

HUMAN RIGHTS MONITOR



AMMAN CENTER FOR HUMAN RIGHTS STUDIES

**Weekly Press Monitoring of Human Rights News
in The Middle East and North Africa**

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HRW: Taliban forcefully evicts Shi'ite Hazara minorities from their lands

In a report published on the 22nd of October, Human Rights Watch **highlights** a series of forced evictions committed by the Taliban targeting mostly Shi'ite Hazaras in five Afghan districts. These evictions have redistributed the land to Taliban supporters.

The report describes how the Taliban and partner militias have forcibly evicted hundreds of Hazara families from the southern province of Helmand and the northern province of Balkh. These evictions were reportedly carried out with only a few days notice and without any opportunity to present their legal claims to the lands.

According to The Wall Street Journal, the Taliban expelled more than 2,800 Hazara residents were expelled from 15 villages in Daikundi, Kandahar and Uruzgan provinces in September. Residents of the Naw Mish district in Helmand province told Human Rights Watch that the Taliban sent letters to at least 400 families in late September ordering them to leave. The sudden evictions have prevented some families from finishing and taking away their crops.

Patricia Gossman, associate director for Asia at Human Rights Watch said that "[t]he Taliban are forcibly evicting Hazaras and others on the basis of ethnicity or political opinion to reward Taliban supporters(...). These deportations, carried out with threats of force and without any legal process, are serious abuses that amount to collective punishment". Indeed, **article 11** of the International Covenant on Civil and Political Rights defines forced evictions as illegal.

These expulsions increase the movement of people in Afghanistan. This year alone, **more than 665,000 Afghans have been displaced**, bringing the nationwide total number of displaced people up to about 4 million.

Even though these evictions have been suspended by the Taliban authorities, none of the inhabitants have returned to their land.

Trial against activists and rights lawyer postponed

On the 18th of October, the trials of three Egyptian activists and a rights lawyer **was postponed**. This is to give defence lawyers time to review trial-related documents. Activists Alaa Abdel-Fattah, Mohamed Ibrahim, Yahia Hussein, Abdel-Hadi and lawyer Mohammed el-Baker have been held in prison for more than two years on several charges. The trial of the three activists was postponed until November 1st, while Abdel-Hadi's was postponed to October 25th.

Abdel-Fattah and Ibrahim were **arrested** in 2019 after being involved in several small anti-government protests. El-Baker was arrested later in 2019 while attending a questioning session of Abdel-Fattah by prosecutors in September. Abdel-Hadi, the co-founder of the Civil Democratic Movement, was arrested in early 2019 because the movement is opposing the Sisi Government.

In recent years, the Egyptian government has waged crackdowns crackdown on dissent, jailing thousands of people. These are mainly Islamists, but also secular activists involved in the Arab Spring in 2011 uprising that overthrew former president Hosni Mubarak.



Photo Source: Al Jazeera

Rights groups describe several election-related violations

On the 21st of October, the Gulf Centre for Human Rights (GCHR) **issued its periodic report**, covering several acts violating democratic procedure related to the October 10th Iraqi elections. GCHR describes several incidents, such as voters being forced to elect a specific candidate, political activists being exposed to murder attempts, and armed men supporting a specific political party, attacking the house of a citizen who refused to hang an election banner.

Furthermore, **Al Jazeera has reported** how demonstrators, who supported the opposing Hashd Al-Shaabi party, demanded a recount of the elections. They went on the streets Tuesday to protest against fraud in the parliamentary elections and against ties with the US. They also denounced the UN officials when monitoring the Iraqi election. According to Al Jazeera, "[t]hey say they do not have any confidence in the election commission, accusing [it] ... of vote-rigging, of manipulating the election".

Lastly, Human Rights Watch **issued a statement** Wednesday, claiming the government failed Iraqi citizens with disabilities, as many voting stations weren't accommodated to host people with disabilities.



Photo Source: Human Rights Watch

Execution of Arman Abdolali postponed

On the 20th of October, the scheduled execution of Arman Abdolali **was postponed** to the following week. Four prisoners, who were scheduled to be executed on the same day, were also returned to their cells.

