

Universal jurisdiction

Judicial proceedings against genocide suspects took place in Belgium, Finland, Germany and the Netherlands.

■ The European Court of Human Rights rejected Sylvere Ahorugeze's appeal against the Swedish government's decision to extradite him to Rwanda. He remained in Denmark at the year's end.

■ Charles Bandora's extradition to Rwanda was pending. His case had passed through all stages of Norway's criminal justice system. His final appeal was pending.

Impunity for war crimes and crimes against humanity

The authorities did not investigate or prosecute allegations of war crimes and crimes against humanity committed by the Rwandan army in Rwanda and also the DRC, as documented in the UN Mapping Report.

Refugees and asylum-seekers

The implementation of a cessation clause for Rwandan refugees, invoked on 31 December 2011 by UNHCR, the UN refugee agency, was delayed until June 2013. Under the clause, refugees who left Rwanda up to and including 1998 would lose their status, but should be interviewed to establish any individual grounds for continued fear of persecution in Rwanda.

Prisoners of conscience

■ Charles Ntakirutinka, a former Rwandan government minister and prisoner of conscience, was released on 1 March after serving a 10-year sentence following an unfair trial. He was arrested in April 2002 during a crackdown before the 2003 presidential elections, and convicted of "inciting civil disobedience" and "association with criminal elements".

Amnesty International visits/reports

✈ Amnesty International delegates visited Rwanda in February, March and June. An Amnesty International observer monitored Victoire Ingabire's trial in March and April.

📄 Rwanda: Briefing to the UN Committee Against Torture (AFR 47/003/2012)

📄 Rwanda: Shrouded in secrecy – illegal detention and torture by military intelligence (AFR 47/004/2012)

📄 Rwanda urged to end clampdown on dissent as Charles Ntakirutinka released (PRE01/113/2012)

📄 Rwanda must investigate unlawful detention and torture by military intelligence (PRE01/464/2012)

📄 Rwanda: Ensure appeal after unfair Ingabire trial (PRE01/523/2012)

SAUDI ARABIA

KINGDOM OF SAUDI ARABIA

Head of state and government: **King Abdullah bin Abdul Aziz Al Saud**

The authorities severely restricted freedoms of expression, association and assembly and clamped down on dissent. Government critics and political activists were detained without trial or sentenced after grossly unfair trials. Women were discriminated against in law and practice and inadequately protected against domestic and other violence. Migrant workers were exploited and abused. Sentences of flogging were imposed and carried out. Hundreds of people were on death row at the end of the year; at least 79 people were executed.

Background

In January, the head of the religious police said he would issue guidelines advising his forces that they are not empowered to arrest or interrogate Saudi Arabian citizens or to attend trials.

Prince Salman bin Abdul Aziz Al Saud became Crown Prince following the death of Prince Naif bin 'Abdul Aziz Al Saud in June.

Also in June, the semi-official National Society for Human Rights published its third report on human rights and urged the government to end discrimination; to strengthen the regulatory powers of the Shura Council; to require arresting and detaining authorities to comply with the Code of Criminal Procedure and to hold to account those who do not comply.

Repression of dissent

The authorities continued to clamp down on people calling for political and other reform as well as human rights defenders and activists. Some were detained without charge or trial; others faced prosecution on vague charges such as "disobeying the ruler".

■ Dr Abdullah bin Hamid bin Ali al-Hamid and Mohammad bin Fahad bin Muflih al-Qahtani, co-founders of the Saudi Civil and Political Rights Association (ACPRA), an unlicensed NGO, were charged with threatening state security, inciting disorder and undermining national unity, disobeying

and breaking allegiance to the ruler, and questioning the integrity of officials. The charges appeared to arise from their involvement in setting up ACPRA, calling for protests, and criticizing the judiciary for accepting as evidence “confessions” allegedly made under torture or other duress. Their trial began in June but had not concluded by the end of the year.

■ Mohammed Saleh al-Bajady, another of ACPRA’s co-founders, was sentenced to four years’ imprisonment in April and banned from travelling abroad for five years. He was convicted of communicating with foreign bodies to “undermine security” and other offences, including harming the state’s image through the media, calling for protests by detainees’ families and possessing banned books. He went on hunger strike for five weeks to protest against his imprisonment.

■ Fadhel Maki al-Manasif, a human rights activist detained since October 2011, went on trial in April charged with sedition, “inciting public opinion against the state”, “disrupting order by participating in marches” and other offences, apparently because of his human rights activism. His trial was ongoing at the end of the year.

■ Human rights defender and writer Mikhilif bin Daham al-Shammari went on trial before the Specialized Criminal Court in March. He faced an array of charges, including seeking to damage Saudi Arabia’s reputation in the international media, communicating with suspect organizations and accusing state organs of corruption. He had been released on bail in February after a year and a half in detention. He was arrested after he publicly criticized alleged prejudice by Sunni religious scholars against the Shi’a minority and their beliefs. In April, the authorities banned him from leaving Saudi Arabia for 10 years. His trial was continuing at the end of the year.

