

2010 REPORT

HUMAN RIGHTS DEFENDERS IN 2009

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OVER THE COURSE OF 2009, FRONT LINE ISSUED 249 URGENT APPEALS ON HUMAN RIGHTS DEFENDERS (HRDS) AT RISK, COVERING 396 INDIVIDUALS IN 56 COUNTRIES, AND PROVIDED 154 SECURITY GRANTS. OVERALL, MORE THAN 500 HRDS BENEFITED FROM FRONT LINE'S PROTECTION SUPPORT.

THIS REPORT HIGHLIGHTS DEVELOPMENTS IN THE SITUATION OF HUMAN RIGHTS DEFENDERS IN 2009. IT DOES NOT AIM AT BEING COMPREHENSIVE, BUT RATHER IT ILLUSTRATES SOME OF THE MAIN TRENDS AND DEVELOPMENTS AS DOCUMENTED BY FRONT LINE.

I. GLOBAL TRENDS

2009 began in the wake of worldwide celebrations of the 60th anniversary of the Universal Declaration of Human Rights and the 10th anniversary of the UN Declaration on Human Rights Defenders. However, beyond the celebratory words that sprang from all corners, those who fight every day for the full respect of human rights continued to be oppressed.

In recent years several countries around the world adopted **laws directly affecting the work of human rights defenders**. In 2009, Azerbaijan, Ethiopia, Georgia, and Jordan passed new legislation restricting freedom of association and assembly, thus joining this negative trend which is particularly pronounced in Africa and former Soviet countries. The most striking example was Ethiopia. The new Charities and Societies Proclamation was passed in January 2009, and is perhaps one of the most restrictive laws of this kind ever adopted. It bans organisations receiving more than 10% of their budget from abroad from carrying out human rights work. In a country with extremely scarce domestic funding, this equates to a *de facto* ban on almost any human rights work. The law also carries criminal penalties for any violation of its provisions and grants a government-controlled body very broad discretionary powers to refuse registration, disband registered non-governmental organisations (NGOs) and subject them to intrusive surveillance. Restrictive regulatory frameworks give prosecutions an appearance of legitimacy. Prosecutions for running unregistered organisations or for holding unauthorised meetings were reported in 2009 in Bahrain, Belarus, Cameroon, Iran, Kenya, Kyrgyzstan, Oman, Saudi Arabia, Syria, United Arab Emirates (UAE), Uzbekistan, and Zimbabwe.

Whether or not freedom of association and assembly are restricted, the authorities increasingly used **other pieces of legislation** to harass HRDs. This has resulted in the use of trumped up charges ranging from terrorism, subversion and hooliganism to fraud, defamation and tax evasion. Such cases are standard practice in many countries and have been reported in 2009 in Azerbaijan, Bahrain, Belarus, India, Indonesia, Uzbekistan, and Zimbabwe. In Uzbekistan, for example, the authorities have continued to sentence HRDs for crimes such as fraud, theft or tax evasion. This practice has become extremely common and gives to the general public an appearance of justified prosecution as the charges may seem unrelated to the defenders' human rights work.

Outright violent targeting and **killing** of human rights defenders was on the increase. Front Line reported on at least 24 cases of HRDs murdered in 2009. Killings and attempted killings have been documented in Afghanistan, Burundi, Congo, the Democratic Republic of Congo (DRC), El Salvador, Guatemala, Honduras, Kenya, Mexico, the Philippines, the Russian Federation, and Sri Lanka. In many cases the authorities were directly implicated. In most cases they failed to carry out effective investigations and the murders remained unpunished. This was the case of the Russian Federation, where 2009 witnessed an unprecedented series of killings of HRDs: human rights lawyer Stanislav Markelov and journalist Anastasya Baburova were murdered in Moscow in January; in July, Natalya Estemirova was abducted and found shot dead, followed a month later by the arrest and killing of Zarema Sadulayeva and her husband Alik Dzhabrailov; in October, human rights defender Maksharip Aushev was shot dead while travelling in Kabardino-Balkaria. The Russian authorities seemed more annoyed by the international outrage the killings caused, than committed to conducting serious investigations.

