



# General Assembly

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## Human Rights Council

### Fortieth session

25 February–22 March 2019

Agenda item 2

**Annual report of the United Nations High Commissioner**

**for Human Rights and reports of the**

**Office of the High Commissioner and the Secretary-General**

## **Written statement\* submitted by Organization for Defending Victims of Violence, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[5 February 2019]

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\* Issued as received, in the language(s) of submission only.



## **Human Rights Violations in Yemen, Bahrain, Saudi Arabia, the United Arab Emirates and the United States of America**

### **The United States of America**

ODVV expresses its deep concern over United States policy of undermining the credibility of international organizations. The US Government is pursuing policies of violation of human rights through supporting human rights violating states and undermining the credibility of international human rights organizations, which are all interconnected with each other. From the inauguration of Donald Trump as President to-date the United States Government has left 6 international treaties and agreements:

UNESCO, UN Human Rights Council, Trans-Pacific Partnership (TPP), Paris Climate Accord, New York Declaration for Refugees and Migrants, and Joint Comprehensive Plan of Action (JCPOA).

This exit policy will be followed by unaccountability towards violations that follow the decision and will set a precedent for states' behaviour towards international institutions.

### **Saudi Arabia**

The continuation of violation of freedom of expression, freedom of association and assembly, continuation of suppression of human rights defenders, widespread arrests, arbitrary detentions, unfair trials, ill treatment and mental and physical tortures in prisons are all instances of human rights violations in Saudi Arabia.

The rise in number of arrests by Saudi authorities, as part of targeting human rights defenders, government critics, academics, clergy and the Shia minorities continue. There are of torture, sexual abuse and other mistreatments against dozens of incarcerated activists including Lojin Hazlol, Iman Al-Fanjan, Aziza Yusef, Samar Badawi, Nasim Al-Sadeh, Mohammad Al-Rabe-eh and Ibrahim Al-Madimig, as well as their imprisoning without charge from May 2018, in Zahban prison in north Jeddah.

Broad definition of terrorism in 2014 Saudi law, has turned the violation of freedom of expression and belief, peaceful associations and assembly, the right of access to fair trial, and suppression of critics into a routine in Saudi Arabia. Currently according to reports of UN working groups and thematic rapporteurs and also existing evidence and documents, the urgency to fight terrorism has turned into an excuse and justification to confront peaceful criticism of country officials, and cracking down on critics, the opposition, human rights and civil activists, equality seeking minorities, journalists and etc.

Grave violation of human rights and acts of torture by the highest levels of Saudi officials such as the horrific, inhuman and extrajudicial killing of US resident Saudi journalist Gamal Gashogi<sup>1</sup> in October 2018, is another cause for concern in this country.

Extensive human rights violations take place in Saudi Arabia while as a UN Human Rights Council member state, the country committed itself to observe the highest standards of human rights. However, observations of the Arbitrary Detentions Working Group, the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, and the Committee against Torture leaves doubt on whether the election of Saudi Arabia into Council membership was a wise decision or does it undermine the Council's strength and credibility.

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<sup>1</sup> <https://www.aljazeera.com/news/2018/12/panel-urges-saudi-arabia-stop-torture-free-activists-181212140204122.html>

## **The Kingdom of Bahrain**

Crackdowns, arbitrary arrests and detention of human rights activists and violation of freedom of expression in Bahrain are deep concerns. In the last two years systematic crackdown, imprisonment, intimidation and harassment of political opponents including human rights defenders, journalists, political activists, Shia clergy and peaceful protesters, particularly Shia political leaders have increased. Treatment of prisoners in Bahrain, particularly in Jau prison, is inhuman and unjust. Amar Sahwan, Ali Haji, Naji Fatil are some of the prisoners that have been tortured, and they have received extrajudicial and unfair trials. The court of appeals unlawfully sentenced Sheikh Ali Salman, the leader of Bahrain's opposition, to life imprisonment for peacefully demanding his rights to freedom of expression.

Since 2012, hundreds of Bahraini citizens have had their citizenship revoked including Abdullah Marhoun Rashed, Seyed Mohammad Ghasem, Mohammad Hassan Fazel, Hussein Ali Ahmad Davood and Ahmad Mohammad Ali Mehdi Ibrahim Zein-ol-Din, who were sentenced to death and their citizenship are revoked.

## **United Arab Emirates (UAE)**

The government in the UAE has created vast restrictions on freedom of expression and assemblies.

