constitution, one of which transforms the National Intelligence Security Service from an intelligence agency focused on information gathering, analysis and advice, to a fully-fledged security agency with a broad mandate to exercise a mix of functions, usually carried out by the armed forces or law enforcement agencies. A huge concern remains the violence against women. In October 2014, at least 221 women and girls in North Darfur were raped over three days, in an alleged systematic attack by the Sudanese army with no one to date held accountable for these crimes⁸.

In **Western Sahara**, attacks against Sahrawi human rights defenders and journalists by Moroccan authorities have increased, as part of a wide campaign against human rights NGOs, which started in July 2014 all-over the country.⁹

Meanwhile, **Libya** is in a state of crisis, with armed conflict wreaking havoc on the country, and resulting in gross and systematic human rights violations and international crimes. Over the course of 2014, several hundred individuals were killed and more than 400,000 people are internally displaced. Unlawful killings, abductions, enforced disappearances, forced displacements, torture and other ill - treatment and the targeting of human rights defenders, civil society actors, journalists and the media have increased. Hundreds of cases of alleged grave violations against a number of armed groups have been submitted to Libya's General Public Prosecutor, during 2012, 2013 and 2014, with no measures taken to date towards achieving accountability.

Thank you

⁵ See <http://www.frontlinedefenders.org/node/27870>; <http://www.dailymail.co.uk/wires/afp/article-2882675/Security-agents-raid-Sudan-rights-groups-office.html>

⁶ <https://www.amnesty.org/en/articles/news/2015/04/sudan-government-stifling-media-and-civil-society/>

⁷ <https://www.amnesty.org/en/articles/news/2015/04/sudan-government-stifling-media-and-civil-society/>

⁸ <http://www.hrw.org/node/132716/>

⁹ <http://www.frontlinedefenders.org/node/28234>; <http://www.hrw.org/news/2014/12/22/morocco-sahrawi-activist-facing-military-tribunal>; <http://www.frontlinedefenders.org/node/28008>;