The **stigmatisation** of human rights defenders is also a trend that has continued to increase in 2009. In many countries around the world, governments do not recognise the legitimacy of the work of human rights groups or individual HRDs, and use labels in order to discredit them and foment public hostility. The specific labels used depends on the culture, the history and the political context of each country. HRDs were named communists or terrorists in Colombia, India, the Philippines, and Turkey; anti-patriotic or pro-Western in Serbia, Zimbabwe and former Soviet countries including Armenia, Azerbaijan, Belarus, Georgia, the Russian Federation, Uzbekistan and Turkmenistan; as separatists in Indonesia, particularly West Papua. In some countries, including Zimbabwe, they are called homosexuals and accused of undermining traditional values. Women human rights defenders, who often challenge stereotypes, cultural norms and traditions about the role of women in society, were even more exposed to labelling and stigmatisation than their male colleagues, being called names such as prostitutes, witches, bad wives or mothers.

The labelling of other human rights defenders as homosexuals gives a very clear idea of the enormous difficulties encountered by HRDs working on discrimination against **lesbian, gay, bisexual, transgender and intersex** (LGBTI) people. LGBTI rights defenders find themselves direct targets of harassment and intimidation by the government in many countries; they are also exposed to attacks and intimidation by society more generally, and are marginalised within the HRDs community. In 2009 LGBTI rights defenders have been particularly exposed in Burundi, Cameroon, Honduras, Jamaica, Malawi, Rwanda, Senegal, and Uganda. In Honduras two LGBTI defenders were killed in January and December, and in Burundi, Rwanda and Uganda new laws affecting the work of LGBTI organisations were discussed.

Another group of defenders which was particularly targeted in 2009 were HRDs working on issues related to **economic, social and cultural rights** (ESC). This includes activists working on land rights, the impact of development projects on local communities, the use of natural resources, corruption, and labour rights. Front Line supported HRDs in Brazil, Cambodia, Chile, DRC, Ecuador, Egypt, El Salvador, Guatemala, India, Morocco, Nicaragua, Palestine, and Peru. In Latin America in particular, ESC rights defenders reported an escalation in the level of violent harassment and intimidation in their daily work. Illustrative of this is the case of El Salvador, where in December 2009 Ramiro Rivera, vice president of the Environmental Committee of Cabañas (CEC), was shot and killed. This was followed just a week later by the killing of another CEC member, Dora Recinos Sorto, an active opponent of the El Dorado mining operation in Cabañas; she was 8 months pregnant at the time of her killing.

The use of **travel bans** against human rights defenders has also become more prevalent in 2009, in particular in the Middle East and North Africa regions. Travel bans were often aimed at preventing HRDs from participating to international meetings and thus drawing attention to the situation in their own countries. This, often coupled with restrictions on freedom of movement even within the country, has been reported in Bahrain, China, Cuba, Iran, Israel, Palestine, Saudi Arabia, Tunisia, Turkmenistan, and UAE. In Syria in particular, over a hundred HRDs were reported to be under a formal or *de facto* travel ban.

II. REGIONAL HIGHLIGHTS

1. AFRICA

Front Line issued 48 urgent appeals on behalf of human rights defenders at risk from 15 African countries, namely Burundi, Cameroon, Congo, DRC, Ethiopia, Gabon, Gambia, Kenya, Mauritania, Niger, Nigeria, Somalia, Sudan, Uganda, and Zimbabwe.

The trend of the adoption of restrictive legislation affecting the work of human rights defenders has continued in Africa. New laws on NGOs were adopted in **Zambia** and **Ethiopia**, despite strong opposition by civil society as well as internationally. In Ethiopia, as a result of the new law (see part I above) many organisations shifted their activities towards non-human rights work in order not to face severe restrictions and only a handful have re-registered as human rights groups. In July, a new Anti-Terrorism Proclamation was also passed, which HRDs fear will be used to increase their surveillance. This most restrictive regulatory framework has been accompanied by systematic harassment and surveillance of HRDs and journalists, resulting in a weakened and drained human rights community.

In several countries including **Burundi, Malawi, Rwanda** and **Uganda**, legislative restrictions also affected the defence of the rights of LGBTI people. In Uganda in particular, the government and religious groups engaged in a vast and coordinated campaign that has put HRDs at high risk. The campaign culminated with the tabling of a bill which would in practice ban the work of LGBTI human rights groups. Generalist human rights organisations have come together with LGBTI groups in fighting against the bill, a positive step forward for a group which is traditionally marginalised within the broader human rights community.

