



## GCC Cases Raised in the HRC 36 Special Procedures Joint Communications Report

### Bahrain:

Complaint	Mandate(s)	Communication Summary and Findings
17 Mar 2017 <b>Bahrain</b> JUA <a href="#">BHR 4/2017</a>	<ul style="list-style-type: none"> <li>• Arbitrary detention</li> <li>• Executions</li> <li>• Freedom of opinion and expression</li> <li>• Freedom of peaceful assembly and of association</li> <li>• Human rights defenders</li> <li>• Torture</li> </ul>	<p>Information received concerning the alleged arbitrary arrest and detention, inhumane and degrading treatment, as well as treatment amounting to torture, of <b>Mr. Sayed Nazar Naama Baqer Ali Yusuf al-Wadaei</b> and <b>Ms. Hajar Mansoor Hasan</b>, and death threats made against the former, as well as the arbitrary arrest, detention and ill-treatment of <b>Mr. Mahmood Marzooq Mansoor</b>.</p> <p>“We express grave concern at the allegations of arbitrary arrest, torture and ill-treatment of Mr. Sayed Nazar Naama Baqer Ali Yusuf al-Wadaei, Mr. Mahmood Marzooq Mansoor and Ms. Hajar Mansoor Hasan, and the lack of due process in the 6 criminal proceedings against them. We see significant grounds to assume that they may be subjected to further ill-treatment while in detention. Grave concern is moreover expressed about the physical and mental integrity of the aforementioned individuals, in particular regarding the alleged death threats made against Mr. Sayed Nazar Naama Baqer Ali Yusuf al-Wadaei, and the alleged deprivation of medication of Ms. Hajar Mansoor Hasan. We are moreover concerned that these measures apparently aim to intimidate and impair the human rights activities of Mr. Sayed Ahmed Mustafa Mohamed al-Wadaei, and that they may have occurred, at least in part, in reprisal for Mr. Sayed Ahmed Mustafa Mohamed al-Wadaei’s cooperation with the human rights mechanisms of the United Nations, in particular his attendance to the 34th session of the Human Rights Council. We reiterate our serious concerns expressed previously regarding the wider context of general crackdown of and mounting pressure exerted over civil society actors, and dissidents in Bahrain, the ongoing prosecution of human rights defenders as well as the application of the Bahrain Citizenship Act or Protection of Society against Acts of Terror Law and its compliance with international human rights norms and standards.”</p>
22 May 2017 <b>Bahrain</b> JAL <a href="#">BHR 5/2017</a>	<ul style="list-style-type: none"> <li>• Arbitrary detention</li> <li>• Executions</li> <li>• Freedom of opinion and expression</li> <li>• Freedom of peaceful assembly and of association</li> <li>• Human rights defenders</li> <li>• Religion or belief</li> <li>• Torture</li> </ul>	<p>Information received concerning <b>allegations of severe infringements on the right to life, the right not to be subjected to torture and ill-treatment, the rights to freedom of religion or belief, freedom of expression, freedom of peaceful assembly and freedom of association in Bahrain.</b></p> <p>“We express grave concern at the growing restrictions placed on the exercise of the rights to freedom of religion or belief, expression, association and peaceful assembly, which is indicative of a clear pattern of criminalizing dissent in Bahrain.</p>

22 May 2017

**Bahrain**

JAL

[BHR 5/2017](#)

*(continued)*

We are particularly concerned at the targeting of human rights defenders and political activists for peacefully carrying out their human rights activities as well as for legitimately exercising their rights to freedom of expression, freedom of association and freedom of peaceful assembly. Similar concern extends to the members of Shia communities who have been targeted and discriminated based on their religion or belief.

We are highly concerned about allegations of torture and ill-treatments by officials, in particular by CID agents, exerted against several human rights defenders, often used to obtain confessions during interrogations.

We are concerned the acts of torture, the arbitrary detentions, unfounded convictions, in some cases leading to capital punishment, intimidation – including death threats – stripping of citizenship, the use of travel bans, reprisals for cooperating with international organizations, including the United Nations, against individuals having divergent opinions to the Government, not only represent a violation of individual rights but have a chilling effect on civil society as a whole.

We are concerned about the use of repressive legislation to crack down on dissent. In particular, we are concerned at the overly broad wording of article 165 of the Penal Code, which provides wide discretion to those in charge of applying the provision to define the term “hostile”.