In 2015, Abdolali was sentenced to death at age of 17 in what Amnesty International calls a **"grossly unfair trial"** for the alleged murder after the disappearance of his girlfriend. His confession relied on torture, including a 74 day-long solitary confinement.

Amnesty International, the UN Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran and Iran Human Rights have all appealed to Iran to halt the execution of Abdolali and to end the usage of capital punishment for crimes committed by minors. Iran is responsible for more than 70% of the executions of minors over the last 30 years.



Arman Abdolali

Photo Source: Iran Human Rights

Kuwait launches process of amnesty for dissidents

On the 20th of October, Kuwait's ruling emir issued a statement, **opening** for an amnesty process to pardon Kuwaiti dissidents. The pardoning of dissidents is a major condition for Kuwaiti opposition parliamentarians. According to the statement, 40 members of parliament had called for amnesty.

Kuwaiti oppositional parliamentarians have long called for an amnesty of dissidents, including Kuwaitis who have criticised the emir, as well as former parliamentarians, who took part in the 2011 storming of the parliament over what they saw as government graft and mismanagement. It is, however, not detailed which dissidents are included in the pardoning process, but rather **"some Kuwaitis sentences in past cases"**.

The launch of the pardoning process is a result of a longer stand-off between the Kuwaiti government and parliament, which have paralysed the government's economic and fiscal reforms. This comes after several parliamentarians have questioned whether a motion passed in March delaying questions to premier Sheikh Sabah al-Khalid al-Sabah is in accordance with the constitution. Even parties are banned under Kuwaiti law, Kuwait is the only monarchy in the Gulf to give substantial power to the elected parliament.



Photo Source: The Arab Weekly

International Crisis Group: violence threatens rule of law

The deadly violence on the 14th of October "**threatens fraying rule of law**". This, International Crisis Group argued in a statement from the 18th of October.

On the 14th of October, **gunmen killed at least seven Shi'ites** when attacking a pro-Hizbollah and pro-Amal demonstration. The demonstrators **demand**ed that the judge investigating last years Beirut Port explosion would be removed. Hizbollah and its allies argue that the investigation into the Beirut Port explosion is biased.

According to International Crisis Group, "[r]esort to arms by those parties, as well some of their opponents, and the increasingly sectarian nature of violence in Lebanon evokes the divisions of the country's 1975-1990 civil war." The organisation calls on the Hizbollah to allow for the investigation into the Beirut Port explosion and on the Lebanese juridical system to thoroughly investigate the attacks of the 14th of October.



Photo Source: Reuters

UNHCR calls for development plan for asylum seekers and refugees

On the 22nd of October, the United Nations Refugee Agency (UNHCR) **called on** the Libyan government to address the situation of asylum-seekers and refugees in "a humane and rights-based manner". Since the beginning of October, Libyan authorities and militias have conducted crackdowns on migrants and refugees, leading to arrest, arbitrary detention and killing of refugees. According to UNHCR, there is a "**sharp deterioration in the situation facing vulnerable asylum-seekers and refugees**".

UNHCR is providing medical assistance and other services to some 3,000 people outside the Community Day Center (CDC) in Tripoli, who are waiting to be evacuated. Furthermore, UNHCR has obtained authorization to restart humanitarian evacuation flights. Currently, more than 1,000 vulnerable refugees are prioritized.



Image Source: The Guardian

Amnesty and lawmakers call human rights components in the renewal of the UN Mission to Western Sahara

As the UN Mission to Western Sahara, MINURSO, is to be extended on the 31st of October, 10 **Amnesty** and **ten American lawmakers** call for the inclusion of human rights components in the mission's mandate.

The Minurso mission was established in has existed since 1991 and was established to monitor the UN-facilitated ceasefire agreement between Moroccan armed forces and the Polisario Front, the Sahrawi pro-independence movement which administers Sahrawi refugee camps in Tindouf, Algeria. The mission was tasked with organizing a referendum on self-determination for Western Sahara. However, this never happened.

