Governments in the MENA region continue to expand their use of counter-terrorism as a tool to repress and silence civil society and peaceful dissent.

UN Special Procedures have warned of Egypt’s “systemic problem in the abuse and misuse of counter-terrorism laws and practices.” The Counterterrorism Law (no.94/2015) and the Terrorist Entities Law (no.8/2015) have been used by Egypt to crack down on basic rights through their overly broad definitions and severe penalties. This state crackdown includes the specific targeting of human rights defenders (HRDs) through a sustained campaign of arbitrary arrest and detention on baseless “terrorism” charges.

UN rights experts have denounced the Egyptian government’s arbitrary addition of rights defenders to “terrorist” lists in 2020. Among them are Zyad El-Elaimy and Alaa Abdel Fattah, who have been sentenced to five years in prison, and Mohamed El-Baquer, sentenced to four years in prison, by emergency state security courts.

In a context of escalated repression in Algeria, an increasing number of individuals have been prosecuted under broadly-worded terrorism charges - among them journalists Hassan Bouras, Mohamed Mouloudj and Abdelkrim Zeghileche, human rights defenders Zaki Hannache and Kamira Nait Sid, lawyer Abderraouf Arslane, and Slimane Bouhafs, an Algerian UN-recognized refugee forcibly returned from Tunis.

In a communication on 27 December 2021, UN Special Procedures warned that the definition of terrorism in Algeria’s Penal Code, further expanded in June 2021, has undermined “the rights to peaceful assembly and freedom of expression”, and imposed “disproportionate penalties for acts that should not be addressed by counter-terrorism legislation”. On 27 February 2022, authorities published a list of 18 national terrorist entities and individuals – the list does not comply with international human rights standards according to Special Procedures.

To maintain its apartheid regime over the Palestinian people, Israel has expanded the use of unfounded terrorist designations, including against six leading Palestinian organizations. Last week, HRD Salah Hammouri was again arrested. He is at imminent risk of deportation following Israel’s punitive revocation of his residency status based on the illegal criteria of “breach of allegiance”. The ceaseless prosecution of Salah Hammouri and Palestinian organizations are prominent examples of Israel’s systematic targeting of human rights defenders.

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1 CIHRS, WCLAC, Al-Haq, WILPF
Special Rapporteur, what actions can this Council and UN member states take to protect HRDs in the Middle East and North Africa who are currently targeted by counter-terrorism laws? How can the international community overcome double standards that have hindered attempts to protect HRDs against the misuse of counter-terrorism by states?