We are concerned that such overly broad criteria may be used to silence opinions deemed unfavorable, and produce a chilling effect on the exercise of the right to freedom of expression in the country, in particular by silencing critical voices and political opposition. Moreover, we are concerned about Law of Associations (No. 21/1989) severely infringing on the right to freedom of association. The law is reportedly used by authorities to interfere and attempt to control the activities of civil society organizations. Additionally, we are concerned about Law No. 58 of 2006 on Protecting Society from Terrorist Acts (Anti-terrorism law), repeatedly used by judicial authorities to convict participants of marches and protests, and to raise political, diplomatic and media campaigns to label protestors as terrorists and quell any public demonstrations.

We are concerned over the recent executions carried out in Bahrain after a de facto moratorium that had been in place since 2010. We are particularly concerned that reports received indicate a growing trend of criminalization of human rights defenders and for charging them for offences for which the death penalty may be imposed in relation to their activities in the defense of human rights, including for exercising their legitimate rights to freedom of expression and to freedom of peaceful assembly and of association.

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(continued)

Additional concern is expressed at the trying of civilians before military courts. We are concerned the very broad wording of amendment to article 105(b) of Bahrain's constitution, granting military courts the right to try civilians, is likely to allow the State to discretionary try civilians for any charge they deem is threatening the security of the State. As mentioned above, many civilians have been convicted under similar charges for solely exercising their rights to freedom of expression, freedom of association and peaceful assembly. This measure could reinforce the arbitrary nature of trials involving dissenting voices to the Government."

### **Saudi Arabia:**

<u>Complaint</u>	<u>Mandate(s)</u>	<u>Communication Summary and Findings</u>
27 Mar 2017 <b>Saudi Arabia</b> JUA <a href="#">SAU 3/2017</a>	<ul style="list-style-type: none"><li>• Cultural rights</li><li>• Housing</li><li>• Poverty</li></ul>	<p>Information received concerning the <b>alleged demolition of the historic neighbourhood of Al-Masora in the town of Awamia, Eastern Province of the Kingdom of Saudi Arabia</b>, which has been announced on 31 December 2016.</p> <p>"We express serious concern that the planned demolition and forced eviction, if followed through, threatens the historical and cultural heritage of the Al-Masora neighbourhood, and will result in homelessness of between 2,000 and 3,000 people evicted from their residence, without prior consultation, adequate housing or resettlement options, or adequate compensation packages. As the destruction of cultural heritage cannot be undone, additional concern is expressed over the project's short-term and long-term consequences for the residents of the area, the town of Awamia and the whole region, including with respect to the rights to an adequate standard of living and to enjoy and access cultural heritage in accordance with the international human rights standards relating to the rights to participate in cultural life. "</p>
06 Apr 2017 <b>Saudi Arabia</b> JUL <a href="#">SAU 4/2017</a>	<ul style="list-style-type: none"><li>• Arbitrary Detention</li><li>• Freedom of opinion and expression</li><li>• Human rights defenders</li><li>• Violence against women</li><li>• Women in law and in practice</li></ul>	<p>Information received concerning the <b>alleged use of discriminatory male guardianship laws to arbitrarily arrest and detain Ms. Maryam Al Otaibi, a woman human rights defender in retaliation for her human rights work.</b></p> <p>"We express grave concern at the retaliation through criminal prosecution against Ms. Al Otaibi and other activists who through their legitimate human rights work and exercise of their right to freedom of expression oppose the system of male guardianship, a system that is in clear violation of international human rights standards. We are also gravely concern that your Excellency's Government has condoned reprisal against Ms. Al Otaibi for her efforts to pursue domestic violence charges against her abusers and in doing so has severely violated her right to protection against violence against women, including domestic violence, and her right of access to justice. "</p>

11 Apr 2017  
**Saudi Arabia**  
JAL  
[SAU 5/2017](#)

- Food
- International order
- Unilateral coercive measures

Information received concerning **the negative impact on the enjoyment of human rights of the people in Yemen due to the ongoing blockade of aircraft and vessels carrying essential goods to Yemeni ports, including basic food items, fuel and essential medicines.**

“We express grave concern over the further deterioration of human rights conditions in Yemen due to the comprehensive vessel and aerial blockade. The blockade, together with the alleged mismanagement of ports and delays in food importation, and the airstrikes have contributed to the obstruction of humanitarian assistance and aid. Very serious concern is expressed at the impact that these measures, which could amount to unilateral coercive measures and which are difficult to reconcile with the implementation of the Security Council resolution 2216, have had on a number of fundamental human rights, including the enjoyment of the right to adequate food, health, and safe drinking water and sanitation of civilians. Very serious concern is thus expressed regarding the continuation of the situation which, despite assurances received, remains desperate and we call on the parties to the Coalition Forces to ensure unhindered access for all humanitarian supplies to restore the basic rights to food, health and safe drinking water and sanitation.”