As a file holder on Western Sahara in the UN Security Council, the US is tasked with drafting the resolution to renew the mandate of the mission. This gives rise to American politicians urging the Biden administration to include human rights elements in the mission. MINURSO is **the only UN Mission established since 1978** that does not have a mechanism dedicated to the monitoring of human rights violations. This is despite multiple documented human rights violations committed by the Moroccan authorities as well as fewer instances by the Polisario.

It is uncertain whether the Biden administration will take the recommendation into consideration. The former Trump administration acknowledged Morocco's sovereignty over Western Sahara, as Morocco normalized their relation Israel. Furthermore, within the UN, France prevents the UN mission to report human rights problems, by using their veto right. Therefore, even though many politicians and human rights organizations put pressure on the Biden administration to change the mandate of the mission, diplomatic ties and agreements have previously prevented the MINURSO mission to include human rights monitoring components.

Israel designates six Palestinian rights organizations as "terrorist organisations"

On the 19th of October, the **Israeli authorities issued a military order, designating six Palestinian human rights groups** as "terrorist organizations". This was under allegations of funneling donor aid to militants. The six organisations are Addameer, Al-Haq, Defense for Children Palestine, The Union of Agricultural Work Committees, Bisan Center for Research and Development and the Union of Palestinian Women Committees

The terrorist designation has **drawn criticism** from both the United Nations and from rights organisations. In a **joint statement**, Amnesty International and Human Rights Watch, whom both work closely with the designated organisations, called the designation "**an attack by the Israeli government on the international human rights movement.**"

Israel's defence minister, Benny Grantz, claimed six organizations were cooperating with the Popular Front for the Liberation of Palestine. The six organizations are variously involved in **highlighting rights** abuses by Israel, the Palestinian Authority and Hamas, additionally, promoting the rights of Palestinian prisoners in Israeli jails.



Image Source: Al Jazeera

HRW: Returning Syrian refugees face human rights abuse

On the 20th of October, Human Rights Watch (HRW) **reported** that refugees who did return to Syria faced abuse from pro-government militias and government authorities. In a 72-page **report** titled “Our Lives Are Like Death’: Syrian Refugee Returns from Lebanon and Jordan,” HRW expanded upon over 60 cases of detention, abuse, enforced disappearances and killings of returnees between 2017 and 2021. While the Syrian government denies such claims, first-hand accounts from returnees bring forward brutal cases of imprisonment, torture, and murder of returnees in government custody.

Not only have refugees faced torture and imprisonment upon return to Syria, but they are also faced with pressure to return by host countries such as Lebanon. Other host countries including Jordan have restricted job opportunities for refugees due to unemployment rates among native residents. Overall, HRW concluded that Syria is unsafe to return to despite pressure from host countries, and UNHCR **is in agreement** with these conclusions as well.



Image Source: Human Rights Watch

The European Court of Human Rights urges Turkey to amend law on insulting the president

On the 19th of October, the European Court of Human Rights (ECHR) ruled that Article 299 of the Turkish Penal Code, which punishes insults and offences against the head of state, was "not in line with the spirit of the European Convention" on Human Rights. Article 299 of the Turkish Penal Code punishes anyone who "damages the image" of the head of state. The court stated that articles that "[t]he interest of a State in protecting the reputation of its Head of State could not justify conferring a special privilege or protection with regard to the right to inform and express opinions about him".

The case was brought before the European Court of Human Rights in 2017 by Vedat Sorli, a Turkish student who was sentenced to 11 months in prison for posting two cartoons of President Erdogan on Facebook. The court stated that there was no justification for Sorli's detention and provisional arrest or the imposition of a criminal sanction.

According to data from the Turkish Ministry of Justice, in 2020 alone, 31,297 investigations were opened in connection with the violation of Article 299; 7,790 cases were filed and 3,325 would result in convictions.