■ Khaled al-Johani, the only man to reach the site of a planned demonstration in Riyadh to mark a “Day of Rage” on 11 March 2011, was released on 8 August and was believed to be no longer facing trial. His exact legal status was unclear. He was allowed out of prison for a two-day family visit in July.

Counter-terror and security

A draft anti-terrorism law was reported to have been amended by the Shura Council but it had not been enacted by the end of the year.

The authorities continued to hold incommunicado detention suspected members and supporters of

al-Qa’ida and Islamist groups. Thousands of security suspects arrested in previous years were believed to be held in virtual secrecy with no means to challenge their continuing imprisonment and without access to lawyers or doctors. Some were not permitted to see or communicate with their families. The authorities said hundreds were put on trial but provided no details, leading to concerns that such trials were secret and unfair.

There were several protests by family members of security detainees. On 23 September, scores of people, including women and children, gathered in the desert near al-Tarfiya prison in Qassim Province to call for the release of their detained relatives. They were surrounded by security forces and forced to remain without food or water until the following day, when a number of men among the protesters were arrested, beaten and detained.

In October, the authorities said that anyone who demonstrated would face prosecution and be “firmly dealt with” by members of the security forces. Despite this, relatives of security detainees held a protest outside the Saudi Arabian Human Rights Commission in Riyadh. The security forces cordoned off the area and arrested at least 22 women, eight children and more than 20 men when they refused to disperse. One man was beaten and one woman kicked by security officials. Most were released after they agreed to sign undertakings not to protest again; however, some 15 men continued to be detained.

Discrimination – Shi’a minority

There were protests in Eastern Province by members of the minority Shi’a community, who alleged long-term discrimination on account of their faith. The security forces were alleged to have used excessive force at times against the protesters. Some 10 protesters were reportedly shot dead and others injured by security forces, during or in connection with the Eastern Province protests. The authorities said the deaths and injuries occurred when security forces were confronted by people with firearms or Molotov cocktails, but such incidents were not independently investigated. Some 155 men and 20 children were believed to be held without charge in connection with the protests at the end of the year.

■ On 26 September, two men were killed and a third was fatally injured in unclarified circumstances when security forces raided a house in search of a man

wanted for allegedly “stirring up unrest”. No official investigation into the deaths was known to have been held.

Several men were reportedly sentenced to flogging for participating in the Eastern Province protests and others banned from travelling abroad. Shi’a clerics who publicly advocated reform or criticized the government were detained and in some cases charged with disobeying the ruler and other offences.

■ Sheikh Nimr Baqir al Nimr, a frequent critic of discrimination against the Shi’a minority, was arrested on 8 July in al-Awwamiya in Eastern Province, apparently because of comments he allegedly made following the death of the Interior Minister Prince Naif bin ‘Abdul Aziz Al Saud. He received a gunshot wound in disputed circumstances at the time of his arrest. The authorities said he was an “instigator of sedition” who was shot at a checkpoint as he and others resisted arrest and sought to flee; however, his family said he was alone and unarmed when detained. He was still detained without charge or trial at the end of the year.

■ Sheikh Tawfiq al-Amer, a Shi’a Muslim cleric and advocate of reform detained since August 2011, was charged with incitement against the authorities, slandering the Council of Senior Scholars and other offences in August. He was sentenced in December to three years’ imprisonment followed by a five-year travel ban and a ban on giving sermons and speeches.

Torture and other ill-treatment

Torture and other ill-treatment of detainees and sentenced prisoners were reported to be common, widespread and generally committed with impunity. Reported methods included beating, suspension by the limbs and sleep deprivation. Those tortured reportedly included detained protesters, who were held incommunicado for days or weeks without charge or trial.

■ Detainees held at al-Hair prison reportedly told their families in August that they were assaulted by prison guards and feared for their lives.

Women’s rights

Women continued to face discrimination in law and practice, and were inadequately protected against domestic and other gender-based violence.

For the first time, two Saudi Arabian women were permitted to participate in the Olympic Games, under conditions relating to the Islamic dress code and the presence of male guardians.

Women continued to be required by law to obtain the permission of a male guardian before getting married, travelling, undertaking paid employment or enrolling in higher education. Saudi Arabian women with foreign spouses, unlike their male counterparts, could not pass on their nationality to their children. Women continued to be prohibited from driving, although the “Women2Drive” campaign by local activists challenged the ban. Discriminatory rules relating to marriage and divorce appeared to cause some women to remain trapped in violent and abusive relationships.

Migrant workers’ rights

Migrant workers, who comprised around a third of the population, were inadequately protected by labour laws and were vulnerable to exploitation and abuse by employers. Women domestic workers in particular were at risk of sexual violence and other abuses.