In several countries including **Cameroon, Congo, DRC, Ethiopia, The Gambia, Somalia**, and **Uganda**, journalists continued to be targeted for reporting on human rights abuses. Violations ranged from the closure of media outlets, intimidation and malicious prosecution to physical attacks and killings. In The Gambia in particular, the prevailing climate of fear resulted in a weak and silent civil society, and journalists remained the only actor that continued to speak out. The authorities seem to operate by targeting people as an example to others and reminding what can happen to critical voices. The trial of seven journalists and Gambian Press Union's executives in June 2009 for publishing a statement on the unsolved murder of a colleague in 2004, must be read as such a reminder. In September, an outrageous televised statement was made by Gambian President Jammeh threatening all human rights defenders with death should they criticise the government.

HRDs working on ESC rights, including trade unionists, those monitoring corruption and the management of natural resources, have faced harassment and attacks in several countries throughout the continent, including **Congo, DRC, Gabon**, and **Burundi**. In DRC, the high-profile case of the president of ASADHO/Katanga Golden Misabiko, detained arbitrarily and charged after publishing a report on the illegal exploitation of uranium mines, was just the tip of the iceberg. The situation in DRC remained precarious throughout 2009 and is such that any human rights defender may be at risk, as they operate in an atmosphere of violence and hostility, absence of the rule of law and a prevailing climate of impunity. Most of the cases reported involved armed groups and government agents, in particular the national intelligence agency (ANR). Front Line assisted several HRDs in going into hiding or exile. In the Eastern region, the January peace agreement between the government and rebel groups did not result in an improvement of the situation of HRDs, who were exposed to retaliation from former rebel groups –now integrated into the government ranks– for having exposed their abuses.

In **Kenya**, the visit of the UN Special Rapporteur on extrajudicial killings in March was followed by a dramatic increase in violence against human rights defenders. At least two were killed and many others had to go into hiding or flee the country. This has shown yet again the lack of, and need for a system at the UN level to deal with cases of retaliation for collaboration with international mechanisms. While the number of attacks decreased in the second half of 2009, impunity remained pervasive and harassment and intimidation continued. Those who were more exposed remain abroad.

Arbitrary arrest, unfounded prosecutions, surveillance, restrictions on freedom of association and assembly continued to mark

the situation in **Zimbabwe**. Compared to a very violent 2008, 2009 witnessed a lower number of attacks against human rights defenders. The implementation of the Global Political Agreement in January was followed by a period of relative openness. In the high-profile case of abducted defender Jestina Mukoko, the Supreme Court's order of permanent stay of prosecution showed the judicial institutions' potential for effective functioning. However, the more open environment did not hold and in October the overt targeting of HRDs resumed with the arrest of several civil society activists. The government rhetoric which accuses NGOs of being subversive or pro-Western also continued, increasing the risk of attack from militias or other groups – in particular against HRDs working on the constitutional reform process.

The constitution was also at the centre of much of the insecurity for HRDs in **Niger**, when human rights organisations spoke out against President Tandja Mamadou's plan to change the constitution in order to secure a third mandate.

In **Sudan**, the space available to political activists and HRDs has drastically diminished following the International Criminal Court's arrest warrant against the Sudanese President in March. The authorities revoked the registration and seized the assets of three human rights organisations. Senior members of these organisations were harassed and arrested and trumped-up charges brought against them.

2. AMERICAS

Front Line issued 44 urgent appeals on behalf of human rights defenders at risk from 7 American countries, namely Colombia, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Peru.

HRDs in the Americas have continued to experience great risk in carrying out their legitimate and non-violent work promoting the rights of a broad range of groups experiencing discrimination and human rights violations. In 2009 increased levels of surveillance, acts of intimidation, raids on offices and homes, death threats, violent attacks, enforced disappearances, judicial harassment, torture and ill-treatment, and killing have been reported. Environmental rights activists, campaigners for land reform, women's rights and LGBTI activists have been facing higher levels of persecution, as they are often perceived to be a threat to entrenched economic and political powers. Trade unionists, journalists, human rights lawyers and those raising violations committed by former military dictatorships are also among the groups facing constant harassment and intimidation.

In **Argentina**, lawyers' groups working on cases of human rights violations which occurred during the military dictatorship that governed the country until 1983, have been facing regular threats including raids on their offices, threatening graffiti at homes and offices, and death threats. With the hearings against the military due to begin in March 2010, these lawyers and groups campaigning for justice fear continued and worsening attacks.

