



The Observatory
for the Protection
of Human Rights Defenders

Annual Report 2011

Press Kit:

Steadfast in Protest

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Steadfast in Protest



Souhayr Belhassen
FIDH President

In 2011, the highly repressive regimes in Tunisia and Egypt were swept away against a background of popular movements and protests focused on demands for freedom, justice and dignity, in the name of universal human rights. Although this universality has been obtained by overcoming the political, cultural, identity or religious particularism in the name of which dictators oppress their people, the fight by defenders worldwide, and their protection, is more topical than ever.

In the fourteenth edition of its Annual Report, on which the Arab Spring has left its mark in a way that no other event has, the Observatory for the Protection of Human Rights Defenders rejoices in the victories that have been won but also draws an alarming picture of worldwide rights violations and attacks against the men and women who defend them. *“Zine el-Abidine Ben Ali, Hosni Mubarak, Muammar Gaddafi, Ali Abdullah Saleh, Bashar al-Assad ...: this huge popular uprising in the name of dignity, freedom and justice has spread throughout the Arab world – in Libya, Yemen, Bahrain, Syria ... and beyond, as the wind of freedom blew over the capitals of the world, in Paris, London, Rome and Berlin but also in Tehran, Istanbul, Amman and Baku, where demonstrations of solidarity took place”*, write Aung San Suu Kyi and Stéphane Hessel in the foreword to the Report.



Gerald Staberock
OMCT Secretary
General

Aung San Suu Kyi and Stéphane Hessel also rejoice that *“Everywhere, respect for human rights was at the heart of the peoples’ claims, (...) These movements did not feed on identity, religious or cultural politics, but were rather founded on the principles enshrined in the Universal Declaration of Human Rights (...)”*.

At the same time that the Report is being published, the blood bath continues in Syria, in Libya and in Yemen. In Africa, the Middle East, Europe, America, Asia, human rights defenders are harassed, imprisoned, sometimes tortured. Far from being recognised for what they are – vital protagonists for change, the guarantors of a free society – they are, on the contrary, subjected daily to repression by regimes that are all the harsher for having understood the force and the legitimacy of their claims.

Everything is done, therefore, to control civil society and the media: misappropriation of the legislative framework, increasing control over the funding of civil society organisations, including funds from international sources, impunity for assaults. The Annual Report 2011 gives multiple examples and evidence of abuses committed with complete impunity on every continent.

As a priority for 2012, the Observatory has set itself the challenge of reinforcing international protection for human rights defenders who should be *“entitled to a regulatory framework that enables them to work without hindrance”*.

Today we need stronger, effective protection for human rights defenders, as well as real support for their cause. We must never be complacent when defenders are threatened and we must ensure that proceedings are undertaken against those responsible.

Defenders in Danger

SUB-SAHARAN AFRICA

Democratic Republic of Congo, Kivu
Justine Masika Bihamba, Coordinator and co-founder of the NGO "Women's Synergy for the Victims of Sexual Violence" (SFVS)



In spite of threats and attacks, **Justine Masika Bihamba** has not stopped fighting against impunity for sexual crimes and other human rights violations. In March 2011, she received threats because of her support for the law on the traceability of minerals, which aims to prevent corporations from obtaining minerals from Congolese armed groups. The sexual violence to which Congolese women are subjected is related in particular to the armed conflict that has its origins in the mining of sub-soil resources in Kivu.

NORTH AFRICA / THE MIDDLE EAST

Syria
Muhannad al-Hassani, a lawyer and President of the human rights organisation "Sawasiyah"



Muhannad al-Hassani was arrested in 2009 for having denounced the unfair trials of political prisoners. On June 23, 2010, he was sentenced to three years in prison for "weakening national sentiment" and "spreading false information likely to weaken the nation's morale". He was then held in a cell with a co-detainee who attacked and beat him. Muhannad al-Hassani was finally released on June 2, 2011, at the occasion of the general amnesty granted by the President for crimes committed before May 31, 2011, in the context of the huge Syrian popular protest movement.

