



GCC Cases Raised in the HRC 40 Special Procedures Joint Communications Report

Bahrain:

Complaint	Mandate(s)	Communication Summary and Findings
31 July 2018 Bahrain JUA BHR 4/2018	<ul style="list-style-type: none"> • Health • Torture • Water and sanitation 	<p>Alleged victims: -</p> <p>Information received concerning recent reports of alleged disconnection of water supply in Jau Prison and Dry Dock Detention Center.</p> <p>“Serious concern is expressed at the alleged water cuts in Jau Prison and Dry Dock Detention Center, which may amount to a violation of the rights to water and sanitation and even to cruel, inhumane or degrading treatment. We are also concerned about the impact that water cuts are having on the health of prisoners; at the lack of information about the extent of the overall health situation within Jau Prison due to the potential spread of diseases; and at the restricted, or denial of, access to the prison clinic and to prisoner’s medical files.”</p> <p>“Furthermore, we would like to draw your attention to the fact that both the Committee against Torture and the Human Rights Committee have consistently found that conditions of detention can amount to inhuman and degrading treatment.”</p>
05Nov 2018 Bahrain AL BHR 5/2018	<ul style="list-style-type: none"> • Arbitrary Detention • Independence of judges and lawyers • Religion or belief • Terrorism • Torture 	<p>Alleged victims: 20</p> <p>Information received concerning the arbitrary detention, enforced disappearance and torture of 20 individuals convicted in a mass trial after they were accused of belonging to a terrorist organization.</p> <p>“While we do not prejudge the accuracy of the information we have received, we express grave concern at these allegations, if confirmed, would constitute acts of arbitrarydetention, enforced disappearance, torture and convictions following trials that would notmeet international standards of fair trial and due process, in contravention with articles 7,9, 10, 14 and 18 of the International Covenant on Civil and Political Rights and articles 2,15 and 16 of the Convention against Torture, which were ratified by the Kingdom ofBahrein on 20 September 2006 and 6 March 1998 respectively.”</p> <p>“Our concern in this latter regard is particularly heightened since the forced confessions allegedly obtained under torture appear to have been used as evidence in court, thus forming the basis for their conviction, while their right to be assisted by a lawyer oftheir choosing was denied. Charges of</p>

the most serious crimes, including for “terrorism” do not release the State from its international obligations to prevent torture, disappearance, and to safeguard the due process rights of persons undergoing judicial proceedings. We express further concern that some individuals were prevented from practicing their religion while in custody and that others were further subjected to torture and ill treatment based on their belonging to the Shia branch of Islam.”

Saudi Arabia:

Complaint	Mandate(s)	Communication Summary and Findings
14 Jun 2018 Saudi Arabia JAL SAU 7/2018	<ul style="list-style-type: none"> • Arbitrary Detention • Disappearances • Freedom of opinion and expression • Freedom of peaceful assembly and of association • Human rights defenders • Poverty • Women in law and in practice 	<p>Alleged victims: 3</p> <p>Information received concerning the arrest and charges against a number of women’s human rights defenders, along with acts of reprisal against Ms. Loujain Al-Hathloul.</p> <p>“Serious concern is expressed over what appears to be a widespread crackdown on human rights defenders in past weeks, especially on those defending the rights of women in Saudi Arabia. It is deeply alarming that human rights defenders, such as Ms. Al- Hathloul, Ms. Al-Mana and Ms. Al-Nafjan, who have actively advocated for the lifting of the ban on women driving, appear to have been specifically targeted in the crackdown.”</p> <p>“We equally express our concern over the criminalization of freedom of expression as well as freedom of association through the use of repressive, broad and unspecific state security legislation to target human rights defenders in Saudi Arabia and note that the use of such legislation against human rights defenders may have a chilling effect on the activities of others who work in the defence of human rights and on civil society in general.”</p>
25 Jun 2018 Saudi Arabia JAL SAU 8/2018	<ul style="list-style-type: none"> • Arbitrary Detention • Human rights defenders • Terrorism 	<p>Alleged victims: 2</p> <p>Information received concerning multiple detentions of human rights defenders Ms. Radhya Al-Mutawakel and Mr. Abdulrasheed Al-Faqih during attempts to fly from Seiyun airport, in apparent reprisal for their cooperation with UN human rights mechanisms.</p> <p>“Serious concern is expressed over the detentions of Mr. Al-Faqih and Ms. Al-Mutawakel, including those during which they were held incommunicado, for reasons which may be linked to their work as human rights defenders. Concern is also expressed over the possibility that they are being prevented from travel due to their previous cooperation with</p>

UN human rights bodies. **Final concern is expressed** over Mr. Al-Faqih's medical condition and access to the healthcare that he had initially intended to travel for."