HRDs working on issues related to economic, social and cultural rights, including the promotion of agrarian reform, land rights for rural workers, indigenous rights and labour rights, have reported an escalation in the level of violent harassment and intimidation in **Brazil, Chile, Peru, Nicaragua** and **El Salvador** (see part I above).

In 2009, Front Line joined the national and international campaign supporting **Colombian** human rights defenders under threat.¹ The campaign identified five key areas where change is needed in relation to the protection of HRDs: impunity; the misuse of state intelligence against HRDs; their stigmatisation; unfounded criminal proceedings; and, flaws in the state protection programme. 2009 saw the DAS (*Departamento Administrativo de Seguridad* – Colombian intelligence agency) scandal made public. It was revealed that the DAS had systematically and without warrant, tapped the phones and emails of, amongst others, Colombia's major human rights groups, journalists, members of the Supreme Court and trade unions since 2004. Front Line reported that human rights lawyer Jorge Eliecer Molano, who is working on key legal cases currently underway and in which military personnel are implicated, has been under increasing surveillance and intimidation.

The high risk situation faced by HRDs in **Guatemala** did not ease in 2009. In the first half of the year alone, the organisation Protection Unit for Human Rights Defenders in Guatemala (UDEFEUGA) documented 171 attacks against HRDs, including ten killings and 17 attempted killings. The past few years have seen a steady deterioration in the security of human rights defenders despite the establishment of the International Commission Against Impunity in Guatemala (CICIG) in 2008. In 2009 Dr Yuri Melini, Director of the Center of Legal Action in Environment and Social Issues (CALAS), won the Front Line Award for his work campaigning for investigations into the killing of environmentalists, challenging mining companies, fighting against the contamination of water sources and the occupation of land in nature reserves. In September 2008, Dr Melini survived a serious assassination attempt.

In **Cuba**, human rights defenders, journalists and civil society members faced continued criminalisation as they campaigned for civil and political as well as economic, social and cultural rights. They have been arbitrarily detained and have reported attacks by the *Brigada de Respuesta Rápida* (Rapid Response Brigade), a group of pro-government civilians working with members of the security forces. Several HRDs remained in detention serving long jail sentences as a result of their human rights activism.

In **Mexico**, the general levels of insecurity and violence make it an extremely dangerous country for HRDs to operate in. Organised criminal activity, narco-trafficking and a culture of almost absolute impunity allow for the continuation of intimidation and harassment of HRDs by both state and non-state actors. In February 2009, a week after their abduction by three armed men who identified themselves as police officers, the bodies of Manuel Ponce Rosas and Raúl Lucas Lucía, respectively

Secretary and President of the Organisation for the Future of the Mixteco People (OFPM), were discovered buried approx. 30 minutes from Ayutla, Guerrero. There were visible signs of torture on their bodies. The investigation is yet to yield results. In Chihuahua, the government's implementation of Operation Chihuahua and the resultant militarisation of the area has led to a dramatic increase in incidents of general violence and corruption, with an increase in specific targeting of HRDs.

The military coup in **Honduras** in June 2009 led to mass unrest within the country. A large number of HRDs and organisations joined forces together with some political parties and movements to form the National Resistance Front, against the coup. In addition to the general threats against HRDs, their involvement in the movement has led to increased risks. The LGBTI community continued to face extremely violent persecution with many LGBTI rights defenders being targeted and two killed in 2009.

3. ASIA

Front Line issued 42 urgent appeals on behalf of human rights defenders at risk from 10 Asian countries, namely Bangladesh, China, India, Indonesia, Malaysia, Pakistan, the Philippines, Sri Lanka, Thailand, and Vietnam.

Attacks on human rights defenders continued to be carried out by both state and non-state actors in many countries in Asia throughout 2009. Extrajudicial executions and disappearances were carried out in Afghanistan, Nepal, the Philippines, Sri Lanka and Thailand. Arrest, detention and judicial harassment were reported in Bangladesh, Burma, Cambodia, China, India, Malaysia, Nepal, the Philippines, Republic of Korea, Sri Lanka and Vietnam. In some countries such as Laos, Burma, and the Democratic People's Republic of Korea, the repression of HRDs is so intense that it is virtually impossible for them to operate. Throughout the region, governments made strenuous efforts to continue to limit freedom of expression and association. Abuses against HRDs took place with almost total impunity. Environmentalists, trade unionists and cyber activists were among the groups at risk in many of these countries.