AMERICAS

Mexico
Marisela Ortiz Rivera, a founder and general Director of the NGO "May Our Daughters Return Home"



In Ciudad Juárez, members of "May Our Daughters Return Home", who work with the families of women who have disappeared, are attacked and threatened on a regular basis. In March 2011, **Marisela Ortiz Rivera** again received death threats that also targeted her family. Fearing for her own safety and that of her family, she fled from her country. In February, the house of one of her colleagues was set on fire and she also went into exile. Although complaints have been filed, investigations are making slow progress.

ASIA

Iran
Abdolfattah Soltani, a lawyer and founder member of the Defenders of Human Rights Centre



An eminent lawyer specialising in human rights in Iran, **Abdolfattah Soltani** has been held in solitary confinement since September 10, 2011 without valid grounds. He has been arrested on many occasions in recent years. In August 2009, he was provisionally released after paying bail of 100,000 dollars. In October 2009, he was prevented from travelling to Germany to receive the Nuremberg International Human Rights Award. In July 2011, his wife was arrested on no specific grounds. Abdolfattah Soltani, who is also her lawyer, is banned from representing her. These multiple arrests and arbitrary detentions are in reprisal for his work as a defender.

WESTERN EUROPE

Turkey
Pinar Selek, writer and sociologist



Pinar Selek defends women's rights, the rights of disadvantaged communities and the victims of discrimination, including street children and Kurdish and Armenian minorities. She has been the victim of judicial harassment for over 12 years because of these activities. She is wrongly accused of having supported the PKK and causing a bomb to explode in Istanbul in 1998. She spent two and a half years in preventive detention, during which time she was tortured. After being acquitted on three occasions, she is still being prosecuted before the courts. Wrongly accused, she risks a 36-year prison sentence.

EASTERN EUROPE / CENTRAL ASIA


Russia
Oleg Orlov, President of the Board of the "Memorial" Human Rights Centre





Since he stated that the Chechen President Kadyrov was responsible for the murder of the human rights defender Natalia Estemirova in July 2009, **Oleg Orlov** has suffered judicial harassment for "defamation" following complaints filed by the President himself before the civil and criminal courts. After being sentenced to pay damages and interests before the civil court, on June 14, 2011, a criminal court acquitted Oleg Orlov. Kadyrov nevertheless appealed the acquittal and two years later the judicial harassment continues.


The Situation of Human Rights Defenders in the World


Between January 1, 2010 and April 30, 2011


 Countries in which the collective and independent exercise of the defense of human rights is prohibited or quasi-impossible owing to the legal framework, the political system or an armed conflict


 Most serious violations – isolated to frequent – of the right to physical integrity (death, enforced disappearance)

 Attacks, threats, police harassment – isolated to frequent – or legal provisions that restrict freedoms of assembly, association or expression

 Quasi-effective guarantee of the freedom of action

 Frequent to systematic resort to deprivation of liberty (arbitrary custody, arrest, detention)

 Isolated to sporadic resort to deprivation of liberty (arbitrary custody, arrest, detention)

 Countries for which we do not have sufficient information

This chart is based on the individual cases of repression documented by the Observatory for the Protection of Human Rights Defenders (FIDH-OMCT) from January 2010 to April 2011 (urgent interventions, fact-finding reports, annual report), complemented by other reliable sources. Therefore it is not exhaustive.



SUB-SAHARAN AFRICA



Defenders who work for fair, transparent elections have been harassed (*Burundi, Côte d'Ivoire, Guinea-Conakry, Niger, Sudan*). Rulers have restricted freedoms of assembly, association and expression (*Burundi, Djibouti, Ethiopia, Rwanda, Uganda*), misused public funds (*Chad*), muzzled all dissident voices (*Burundi, Djibouti, Ethiopia, Rwanda*) and commandeered the media for their campaigns (*Burundi, Central African Republic, Chad, Togo, Uganda*). Others have governed with a rod of iron, preventing the organisation of elections (*Eritrea, Swaziland*).