The UAE continues to use anti-terror laws to punish human rights defenders. The "UAE94"<sup>2</sup> are still serving heavy sentences handed down in 2013, on spurious charges of attempting to overthrow the government.

Human rights activists Osama al-Najjar and Ahmed Mansoor, attorney at law Mohammad Al-Roken, university lecturer Nasser Bin Geith, women human rights defenders Amina Abdulali, Alia Abdunour and Mariam Al-Baloushi were sentenced to long prison terms by UAE officials for peacefully expressing their beliefs. Audio recordings of these prisoners indicates their being subjected to torture and cruel behaviour and treatment.

Migrant workers in the Emirates live under terrible conditions, as second class citizens. These labourers and domestics are faced with various types of exploitation and treatment (including extra working hours, unsuitable housing conditions, physical abuse etc.) contrary to Article 23 of the Universal Declaration of Human Rights. While denied access to independent and unbiased justice officials, most often they are faced with decisions issued in support of Emirati employers.

The torturing of political prisoners by the security forces in the UAE, takes place without any fear of any prosecution or punishment. Forcing prisoners to sign prepared confessions, without due process, swift and summary trials and arbitrary convictions of individuals are all other causes for concern for ODVV.

## **Yemen**

Yemen is currently experiencing one of the worst human crises in the world. From 2014 to-date more than 10,000 people have been killed in the conflict and millions have been displaced. The lives of the people and infrastructures have been destroyed through inhuman airstrikes, arbitrary detentions and forced disappearances. Lack of access to basic living standards, has made 22 million people desperate for urgent humanitarian assistance. The Saudi-led Coalition has escalated this crisis and killed and injured thousands of civilians in airstrikes. Also the siege of important airports and ports in Yemen has prevented humanitarian assistance reaching the country.

<sup>2</sup> 94 individuals including human rights defenders and political activists sentenced to between 7 and 15 years imprisonment on charges of "attempting to overthrow the government"

UN Security Council's recent resolution on a ceasefire agreement was approved while the impoverished Yemen is faced with serious food and medicine shortages and spread of diseases, death and destruction. Their only way of access to food, fuel and medicine is through sustainable ceasefire, halting the conflict, reaching a sustainable deal through dialogue between Yemeni groups and their self-determination.

### **Recommendations:**

1. We call upon the Human Rights Council as the main and most important institution responsible for the promotion and protection of human rights, to apply guarantees for making it difficult for countries to leave the Council and or at least set fines for countries who leave this body, due to the damage that is caused to the credibility and dignity of this body through countries leaving.
2. We call upon the international community to break silence on the continued crackdown of the opposition in Bahrain. Bahrain allies also must use their influence to put pressure on Bahraini officials to ensure commitment to international law and force Bahraini officials to release Sheikh Ali Salman and other political prisoners.
3. We call upon Saudi Arabia to respect human rights, remain committed to freedom of expression, association and assembly, end acts of torture of the opposition and civil society activists and to release them, develop and improve women's rights, guarantee the protection of human rights and fundamental freedoms when countering terrorism, observe human rights and international humanitarian law principles with regards to the conflict in Yemen.
4. We urge the Human Rights Council to pay more attention when electing its members, and in accordance with the Council Founding Resolution, to suspend the membership of states who violate human rights standards. Also it is necessary that the Saudi government reviews its definition of terrorism in the 2014 Act and conform it with international human rights standards, and to provide the opportunity for peaceful protesters to hold peaceful assemblies.
5. We urge the parties in the Yemeni conflict to be committed to the ceasefire to reach a political solution, so that humanitarian assistance can be sent to Yemen.
6. We urge Saudi Arabia to observe human rights and international humanitarian law with regards to the conflict in Yemen.
7. We urge the UN not to be negligent towards investigation of those responsible for the killing of civilians in Yemen in the Coalition airstrikes, and approve a resolution for the prosecution of these crimes and their perpetrators in international tribunals.
8. While expressing concern over the situation of human rights defenders, migrant workers, political prisoners, and the impunity of UAE security forces with regards to torture of political prisoners, we call upon the government to end arbitrary and secret detentions and forced disappearances of human rights activists for exercising their right to freedom of expression and immediate release the activists.
9. Also we urge the Human Rights Council to investigate the unfairness of the courts, lack of an independent judicial system, the unfairness of trials and the impunity of security forces in their treatment of prisoners in UAE.