Human rights defenders in **Afghanistan** working on women's rights and transitional justice and independent journalists faced particular risks as a result of their work. International aid workers have also faced threats, attacks and, in some cases, killing.

In **Cambodia**, HRDs working within movements addressing land rights and labour rights continued to pay a heavy price for their activities in favour of the disadvantaged and their opposition to powerful interest groups. Labour rights activists in particular continued to face anti-union measures and were at risk of threats, intimidation, physical assault, arbitrary arrest and detention, torture, unfair dismissal, and killing.

2009 was an especially bad year for HRDs in **China**. Using as a pretext a number of politically sensitive anniversaries, the government initiated successive waves of crackdowns on Chinese human rights defenders. Those targeted included petitioner leaders², cyber dissidents, Tibetan and Uighur HRDs and human rights lawyers. The assault on the legal profession was particularly noticeable given that human rights lawyers work within the freedoms guaranteed to them under Chinese law and the Constitution. At least 21 Beijing human rights lawyers were disbarred because of their work last year, and many more were placed under surveillance or suffered harassment. This new trend can be explained by the leadership's confidence in China's new role as a global economic power and President Hu Jintao's desire to further curtail any potential domestic dissent before he hands over to his successor in 2012. It can therefore be expected to continue in 2010.

In **India**, human rights defenders addressing issues of environment, gender, caste, communalism, or other matters affecting the masses of marginalised people living in poverty, continue to pay a heavy price. HRDs challenging political power and authority run the risk of being labelled as terrorists, which allows the government to take harsh "anti-terrorism" measures against them. In May 2009, Dr Binayak Sen, General Secretary of the People's Union for Civil Liberties (PUCI) regional office in the state of Chhattisgarh and national Vice-President of the PUCI, was released on bail following 22 months in prison on charges of "aiding and abetting Naxal activity".

In **Indonesia** much of the intimidation of HRDs has moved along a spectrum from overt violence or arbitrary arrest to baseless prosecution on questionable charges such as criminal defamation, while HRDs also risk being labeled as communists or separatists. Impunity levels remain high and currently there are no sufficient mechanisms in place to protect human rights defenders at risk. In Papua and West Papua, HRDs continued to report surveillance, threats and intimidation by security forces, especially in connection to the publication of reports or visits by foreign diplomats and groups.

HRDs continued to pay with their lives in the **Philippines**, where two human rights lawyers were killed in Mindanao in November. Human rights lawyers Concepcion Brizuela and Cynthia Oquendo were amongst a group of approximately 57 killed by a group of up to 100 armed men, as a result of their fight against impunity and lawlessness in Mindanao province. 2009 also saw the leaking of a 67-page presentation, reportedly by the 10th Infantry Division of the Armed Forces of the Philippines, which listed 105 HRDs and several organisations and identified them as military targets due to their alleged involvement in the communist movement. The list raised well-founded alarm as in previous years individuals and organisations listed in military presentations did become victims of enforced disappearances and extrajudicial killings.

Human rights defenders in **Sri Lanka**, particularly those overtly critical of the Government's policy, of the war with Tamil Tiger rebels and its brutal effects on the Tamil population, have continued to experience great risk as they carry out their work and

exercise their right to freedom of expression. In January 2009, Mr Lasantha Wickramatunga, editor of the *Sunday Leader* newspaper, was killed in Colombo. Following his death, the newspaper carried a posthumous editorial he had written in the event of his murder, which he thought was inevitable as a result of his writings.

4. EUROPE AND CENTRAL ASIA

Front Line issued 45 urgent appeals on behalf of human rights defenders at risk from 11 countries from Europe and Central Asia, namely Armenia, Azerbaijan, Belarus, Georgia, Kosovo, Kyrgyzstan, Russian Federation, Serbia, Turkey, Ukraine, and Uzbekistan.

The human rights situation in the countries of the former Soviet Union remained difficult in 2009 with large scale human rights violations and a situation of prevailing impunity. The high number of violations and the failure of state authorities to remedy the situation made the work of HRDs particularly dangerous. Whether the violations were committed by state or non-state actors, the exposure of the authorities' involvement, or of their failure to prevent or investigate them effectively, is the cause of much of their hostility against human rights defenders. Defamation campaigns in state media presenting HRDs as anti-patriotic or serving Western interests became more and more frequent in 2009, as did attacks and arbitrary detention.