Concerned about the way the Arab Spring was spreading, some rulers have smothered any protest, banning and repressing demonstrations (*Djibouti, Sudan*), restricting access to information (*Equatorial Guinea, Eritrea*), blocking freedom of expression (*Ethiopia*) and peaceful assembly (*Zimbabwe*), making "preventive" arrests (*Angola, Zimbabwe*).

Several States have continued to restrict freedom of association. Restrictive rules for registering NGOs have been used to harass them (*Gambia, Zimbabwe*), or to refuse or even to withdraw authorisation for organisations or trade unions that are considered to be an embarrassment (*Ethiopia, Sudan*).

In *Kenya*, in *DRC* and in *Sudan*, where top officials are accused of "war crimes", "crimes against humanity" and/or "genocide", there is increased repression of defenders who fight against impunity for serious crimes, especially in the framework of the International Criminal Court.

Faced with growing corruption, defenders who denounce misappropriation involving the authorities or those close to them are the target of death threats (*Rwanda*), arrest and/or legal proceedings (*Angola, Burundi, Cameroon, Central African Republic, Côte d'Ivoire, Gabon, Guinea-Bissau, Rwanda, Senegal, Sudan, Togo, Uganda, Zimbabwe*).

The freedom to demonstrate and freedom of assembly were also restricted in *Senegal, Sudan, Togo, Uganda* and in *Zimbabwe*. Elsewhere, defenders have been victims of threats, arbitrary arrest or judicial harassment (*Cameroon, Djibouti, DRC, Senegal*).

Defenders of lesbian, gay, bisexual and transgender rights (LGBT) have had to cope with various forms of intimidation, including attacks (*Cameroon, Kenya, Zimbabwe*) and the murder of a defender in *Uganda*.



NORTH AFRICA / THE MIDDLE EAST



The situation of defenders has remained worrying in most countries in the region, which has been marked by the movement for freedom and dignity, with varying consequences: the rulers left power in *Tunisia* and in *Egypt*; in *Jordan*, *Morocco* and *Oman*, they promised to review the constitution; in the Occupied *Palestinian Territory (OPT)*, the

organisation of presidential and parliamentary elections was announced; in *Iraq*, measures were taken against nepotism and corruption. Other regimes responded with repression (*Bahrain*, *Libya*, *Syria*, *Yemen*).

In many countries, peaceful gatherings have been repressed, the organisers harassed (*Algeria*, *Egypt*, *Iraq*, *Israel*, *OPT*, *Morocco* and *Western Sahara*, *Saudi Arabia*, *Syria*, *Tunisia*, *Yemen*). Defenders have not been spared (*Bahrain*, *Egypt*, *Syria*, *Tunisia*, *Yemen*). Legislation continues to restrict freedom of assembly in *Algeria*, *Bahrain* and in *Yemen*. In *Egypt*, a law banning demonstrations and strikes was adopted in April 2011.

In *Saudi Arabia* and *Libya*, regular repression makes it impossible to form independent movements to defend and promote rights. In *Tunisia*, defenders have enjoyed greater freedom

to organise and to take action after a transition government was set up.

Different forms of repression have targeted defenders of the rights of refugees, of ethnic and religious minorities. In *Israel*, a defender was attacked. He was working in support of political freedom for Arab citizens. In *Lebanon*, activists have been victims of acts of intimidation. In *Algeria*, *Bahrain*, *Saudi Arabia* and in *Syria*, arbitrary arrests and abusive judicial proceedings have targeted defenders of the rights of Ibadi, Shia and Kurdish communities.

Acts of intimidation also affected defenders who fight against torture and ill-treatment. In *Bahrain*, they were the target of a smear campaign and some were imprisoned.

Journalists who denounce human rights violations or corruption have suffered reprisals: murders (*Iraq*), threats, physical violence (*Tunisia*, *Yemen*), arbitrary arrests and judicial harassment (*Bahrain*, *Egypt*, *Morocco*, *Syria*, *Tunisia*, *Yemen*).

In countries affected by armed conflict, violations against defenders are particularly serious: arrests and arbitrary detention, unfair trials or attacks (*Iraq*, *Israel* and *OPT*, *Libya*, *Yemen*).