**Oman:**

<u>Complaint</u>	<u>Mandate(s)</u>	<u>Communication Summary and Findings</u>
29 Mar 2017 <b>Oman</b> JUA <a href="#">OMN 1/2017</a>	<ul style="list-style-type: none"><li>• Freedom of opinion and expression</li><li>• Human rights defenders</li></ul>	Information received concerning the arrest and detention of Mr. <b>Yusuf Al Balouchi</b> , known under the pen name of <b>Yousuf Al Haj</b> , editor and journalist of the Al Zaman newspaper and human rights defender in Oman.

“We express grave concern at the arrest, detention and conviction of Mr. Al Haj, which represent a criminalization of the legitimate exercise of his right to freedom of expression in the performance of his duties as a journalist. We express concern that the legal basis for his arrest, detention and conviction as well as for the shutdown of Al Zaman newspaper do not comply with permissible grounds for restricting freedom of expression under international human rights standards. In this connection, we express additional concern at the lack of due process in the criminal proceedings against Mr. Al Haj, the conditions of Mr. Al Haj’s confinement and his health, in particular the alleged lack of access to adequate medical treatment while in detention. Finally, we express concern at the chilling effect his has on the exercise of freedom of expression in Oman in general, and on the independence of the media in particular to report on issues of public interest and government accountability.

## **Qatar:**

<u>Complaint</u>	<u>Mandate(s)</u>	<u>Communication Summary and Findings</u>
13 Mar 2017 <b>Qatar</b> JUA <a href="#">QAT 1/2017</a>	<ul style="list-style-type: none"><li>• Arbitrary detention</li><li>• Independence of judges and lawyers</li><li>• Torture</li></ul>	<p>Information received concerning the arrest, detention and trial of <b>Mr. Mohammad Jaber Salem Meshab</b> (دمحم رباح ملاس باعشم), a Qatari citizen born in 1974, who resides in Al Muaither in Qatar. He was arrested on 17 December 2015 and is currently held at the State Security detention centre.</p> <p>“Concern is express for the alleged violations to Mr. Meshab’s fair trial guarantees, especially of his right to a fair and public hearing by an independent and impartial tribunal and the presumption of innocence, as well as for allegations that he has been subjected to torture and other cruel, inhuman and degrading treatment or punishment, particularly as he was detained in prolonged solitary confinement for more than 15 days.”</p>
5 May 2017 <b>Qatar</b> JUA <a href="#">QAT 2/2017</a>	<ul style="list-style-type: none"><li>• Arbitrary detention</li><li>• Freedom of opinion and expression</li><li>• Freedom of peaceful assembly and of association</li><li>• Human rights defenders</li></ul>	<p>Information received concerning Mr. <b>Mohammed al-Otaibi</b>, a Saudi national who might be at imminent risk of deportation from Qatar to the Kingdom of Saudi Arabia, in violation of the non-refoulement principle. If deported, Mr. Mohammed al-Otaibi risks facing the danger of torture, enforced disappearance, arbitrary detention and unfair trial.</p> <p>“We are concerned at the high risk of torture, arbitrary arrest, enforced disappearance and unfair trial faced by Mr. al-Otaibi due to his activities as a human rights defender, if he is to be deported to the Kingdom of Saudi Arabia.”</p>

## **United Arab Emirates:**

<u>Complaint</u>	<u>Mandate(s)</u>	<u>Communication Summary and Findings</u>
24 Mar 2017 <b>United Arab Emirates</b> JUA <a href="#">ARE 2/2017</a>	<ul style="list-style-type: none"><li>• Women in law and in practice</li><li>• Migrants</li><li>• Executions</li><li>• Violence against women</li></ul>	<p>Information received concerning the <b>alleged unfair trial and sentencing to death of Ms. Jennifer Dalquez</b>.</p> <p>“We voice strong concern over the conviction and sentencing to death of Ms. Dalquez by the Al Ain Criminal Court following judicial proceedings that do not appear to have fulfilled the most stringent guarantees of fair trial and due process, in particular the principle of equality of arms meaning the right to defend oneself in person or through legal representation of own choosing. More specifically, grave concerns are raised at the reported lack of opportunity provided to Ms. Dalquez during the court proceedings to have her claim of self-defence heard and duly considered as an exculpatory ground and at the conviction and imposition of the death penalty against her solely on the basis of statements provided by family members without due examination of the circumstances of the events. Similar concerns are raised that Ms. Dalquez appears not to have the right to be heard and present her defense in the appeals procedure.”</p>

27 Mar 2017  
**United Arab Emirates**  
JUA  
[ARE 1/2017](#)

- Arbitrary detention
- Disappearances
- Freedom of opinion and expression
- Freedom of peaceful assembly and of association
- Human rights defenders
- Independence of judges and lawyers
- Torture

Information received concerning the **arrest, secret detention, and risk of enforced disappearance of Mr. Ahmed Mansoor**, a prominent human rights defender and blogger in the United Arab Emirates (UAE). Considering Mr. Mansoor's collaboration with the Human Rights Council, its special procedures, the universal periodic review mechanism and treaty bodies, we are concerned that the measures adopted against him may amount to acts of intimidation and reprisal for his cooperation with the United Nations and its mechanisms.