In some countries, the situation has dramatically worsened, especially in the North Caucasus region of the **Russian Federation**. As reported in part I above, 2009 witnessed an unprecedented series of killings, with six HRDs killed in twelve months. Many more suffered attempted killings or other attacks. In Dagestan, the office of Mothers of Dagestan for Human Rights was burned to the ground and leaflets were distributed naming HRDs and journalists as targets. The Russian authorities did not conduct any serious investigations of these systematic attacks and continued to hamper their work. HRDs fighting racism and xenophobia were particularly vulnerable, threatened by radical nationalists and ultra right-wing organisations. The outrageous assassinations of human rights lawyer Stanislav Markelov and journalist Anastasya Baburova, committed in broad daylight in the centre of Moscow in January 2009, well illustrate their vulnerability and lack of protection.

In **Belarus**, the authorities continued to show their hostile attitude towards human rights groups by labelling them as politically motivated. The Criminal Code criminalises members of non-registered organisations, and the authorities continued to systematically deny registration to human rights groups, thus making any human rights work illegal. Peaceful demonstrations remained banned for spurious reasons, unauthorised peaceful demonstrations were violently dispersed and protesters were systematically arrested and beaten up by the police.

In **Armenia**, human rights defenders and independent journalists continued to be threatened and attacked. Legislative amendments imposing strict government control upon NGOs were pending before parliament at the time of writing. In **Georgia**, amendments to the Law on Assembly and Manifestations in 2009 were used by state officials to restrict freedom of peaceful assembly. In **Azerbaijan**, freedom of expression continued to be limited. Two bloggers were assaulted by unknown men for 'criticising the leadership of the country'. When they reported to the police, they were arrested and charged with 'hooliganism' and 'infliction of minor bodily harm', and in November they were sentenced to two and half and two years imprisonment respectively.

During 2009, the situation has worsened in all Central Asian countries. **Turkmenistan** remained one of the world's most repressive regimes. Human rights work is virtually impossible, national media are muzzled, foreign press is banned, the Internet is monitored by a special branch of the police, and independent journalists are subjected to multiple acts of pressure and harassment.

In **Uzbekistan**, the authorities continued to silence HRDs by sentencing them for alleged economic crimes such as fraud, theft or tax evasion (see part I above). In many of these cases, HRDs were sentenced to disproportionately long imprisonment terms, following unfair trials. The high number of activists detained, the appalling conditions of Uzbek prisons and the impossibility for independent bodies to access them, discourage human rights activism. International human rights organisations were not allowed to operate in the country. Restrictive legislation on NGOs introduced in 2005 made impossible the legal operation of many human rights groups, forcing them into clandestinity. Many Uzbek HRDs are under strict police surveillance and face systematic intimidation by the authorities.

The human rights situation in **Kyrgyzstan** deteriorated significantly at the time of the presidential campaign held over the summer. A set of laws passed in 2008 restricted several of the fundamental civil and political rights enshrined in the Constitution. This particularly affected freedom of assembly which was subject to a regime of prior authorisation, with broad discretionary powers granted to the authorities. As a result, all protests organised after the law was amended were forcibly dispersed and protesters prosecuted. The authorities continued the practice of denying access to the national territory to representatives of foreign human rights organisations.

In **Kazakhstan**, which will hold the presidency of the Organisation for Security and Cooperation in Europe (OSCE) in 2010, prominent human rights defender Yevgeny Zhovtis was sentenced to four years' detention for his involvement in a car accident, following a trial marred by major violations of fair trial guarantees and despite intense international and local pressure.

5. MIDDLE EAST AND NORTH AFRICA

Front Line issued 69 urgent appeals for human rights defenders at risk from 13 countries from the Middle East and North Africa, namely Bahrain, Egypt, Iran, Iraq, Morocco, Oman, Palestine, Saudi Arabia, Syria, Tunisia, UAE, Western Sahara, and Yemen.

