

The Rebellion in the Middle East and North Africa

A Human Rights Agenda for Change



Amnesty International has promoted human rights agendas for change in the Middle East and North Africa, based on the following principles but adapted for the particular country situations:

Reform the security forces:

There must be fundamental reform of police forces and other law enforcement bodies in line with international law and standards. Their structure and chain of command must be made public and an oversight body established to independently and impartially investigate reports of abuse.

Ensure laws comply with international standards:

Revoke or amend legislation that restricts human rights, including where relevant, emergency laws.

Reform the justice system:

The independence of the judiciary must be upheld in law and practice. Everyone charged with an offence must have a fair trial by a competent, independent and impartial tribunal established by law, where the rights of defence are fully respected. Military trials of civilians and trials before emergency courts must end; those convicted must be retried before civilian courts or released.

End torture and other ill-treatment:

Torture and other ill-treatment must not be tolerated, and must be criminalized in line with international law. All officers involved in arrest, detention and interrogation must know that torture and other ill-treatment will not be tolerated. Reports of torture and other ill-treatment must be investigated and those responsible must be held criminally liable and prosecuted.

End incommunicado detention:

Detainees must have access in law and practice to the outside world, regularly and without delay, including to their families, lawyers of their own choosing and independent medical care. Places of detention must be publicly listed and subject to regular, unannounced and unrestricted independent inspection.

Uphold the rights to freedom of assembly, association and expression:

Laws criminalizing the peaceful exercise of these rights must be repealed or brought in line with international law and standards. Security forces, including the army, must not use excessive force when policing demonstrations. Peaceful protesters and people peacefully expressing their views must not be arbitrarily arrested and detained, tortured or otherwise ill-treated. The freedom to seek, receive and impart information and ideas of all kinds, regardless of the media, must be protected, and undue restrictions on internet and mobile telecommunications services must not be imposed. NGOs must be allowed to function without impediments.

Release prisoners of conscience:

All prisoners of conscience – those deprived of their liberty solely for the peaceful exercise of their right to freedom of conscience, thought, opinion, expression, association or assembly or on account of their identity – must be released immediately and unconditionally.

End enforced disappearances:

The practice of enforced disappearances must be stopped by immediately disclosing the whereabouts of all those detained, and ensuring that all detainees are officially registered and their families and lawyers notified.

End impunity:

All appropriate measures must be taken against officials and others who order, condone, acquiesce in or commit human rights violations. Independent, thorough and impartial inquiries must be conducted into past human rights violations. These must make recommendations to prevent future abuses and to

provide truth, justice and reparation to the victims, and such recommendations must be speedily implemented.

Realize economic, social and cultural rights for all:

People must have access to essential public services, including water, sanitation and health care, and adequate housing, without discrimination. Workers' rights, including the rights to form and join independent trade unions, to strike and to a fair minimum wage, must be upheld.

End discrimination:

Legal provisions discriminating against individuals on the basis of race, colour, religion, ethnicity, birth, sex, sexual orientation, gender identity, political or other opinion; national or social origin; property; or other status must be brought in line with international law and standards or abolished.

Decriminalize consensual sexual relations:

Any laws that criminalize consensual sexual relations and actual or alleged consensual same-sex relations must be repealed. No one should be arrested or prosecuted for their real or alleged homosexuality and anyone imprisoned solely on the basis of their actual or imputed sexual orientation should be unconditionally released.

Protect and promote women's rights:

Women must be full partners in the process of political and human rights reform. Women and men must be accorded equal rights in law, including in relation to marriage, divorce, child custody and inheritance.

Combat violence against women:

Women must have legal protection from domestic violence, including marital rape, and sexual harassment.

Uphold the rights of slum-dwellers:

People living in informal settlements must be meaningfully consulted and able to actively participate in decisions affecting their future. They must have legal security of tenure. Forced evictions must end. There must be a comprehensive plan to address inadequate housing conditions that threaten lives and health.

Abolish the death penalty:

A moratorium on executions must be introduced or upheld pending abolition of the death penalty.

Protect the rights of migrants, refugees and asylum-seekers:

Security forces must not use force against people seeking entry or exit across borders, except in strict accordance with international human rights standards. Asylum-seekers must have meaningful access to asylum procedures and to UNHCR, the UN refugee agency, and individuals who are fleeing persecution must be afforded international protection.

Proper control of military, security and police transfers:

All states supplying arms to the Middle East and North Africa should conduct an urgent, comprehensive review of all arms supplies to military, security and police forces to ensure that no arms are transferred where there is a substantial risk that they will be used to commit or facilitate serious violations of international human rights law or international humanitarian law. They should also ensure that all training support to military, security and police forces reinforces human rights principles and accountability; and examine critically the factors that would allow the resumption of arms transfers to the country. States should ensure that the negotiation of an Arms Trade Treaty in 2012 includes controls on all weapons, munitions, armaments and related materials designed or modified for military or internal security/law enforcement operations involving lethal force; and strong human rights parameters to prohibit arms transfers where there is a substantial risk that they will be used to commit or facilitate serious human rights violations.

For more information on the Rebellion in the Middle East and North Africa, check out amnesty.ca/middleeast or contact Hilary Homes at the national office: hhomes@amnesty.ca.

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