Cruel, inhuman or degrading punishments

The courts continued to impose sentences of flogging as a principal or additional punishment for many offences. At least five defendants were sentenced to flogging of 1,000 to 2,500 lashes. Flogging was carried out in prisons.

Death penalty

The courts continued to impose death sentences for a range of drugs and other offences. Several hundred prisoners were believed to be on death row; some for many years. At least 79 prisoners were executed, mostly in public. They included at least 52 Saudi Arabians and at least 27 foreign nationals, including at least one woman. Some prisoners were executed for non-violent offences.

■ Rizana Nafeek, a Sri Lankan domestic worker, remained on death row. She was convicted in 2007 of murdering her employer’s baby when aged 17, at a trial in which she had no defence lawyer. She confessed during police questioning, possibly under duress, and later withdrew her confession.

■ Suliamon Olyfemi, a Nigerian national, remained on death row having been sentenced to death after an unfair trial in 2004.

■ Qassem bin Rida bin Salman al-Mahdi, Khaled bin Muhammad bin Issa al-Qudaihi and Ali Hassan Issa al-Buri, all Saudi Arabian nationals, appeared to be at risk of execution after exhausting all appeals against their convictions on drugs charges. They reportedly had no

access to a lawyer while held in pre-trial detention following arrest in July 2004; at least one was reportedly coerced to “confess”. Ali Hassan Issa al-Buri was initially sentenced to 20 years in prison and 4,000 lashes but was sentenced to death when the General Court in Qurayyat rejected a Court of Cassation ruling that the sentences on the other two should be commuted. All three death sentences were confirmed by the Supreme Judicial Council in 2007.

Amnesty International visits/reports

🚗 Amnesty International continued to be effectively barred from visiting Saudi Arabia to conduct human rights research.

📅 Saudi Arabia's 'Day of Rage': One year on (MDE 23/007/2012)

📅 Saudi Arabia: Dissident voices stifled in the Eastern Province (MDE 23/011/2012)

SENEGAL

REPUBLIC OF SENEGAL

Head of state: **Macky Sall (replaced Abdoulaye Wade in April)**

Head of government: **Abdoul Mbaye (replaced Souleymane Ndiéné Ndiaye in April)**

The unrest which marked the pre-election period in January and February resulted in serious human rights violations, including excessive use of force leading to the death of several protesters; torture and other ill-treatment; and attacks on freedom of expression. In Casamance, in the south, clashes between the army and an armed group intensified at the beginning of the year leading to arrests and targeting of civilians. An agreement was signed between Senegal and the AU to establish a special court to try former Chadian President Hissène Habré.

Background

In January and February, security forces violently repressed opponents to the candidacy for a third term of the outgoing President Wade and used excessive force, leading to several casualties. Despite this unrest, new President Macky Sall was elected in March; the results were not challenged.

In October, representatives of the Senegalese government and members of the Democratic Forces

of Casamance Movement (MFDC) met in Rome, Italy, under mediation undertaken by the Catholic community Sant'Egidio.

Excessive use of force

At least six people were killed by security forces during the pre-elections unrest.

■ In January, gendarmes (paramilitary police) used live ammunition against peaceful demonstrators in Podor. Two people were killed: Mamadou Sy and Bana Ndiaye, a woman aged around 60 who was not participating in the protest.

■ In January, Mamadou Diop was killed by a police vehicle during a peaceful demonstration at the Place de l'Obélisque in Dakar. An inquiry was opened but had not concluded by the end of the year.

Torture and other ill-treatment

Several people were tortured and otherwise ill-treated by security forces and at least two of them died in detention, reportedly as a result of torture.

■ In February, Ibrahima Fall was tortured and otherwise ill-treated after being arrested in Tivavouane while returning from a demonstration against President Wade's candidacy. He was tortured by gendarmes who hit him with batons, water hoses and electric cables.

■ In February, Ousseynou Seck died after being tortured in custody. All the police officers implicated were arrested and were awaiting trial at the end of the year.

■ In August, Kécouta Sidibé, a man who was deaf and mute, died reportedly as a result of torture in custody in Kédougou after he was arrested for consuming Indian hemp. In December, the Kaolack Appeal Court declared the deputy commander of the Kédougou gendarmerie guilty of murder and he was arrested. An investigation into the involvement of five other gendarmes was in progress at the end of the year.

Freedom of expression

Political activists and human rights defenders were assaulted and imprisoned for peacefully expressing their opposition to President Wade's candidacy.

■ In January, three journalists were beaten by the police. Two worked for the Senegalese daily *Le Populaire*, and one for the French news agency, Agence France Presse.

■ In February, security forces prevented members of the Y'en a marre (We are fed up) movement from organizing a sit-in at the Place de l'Obélisque in Dakar