26 Jul 2018
Saudi Arabia
JUA
[SAU 9/2018](#)

- Arbitrary Detention
- Disappearances
- Freedom of opinion and expression
- Freedom of peaceful assembly and of association
- Human rights defenders
- Torture

Alleged victims: 1

Information received concerning the incommunicado detention of human rights defender, **Mr. Khalid Al-Omair**.

"**Grave concern** is expressed at the allegations of Mr. Al-Omair's arbitrary and incommunicado detention which appears to be directly related to the complaint he submitted alleging that he had been tortured throughout the eight year prison sentence he served for attempting to exercise his rights to freedom of assembly and of association and freedom of expression. **Particular concern is expressed at the fact that Mr. Al-Omair's whereabouts and well-being are unknown** due to the fact that he has reportedly not been contactable since entering Al-Ha'ir prison on 6 July 2018. **We are gravely concerned about Mr. Al-Omair's physical and mental integrity** in light of allegations that he had previously been tortured during his period in detention between 2008 and 2017."

10 Aug 2018
Saudi Arabia
AL
[SAU 10/2018](#)

- Executions

Alleged victims: -

Information received on a series of airstrikes by Government of Saudi Arabia-led coalition forces carried out since November 2017 in civilian areas in Yemen, including on protected civilian objects, that have caused numerous deaths and serious injuries to civilians, including children.

"...I **express my utmost concern** about what appears to be a systematic pattern of indiscriminate airstrikes in civilian areas by Saudi-led coalition forces, namely on civilians and civilian objects that are protected and/or subject to heightened protection such as homes and a hospital, which have resulted in a very large and disproportionate number of deaths and injuries of civilians, including children, in Yemen. These attacks, and their repetition over time and place, suggest an **underlying military doctrine and strategy which disregard respect for civilian lives in the conflict affected zones and ignores the coalition's forces' obligations under the Geneva Conventions and international human rights law, which are binding on Saudi Arabia.**"

16 Aug 2018
Saudi Arabia
JAL
[SAU 6/2018](#)

- Disability
- Health
- Unilateral coercive measures

Alleged victims: 1

Information received concerning the case of a Qatari national, **Jassim Al-Ma'adid**, a three-year-old boy with disabilities who

has allegedly been denied entry into Saudi Arabia together with his father Mr. Sultan Jassim Al-Ma'adid, due to the travel ban imposed on all Qatari nationals since June 2017.

“...[W]e are gravely concerned about the deteriorating health of [redacted] and the denial of entry into Saudi Arabia in order for him to have continued access to essential healthcare and rehabilitation services. We would like to recall that, while we recognize that States have a sovereign rights to determine conditions of entry and stay in their territories, they also have **an obligation to respect and protect the human rights of all individuals regardless of their nationality, origin or immigration status.** Beyond its declared intention, the suspension of freedom of movement between the Kingdom of Saudi Arabia and the State of Qatar bears a negative impact on the realization of human rights by individual persons, including the right to physical and mental health.”

08 Oct 2018
Saudi Arabia
JUA
[SAU 12/2018](#)

- Disappearance
- Executions
- Freedom of opinion and expression

Alleged victims: 1

Information received concerning the disappearance of journalist Jamal Khashoggi and allegations of his murder at the Saudi consulate in Istanbul.

“**Grave concern [is expressed]** at the disappearance of Mr. Khashoggi and allegations that he has been killed inside the Saudi consulate in Istanbul. We call on Saudi authorities to immediately allow an independent, impartial and international investigation to be carried out... **his disappearance takes place following an alleged smear campaigns** by the authorities claiming that he is a foreign-backed agent. The disappearance and the allegations of the killing of Mr. Khashoggi would be inconsistent with the right of every individual to life and security and **not to be arbitrarily deprived of his or her life** as set forth in article 3 of the Universal Declaration of Human Rights (UDHR), and, if found to be **connected to his dissenting voice and his work as a journalist**, to the right to freedom of opinion and expression as set forth in article 19 of the UDHR.”