"We express serious concern at the alleged arrest, secret detention, and risk of enforced disappearance of Mr. Ahmed Mansoor, which appear to be related to his work as a human rights defender, and to the expression of support for fellow human rights defenders who are detained. Likewise, we express serious concern at the fact that these acts may constitute acts of intimidation and reprisal for his collaboration with UN human rights mechanisms. Further, we express deep concern at the possibility that Mr. Mansoor, who is allegedly being held in secret detention, might currently be subjected to cruel, inhumane and degrading treatment, or treatment amounting to torture. We express additional concern at the reported lack of an arrest warrant and judicial oversight of his arrest and detention, representing a breach of fundamental principles of due process under international human rights law. We reiterate our concerns at the travel ban against Mr. Mansoor and the confiscation of his passport. Finally, we express our profound dismay at the context of harassment and intimidation existing in the UAE for human rights defenders."

03 May 2017  
**United Arab Emirates**  
JAL  
[ARE 3/2017](#)

- Arbitrary detention
- Freedom of opinion and expression
- Human rights defenders
- Torture
- Health

information we have received regarding the conviction to ten years of imprisonment, torture and cruel treatment, and denial of access to medical treatment of Mr. **Nasser Bin Ghaith**, an Emirati scholar, economist and human rights defender, on the basis of legislation criminalizing expression of criticism towards the governments of the United Arab Emirates and of Egypt, as well as expression calling for greater respect for human rights and governmental accountability in the two countries.

"Grave concern is expressed about the conviction to ten years of imprisonment of Mr. Bin Ghaith on the basis of repressive legislation criminalizing the legitimate exercise of freedom of expression. We express concern at the use of national security and defamation provisions to target speech that is critical or dissenting, in particular about discussions of government policies which is a matter of public interest. Grave concern is also expressed at the allegations concerning violations of due-process during the trial of Mr. Bin Ghaith, as well as at the reports of torture, cruel treatment, the conditions of his confinement, his poor health, and the denial of access to adequate medical treatment while in detention."

**Yemen:**

<u>Complaint</u>	<u>Mandate(s)</u>	<u>Communication Summary and Findings</u>
01 Mar 2017 <b>Yemen</b> JAL <a href="#">YEM 1/2017</a>	<ul style="list-style-type: none"><li>• Food</li><li>• Health</li></ul>	<p>Information received concerning the rights to food and to the enjoyment of the highest attainable standard of physical and mental health and wellbeing of the population of the Republic of Yemen. We have <b>grave concerns regarding access to healthcare, as well as widespread malnutrition, starvation and spread of infectious diseases, particularly amongst children, pregnant women and the growing number of internally displaced persons.</b></p> <p>“Grave concern is expressed regarding the general health of the population of the Republic of Yemen, as well as worsening food and fuel shortages. The conflict places specific populations at particular risk of violence, malnutrition and hunger, and poor health, especially women, children and IDPs. Furthermore, it is with the gravest of concerns that we note the reported attacks against medical facilities, staff and patients, contrary to principles of international human rights and humanitarian law which grant them with protected status. We further wish to note that the deliberate starvation of civilians in both international and internal armed conflict may constitute a war crime, and could also constitute a crime against humanity in the event of deliberate denial of food.”</p>
18 May 2017 <b>Yemen</b> UA <a href="#">YEM 2/2017</a>	<ul style="list-style-type: none"><li>• Religion or belief</li></ul>	<p>Information received concerning <b>escalation of religious persecution of Yemeni Bahá’ís</b> through arrest orders, court summons, detention and disappearances.</p> <p>“I express my grave concerns at the alleged arrests orders, court summons, detention and disappearances of the aforementioned individuals, all of whom are Bahá’ís, and who appear to have been targeted based on their religion or belief. I am also concerned about the allegations of escalation of religious persecution of the Bahá’ís in Yemen. I remain very concerned at allegations that the legal proceedings against Mr. Haydara fall short of fair trial standards as guaranteed by international human rights law. I am also concerned about Mr. Haydara’s safety and health in prison. Furthermore, I am concerned by the cholera outbreak in the Central Prison, affecting the health of all prisoners, including Mr. Qadri and Mr. Haydara.”</p>