AMERICAS



Nearly 200 years after the start of the Independence movement, the continent has lived through an election period and seen the arrival of new rulers (*Bolivia, Brazil, Chile, Colombia, Costa Rica, Haiti, Honduras, Peru, Uruguay*). The coup d'état in Honduras demonstrated the fragility of some democracies.

The authorities of many countries have maintained impunity for violations and crimes against humanity committed in the past, with general amnesty laws (*Brazil, Chile, Peru, Uruguay*).

Defenders who fight against impunity have continuously been victims of threats, attacks or harassment (*Argentina, Chile, Colombia, Guatemala, Honduras, Mexico, Peru, Venezuela*).

Indigenous communities have been attacked during peaceful demonstrations denouncing the damaging nature of land exploitation projects. These movements have been criminalised and many participants have been arbitrarily arrested (*Brazil, Chile, Colombia, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Venezuela*).

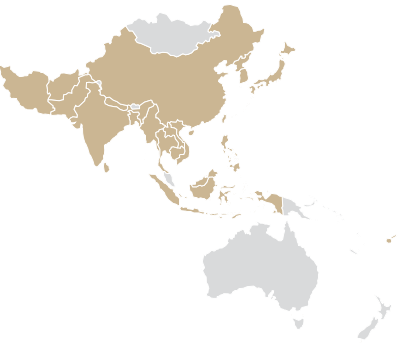
Defenders of lesbians, gays, bisexuals and transsexuals (LGBT) have been the target of discrimination, stigmatisation (*Honduras, Mexico, Peru*) and even killings (*Colombia, Honduras, Peru*). Repeated attacks have been perpetrated against defenders of women's rights (*Guatemala, Mexico*). In Mexico, the lack of protection for defenders who fight against impunity for femicide has remained of concern.

Defenders of the environment and indigenous leaders have been threatened, harassed (*Brazil, Chile, Ecuador, Guatemala, Peru*) and even killed (*Colombia, El Salvador, Honduras, Mexico*).

Again this year, *Colombia* holds the record for the number of trade unionists who have been assassinated. Murders targeting defenders of the right to work have also been committed in *Brazil, El Salvador, Guatemala, Honduras, Mexico, Venezuela* and in *Argentina*.

Freedom of expression has suffered greatly in several countries where journalists have been murdered (*Colombia, Honduras, Mexico*), threatened (*Ecuador, Mexico, Nicaragua, Venezuela*), targeted by smear campaigns (*Ecuador, Nicaragua*) or harassment (*Panama*).

ASIA



In various countries in Asia, elections have been accompanied by irregularities and increasing restrictions on freedoms of expression and assembly (*Afghanistan, Bangladesh, Burma, Malaysia, Philippines, Sri Lanka, Viet Nam*).

Many countries have used political instability as a pretext for harsher control over fundamental freedoms (*India, Philippines, Sri Lanka, Thailand*).

The effect of the "Arab Spring" has resulted in new restrictions on the media and on freedom of expression (*Bangladesh, China, Democratic People's Republic of Korea, Iran, Laos, Malaysia, Nepal, Sri Lanka, Thailand, Viet Nam*).

Governments have again tightened up legislation against all human rights defence activities (*Bangladesh, Cambodia, China, Indonesia, Iran, Pakistan, Thailand, Viet Nam*).

In *China*, the detention of Liu Xiaobo and the censorship of any information about the winner of the 2010 Nobel Peace Prize, illustrates the fate in store for defenders in this country.

Those who denounced crimes committed by the security forces were victims of assassinations, attacks, arbitrary arrests and judicial harassment (*Bangladesh, Fiji, India, Indonesia, Nepal, Philippines, Sri Lanka*). A similar fate has awaited defenders of the environment and the right to land (*Cambodia, China, India, Indonesia, Malaysia, Philippines, Republic of Korea, Sri Lanka*).