10 Oct 2018
Saudi Arabia
JAL
[SAU 11/2018](#)

- Arbitrary Detention
- Executions
- Freedom of opinion and expression
- Freedom of peaceful assembly and of association
- Human rights defenders
- Independence of judges and lawyers
- Religion or belief

Alleged victims: 6

Information received concerning the arbitrary arrests and detentions of the human rights defenders, Ms. Israa Al-Ghomgham, Ms. Samar Badawi, Ms. Nassima Al-Sadah, Ms. Nouf Abdulaziz, Ms. Mayya Al-Zahrani, Ms. Hatoon Al-Fassi.

“...We wish to **express serious concern at the arrests and continuing detentions** of Ms. Al-Ghomgham, Ms. Badawi, Ms. Al-Sadah, Ms. Abdulaziz, Ms. Al-Zahrani, and Ms. Al-Fassi which appear to be **directly connected to their peaceful**

- Terrorism
- Violence against women
- Women in law and in practice

exercise of fundamental rights and their legitimate work in defense of human rights... in Saudi Arabia. We express concern at some Saudi media reports and at the alleged **accusations against Ms. Al-Ghomghamand alarm at calls for her to be sentenced to death.** We express concern about the widespread and **systematic arrests and detention of human rights defenders.”**

11 Oct 2018
Saudi Arabia
 JAL
[SAU 13/2018](#)

- Executions
- Freedom of opinion and expression
- Freedom of peaceful assembly and of association
- Torture

Alleged victims: 6

Information received concerning Mr. Ali al-Nimr, Mr. Dawood al-Marhoon, Mr. Abdullah al-Zaher, Mr. Mujtaba al-Sweikat, Mr. Salman Qureish and Mr. Abdulkarim al-Hawaj (a total of 6 individuals), who face imminent execution as a result of the criminalization of the exercise of fundamental rights exercised when they were under the age of 18.

Serious concern is expressed for “the six [minors who] have been **sentenced to death for exercising their fundamental rights to freedom of expression and assembly...** if executed, their deaths would amount to **arbitrary deprivations of life** in violation of the UDHR, the ICCPR, and the CRC. We also express grave concern about the six individuals who have been sentenced to death in violation of the guarantees of fair trial and due process” as they were **denied access to legal counsel** and prosecuted using **confessions obtained through torture.**

16 Nov. 2018
Saudi Arabia
 UA
[SAU 14/2018](#)

- Arbitrary Detention
- Executions
- Freedom of opinion and expression
- Independence of judges and lawyers
- Religion or belief
- Terrorism

Alleged victims: 2

Information received concerning the persecution of Mr. Salman al-Awdah, an influential religious figure who has over 14 million followers on Twitter, who is known for his calls for reforms and as an advocate for greater respect of human rights within the framework of the Shari’a law.

“We express our grave concern that the persecution of Mr. Al-Awdah appears to be part of a pattern of widespread and systematic arbitrary arrest and detention of persons in Saudi Arabia for peacefully exercising their... human rights based on counter-terrorism and other national or state security legislation.” We also express concern at the ongoing “[use] of anti-terrorism and national security legislation to stifle peaceful political dissidents and critics of the acts of the State, the current regime and the Royal Family... [and] reiterate our call for the government to **release all human rights defenders and other peaceful critics,** including Mr. Al-Awdah, who are detained and sentenced for merely exercising their right to freedom of expression and carrying out their peaceful human rights work.”

Yemen:

<u>Complaint</u>	<u>Mandate(s)</u>	<u>Communication Summary and Findings</u>
25 Jun 2018 Yemen JAL YEM 4/2018	<ul style="list-style-type: none">• Arbitrary Detention• Human rights defenders• Terrorism	<p>Alleged victims: 2</p> <p>Information received concerning multiple detentions of human rights defenders Ms. Radhya Al-Mutawakel and Mr. Abdulrasheed Al-Faqih during attempts to fly from Seiyun airport, in apparent reprisal for their cooperation with UN human rights mechanisms.</p> <p>“Serious concern is expressed over the detentions of Mr. Al-Faqih and Ms. Al-Mutawakel, including those during which they were held incommunicado, for reasons which may be linked to their work as human rights defenders. Concern is also expressed over the possibility that they are being prevented from travel due to their previous cooperation with UN human rights bodies. Final concern is expressed over Mr. Al-Faqih’s medical condition and access to the healthcare that he had initially intended to travel for.”</p>
07 Aug 2018 Yemen JUA YEM 6/2018	<ul style="list-style-type: none">• Arbitrary Detention• Freedom of opinion and expression• Health• Human rights defenders• Torture	<p>Alleged victims: 1</p> <p>Information received concerning the arrest and detention of Mr. Ali Hasan Harmal Baqatyan.</p> <p>“...[W]e wish to express our serious concern at the alleged arbitrary arrest and detention on Mr. Baqatyan, including prolonged periods of incommunicado detention, which may be linked to his human rights activities. Additional concern is expressed at Mr. Baqatyan’s physical and mental integrity in view of the allegations that he was subjected to ill-treatment, and at his deteriorating health linked to his on-going hunger strike.”</p>
07 Aug 2018 Yemen AL YEM 5/2018	<ul style="list-style-type: none">• Executions	<p>Alleged victims: -</p> <p>Information received on a series of airstrikes by Government of Saudi Arabia-led coalition forces carried out since November 2017 in civilian areas, including on protected civilian objects, that have caused numerous deaths and serious injuries to civilians, including children, in Yemen.</p> <p>“...I express my utmost concern about what appears to be a systematic pattern of indiscriminate airstrikes in civilian areas by Saudi-led coalition forces as part of the implementation of a March 2015 request made by your Excellency’s Government for a regional military intervention. These airstrikes have included civilians and civilian objects...such as homes and a</p>

hospital, and have resulted in a **very large and disproportionate number of deaths and injuries of civilians, including children**, in Yemen. These attacks, and their repetition over time and place, suggest an underlying military doctrine and strategy which disregards respect for civilian lives in the conflict and affected zones and ignores the coalition's forces' obligations under the Geneva Conventions and international human rights law."

"...such apparent indiscriminate airstrikes on civilian populated areas and civilian objects may amount to war crimes."

"...I urge your Excellency's Government to put an end to the airstrikes conducted by the Saudi-led coalition forces in Yemen by withdrawing consent for this course of action, and to ensure that any other type of regional military intervention is implemented in full compliance with international humanitarian, and human rights law."

07 Aug 2018
Yemen
 UA
[YEM 7/2018](#)

- Religion or belief

Alleged victims: 20

Information received concerning the criminal proceedings initiated against over 20 Bahá'í individuals and the subsequent trial that did not meet the guarantees for a fair trial.

"I express grave concern at the criminal prosecution of more than 20 Bahá'ís based on charges related to their religion or belief, following **procedures that appear to not meet the standards of fair trial**. I am particularly concerned that these charges include crimes that carry the death penalty. **I also express concern** at the claim against the entire Yemeni Bahá'í community, which is not in accordance with international human rights standards."

"...the above allegations appear to be in contravention of the right to freedom of religion or belief and to fair proceedings before an independent and impartial tribunal..."

Additional communications sent and published but not included in the HRC 40 Joint Communications Report:

Bahrain:

Complaint	Mandate(s)	Communication Summary and Findings
11 Dec. 2018 Bahrain JUA BHR 6/2018	<ul style="list-style-type: none"> • Executions • Independence of judges and lawyers • Terrorism • Torture 	Alleged victims: 20 Information received concerning the imposition of the death penalty, including cases where there is an immediate risk of execution, and the conduct of trials in the Bahrain.

“. . . [W]e are expressing our **most serious concern** that if confirmed the acts alleged would amount to instances of arbitrary detention, enforced disappearance, **torture** and convictions following **trials that would not meet international standards of fair trial and due process . . .**”

“We are **extremely concerned** about the allegations that **confessions were obtained under torture** and used as evidence in court, thus forming the basis of conviction, particularly when defendants were denied the right to be assisted by a lawyer.”

“The imposition and implementation of the death penalty in such circumstances would constitute a **violation of the right of every individual to life, liberty, and security . . .**”

“We urge Your Excellency’s Government to **halt the executions** of all individuals whose cases are described in this communication and **to ensure that all of them are re-tried** in full compliance with the Kingdom of Bahrein’s [sic] international human rights obligations.”

United Arab Emirates:

<u>Complaint</u>	<u>Mandate(s)</u>	<u>Communication Summary and Findings</u>
06 Dec 2018 United Arab Emirates JUA ARE 3/2018	<ul style="list-style-type: none">• Disappearances• Executions	Alleged victims: 1 Information received concerning the continuous enforced disappearance and alleged death of Ms. Sheikha Latifa al Maktoum. “ Serious concern is expressed over the continuous enforced disappearance and alleged killing of Ms. Sheikha Latifa al Maktoum.”