Erdoğan orders expulsion of ten ambassadors urging Osman Kavala's release

On the 23rd of October, Turkish President Erdogan called for the expulsion of ten ambassadors who urged the Turkish authorities to release political activist and philanthropist Osman Kavala. The list includes ambassadors from France, Germany, the United States, Finland, Canada, the Netherlands, Sweden, Norway, New Zealand and Denmark. The embassies affirm, however, that they continue to support the decisions of the European Court of Human Rights and that they have not received any official request for expulsion.

Osman Kavala has been in pretrial detention since 2017 where he was placed without trial. In October, a Turkish court extended his detention. In a statement from the 18th of October, these 10 countries had called for a fair and speedy settlement in the case.

In 2019, the European Court of Human Rights ruled that Kavala had been arbitrarily detained in Turkey since November 2017. The court ruled that his detention had been executed and prolonged in bad faith for illegal purposes and that he should be released immediately. It denounced a desire to "reduce Osman Kavala to silence and with him all human rights defenders". The Council of Europe announced in September 2021 that it could launch an infringement procedure against the Turkish authorities in November if it did not comply with the court's decision for its failure to implement the ruling of the European Court of Human Rights.

80 rights groups call for the release of human rights defenders during the Dubai World Expo

On the 22nd of October, a **letter was delivered** to the Emirati embassy in London, signed by over 80 rights organisations, calling for the release of Emirati human rights defenders, including poet Ahmed Mansoor. The organisations include Amnesty, Gulf Centre for Human Rights, ALQST for Human Rights and ICFUAE. The letter was delivered during the World Expo, which takes place in Dubai from October 2021 to March 2022.

This letter echoes the Alternative Human Rights Expo on October 14, 2021, which **brought together** over 25 human rights groups, honouring Emirati human rights defenders in the United Arab Emirates (UAE) and calling for their release at the Dubai Expo.



Image Source: BBC

Law firm submits case, accusing the United Arab Emirates and Saudi Arabia of complicity in crimes against humanity in Yemen

On the 21st of October, The London-based human rights law firm Guernica 37 **filed a complaint**, to British Police, accusing Emirati and Saudi public figures of complicity in crimes against humanity in the Yemen war.

This complaint concerns **22 publicly unknown members of the Saudi and Emirati political and military elites**. Guernica 37 has filed its complaint to the Metropolitan Police Service and the Crown Prosecution Service and calls for the immediate arrest of the 22 individuals if they enter the UK.

Guernica 37 is an international legal association that focuses exclusively on human rights and war crimes law. Guernica 37's accusation focuses on three events. The first is a 2016 **aerial bombing in Sana'a that killed 140 people** and wounded 600 others. The Saudi-led coalition had acknowledged responsibility for the attack. The second is an **August 2018 airstrike** in Northern Yemen, where a school bus was targeted, killing at least 26 children. The third concerns the allegations of torture and murder of civilians in Aden in southern Yemen committed by Colombian mercenaries under the direction of a private American military organization, employed by the United Arab Emirates. The group's evidence includes testimonies from survivors and relatives to those killed.

Lawyer at Guernica 37, Tody Cadman, said the team was relying on **universal jurisdiction** under British law, guaranteeing the ability to prosecute war crimes and torture in British courts. Hereby, the accusations would apply regardless of the nationality of the accused and regardless of where the crime was committed.

A civil war has been waged in Yemen since 2014 when Houthi militias seized power in the capital Sana'a. In 2015, a Saudi-led military coalition intervened in the conflict. The war has led to the world's largest humanitarian crisis.



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Authors: Valentina Blondel, Sarah Frostmo Faraj, Thibaut Vandriessche, Majed Altaian, Laura Knudsen, Alison Shearer and Sofus Rønberg

Editor: Sofus Rønberg & Alison Shearer

ABOUT ACHRS

ACHRS is an independent non-governmental Think Tank center advocating for the enhancement of democracy and human rights in Jordan and the MENA region. The Center's five priorities are the right to life, the right to speak, the right to think, the right to participate and women's rights.

ACHRS has special consultative status with the Economic and Social Council of the United Nations (ECOSOC).

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