Lawyers have continued to suffer reprisals for their work in support of human rights (*Burma, China, Indonesia, Iran, Malaysia, Pakistan, Viet Nam*). Defenders who denounce corruption of State or private agents have suffered considerable repression (*Bangladesh, Burma, Cambodia, China, India, Indonesia, Sri Lanka*). In *Bangladesh*, the Editor of a newspaper has been arbitrarily detained and his newspaper shut down.

Trade union leaders have remained victims of killings, threats or dismissal for promoting the right to work (*Bangladesh, Burma, Cambodia, Fiji, Iran, Pakistan, Republic of Korea*).

Defenders of women's rights have also been harshly repressed (*Afghanistan, India, Iran, Malaysia, Nepal*). In *Iran*, dozens of members of the "One Million Signatures" Campaign have been imprisoned on trumped up charges.

Defenders of the rights of cultural, ethnic, sexual and religious minorities have again been victims of reprisals (*China, India, Indonesia, Iran, Nepal, Pakistan*).

WESTERN EUROPE



Western Europe distinguished itself through the criminalisation of migrants, the discrimination against and stigmatisation of Roma people and by restrictions on press freedom. Security concerns were used as grounds for adopting restrictive laws. In a context that was marked by the rise

of nationalism, defenders were the object of attacks and threats by non-state stakeholders. Administrative or judicial restrictions and attacks by extremist groups targeted defenders of gender rights and their organisations. The same applied to those who denounced corruption. Obstacles to trade union activities were noted in some countries.

Judicial and administrative harassment of defenders of migrants' rights increased (*Belgium, Cyprus, France, Poland*). In *France* and *Belgium*, a strong tendency to harass persons who opposed the ill-treatment of migrants who were expelled by plane was noted and many arrests were made during peaceful demonstrations of solidarity. Judicial and administrative harassment is the principal measure used against these defenders, and direct and even violent attacks have been

reported (*Cyprus, France*). Many defenders in *France* have suffered judicial harassment by private companies in reprisal for criticism made against them.

Defenders of the rights of the Roma people have continued to be exposed to judicial harassment and violence (*Bosnia-Herzegovina, Czech Republic, Italy*). In *Turkey*, those who defend minorities, particularly the Kurds, have been wrongly accused of terrorism and have been victims of prolonged preventive custody and judicial harassment.

Attacks against defenders of LGBT rights have continued and several countries have tried to ban Gay Pride marches (*Croatia, Finland, Lithuania, Serbia, Sweden, Turkey*).

In some countries (*Montenegro, Turkey*), the right of trade unions to demonstrate was blocked and workers were dismissed for joining trade unions.

The fight against impunity remained a reason for judicial harassment and death threats (*Spain, Turkey*).

In *Spain*, a judge has been the victim of judicial harassment since 2009 because of his investigation into the crimes perpetrated under the Franco dictatorship. In *Turkey*, dozens of defenders have again been victims of judicial harassment.

EASTERN EUROPE / CENTRAL ASIA



Defenders continued their work in a context that was difficult, often hostile and dangerous.

Impunity for the authors of serious violations remained a basic problem in *Uzbekistan, Georgia, Kyrgyzstan* and the *Russian Federation*. A powerful executive that has restricted the independence of the judicial authority is implicated (*Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan, Turkmenistan, Ukraine, Uzbekistan*). The situation in *Belarus* worsened considerably after the presidential elections on December 19, 2010, followed by violent repression of the opposition and of civil society.

Defenders have been harassed, monitored and have been victims of defamation campaigns (*Azerbaijan, Belarus, Georgia, Kyrgyzstan, Russian Federation, Turkmenistan, Uzbekistan*). They have been described as enemies of the homeland, who endanger order and stability (*Belarus, Georgia, Kyrgyzstan*). They have been subjected to threats, exposed to all kinds of obstacles and acts of harassment (*Belarus, Kyrgyzstan*). Their freedom of movement has regularly been hindered by shadowing and bans on leaving the country (*Turkmenistan, Uzbekistan*).

In order to restrict freedom of expression, the authorities have implemented a restrictive legal framework to regulate the granting of licences, restrict Internet access and control the media (*Belarus, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan*).