Throughout 2009, the situation of HRDs remained difficult in many countries in the Middle East and North Africa. Communications technology was increasingly used against HRDs. While it was instrumental in finding a space to voice concerns in countries where human rights groups were not allowed to work, the authorities introduced more severe restrictions and tighter surveillance on the use of the internet and bloggers and cyber-activists are increasingly targeted. The practice of travel bans and smear campaigns has become more prevalent. Foreign funding generally played a positive role in enabling HRDs to work; however, funding has, in some countries, contributed to defusing or undermining human rights work because of donors' policies in selecting issues or avoiding HRDs targeted by governments. International pressure has been effective in improving the situation of human rights defenders at risk in some countries and governments in the region have reacted positively. Many HRDs, however, complained that this pressure is sometimes country selective or inconsistent, mainly based on political interests.

In **Oman, Saudi Arabia** and **UAE**, human rights defenders continued to face difficulties because of the severe restrictions in place on basic freedoms including freedom of the press, association and assembly. In these countries the attempts by individuals or groups to be active were discouraged and met with intimidation, denial of registration or of permits to hold protests, travel bans, arrest and unfair trials. In **Bahrain**, despite the existence of a more open environment following the reforms initiated in 2001, restrictive laws were still used effectively against many human rights groups. Positively, several imprisoned HRDs were released in May following an amnesty, which also resulted in pending judicial proceedings against human rights defenders being dropped. A restrictive legislative framework also exists in **Qatar**, as in other Gulf countries; however, it has not been tested because of the lack of independent human right activism. Human rights activism is limited in **Kuwait** as well, where however the political and legal context is more encouraging for human rights activism than in the other five Gulf countries.

In Iran, Yemen, Palestine, and Western Sahara, the escalation of political and security conflicts has worsened the situation of HRDs, resulting in more restrictions, harassments and arbitrary detention. In **Western Sahara**, in particular, many prominent Sahrawi HRDs were subject to arbitrary detention and unfair trial, while others were prevented from moving freely and lived under constant fear of arbitrary arrest. In **Iran**, in the aftermath of the controversial presidential election in June, in a nationwide crackdown, many HRDs, including women, were arrested; some of them were released on payment of large bails, while others are still in detention. The authorities published a list of 60 groups, including international human rights organisations, donor organisations and Iranian groups in exile, and declared any communication with them as a crime against the state. In **Yemen**, the sharp escalation of the two conflicts, in the South and in Sa'da in the North, led to more restrictions on basic freedoms as well as arbitrary detention and unfair trials against journalists and HRDs reporting on the abuses related to the two conflicts. In **Iraq**, since the change of regime in 2003, the legislation and basic freedoms are relatively advanced; however, human rights activism is underdeveloped, while the security situation and political disputes make addressing certain issues life-threatening. In Iraq's northern Kurdish region, which has witnessed more stability since gaining self-rule in 1991, human rights work is restricted by the two parties governing the region. In **Palestine** HRDs continued to face defamation, travel restrictions, harassment and arbitrary detention, both on the part of the Israeli Occupation Forces and on the part of the competing Palestinian factions.

Egypt, Morocco and **Jordan** have similar restrictive laws and human rights violations to other countries in the region. However, they appear as more cautious and crafty in dealing with the many active human rights groups, and use preventive measures and a policy of containment or indirect harassment. This helped them to avoid international criticism and reduced to a minimum independent monitoring of abuses against HRDs as well as of human rights violations generally. Jordan passed amendments to the law on societies and associations in 2009. **Tunisia** and **Syria** remained among the most repressive countries for human rights activism, not only because of severe restrictions on basic freedoms but also because of the number and range of abuses against human rights groups and individuals. In Syria, all human rights groups remained unauthorised and faced judicial prosecution, and many prominent HRDs were detained or prosecuted. In Tunisia, intimidation, ill-treatment, arrest and charges against independent journalists and HRDs dramatically increased in the run up to the presidential elections, held in October. Following his re-election, President Zine el-Abidine Bel Ali announced measures "against anyone who will accuse or cast doubts over the electoral process without providing concrete evidence", and has lived up to this promise.

Lebanon could be considered one of the more open countries in the region as regards basic freedoms and human rights activism, which is a result of the balance of power characterising the Lebanese political system. On the other end of the spectrum, **Libya** remained one of the most difficult countries in the region for human rights defenders to establish and perform their work.

References:

1. www.colombiadefenders.org
2. Petitioner leaders are those who organise group petitions on behalf of members of their community who have suffered abuses. They frequently travel to their provincial capitals or to Beijing to seek communal redress.

2010 REPORT

HUMAN RIGHTS DEFENDERS IN 2009

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