It remained difficult to organise peaceful meetings (*Armenia*), or even impossible (*Belarus, Kazakhstan, Russian Federation, Uzbekistan*). Defenders have been exposed to violence committed by the police force, arrested and sometimes imprisoned or fined (*Azerbaijan, Belarus, Georgia, Russian Federation, Uzbekistan*).

In several of the region's countries defenders have been threatened and attacked (*Georgia, Kyrgyzstan, Russian Federation, Tajikistan, Turkmenistan, Ukraine, Uzbekistan*). Activists who fight for respect for LGBT rights, who combat discrimination and racism, or who work on cases of corruption (*Georgia, Tajikistan, Ukraine*) have suffered violence perpetrated by neo-Nazi groups. Judicial harassment and arbitrary detention were still current practise (*Azerbaijan, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan, Turkmenistan, Uzbekistan*). The rigorous regime in *Uzbekistan* has the greatest number of defenders in the region serving harsh prison sentences.

Since 1997, the Observatory has supported the work of defenders in danger

The Arab Spring has left its mark in a way that no other event has, resulting into, as **Aung San Suu Kyi** and **Stéphane Hessel** write in the preface, a *“large peaceful protest movement, a movement of hope for change”* that has spread across all the continents.

The defenders' combat has not ended in the autumn of this fantastic year of revolutions.

It is urgent to support the Observatory and its partners and to guarantee appropriate and effective support for defenders to play their part in strengthening the rule of law and social justice and in the fight against impunity.

WITH ITS REPORT 2011: “STEADFAST IN PROTEST”

2011 is the 14th year that the Annual Report has been produced.

An annual rendez-vous for the protection of defenders, it highlights the most serious cases of obstacles and threats against defenders in each country.



Published in **5 languages** (English, Arabic, Spanish, French and Russian), it is a unique advocacy tool on the subject of defenders.

The Annual Report 2011 replaces the fight of human rights defenders in the geopolitical context of **70 countries** in Sub-Saharan Africa, North Africa and the Middle East, Asia, the Americas and Europe.

A **geopolitical analysis** of the region is followed by a country-by-country presentation of the stories that defenders live every day.

The Report 2011 denounces, with hundreds of examples, the **many kinds of acts of repression** that defenders suffer. Each day, with their families and friends, they suffer attacks and harassment, threats and arrests, arbitrary detention, defamation campaigns, restrictions in terms of freedoms of association and expression, etc.

Based in particular, but not solely, on the 509 Urgent Interventions published by the Observatory between January 2010 and April 2011, the 600 pages of the report are the clear proof of the urgent need to provide support for the combat of these architects of progress.

EVENTS FOR THE PUBLICATION OF THE REPORT 2011

MONDAY 24 OCTOBER 2011
INTERNATIONAL LAUNCH
OF THE ANNUAL REPORT 2011 - IN NEW YORK
2.30 pm - Press conference
at the United Nations Headquarters
7 pm - Activists reception of the Observatory

The report will be launched on October 24, 2011 in New York, on the occasion of the annual presentation by Ms. Margaret Sekaggya, United Nations Special Rapporteur on the situation of human rights defenders, at the General Assembly.

The international launch of the report will be followed by regional conferences in Banjul, Washington, Dakar, Mexico City, New Delhi, Moscow, Cairo, Tunis, Bujumbura and Kampala, inotably, and it will be presented until the anniversary of the Universal Declaration of Human Rights on December 10.

AT EVERY CONFERENCE AND EVENT TO LAUNCH THE REPORT 2011

... AN EMPTY CHAIR, A METAPHOR FOR THOSE WHO ARE ABSENT



The hundreds of defenders deprived of their freedom of expression will be represented by an empty chair for **Ales Bialiatski**, FIDH Vice-President and President of Human Rights Centre “Viasna”. Ales Bialiatski has been held in arbitrary detention since August 4, 2011.

The situation of defenders in the Eastern Europe and Central Asia region will be illustrated by a documentary made by the Observatory during the Organisation for Security and Cooperation in Europe (OSCE) “Human Dimension Implementation Meeting” in September 2011.



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