### **2014 ANNUAL REPORT**



## GLOBAL TRENDS IN 2013 FOR HUMAN RIGHTS DEFENDERS



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# GLOBAL TRENDS IN 2013 FOR HUMAN RIGHTS DEFENDERS

THIS REPORT HIGHLIGHTS DEVELOPMENTS IN THE SITUATION OF HUMAN RIGHTS DEFENDERS IN 2013. IT ILLUSTRATES SOME OF THE MAIN GLOBAL AND REGIONAL TRENDS WHICH EMERGED FROM FRONT LINE DEFENDERS' WORK.

IN 2013, FRONT LINE DEFENDERS ISSUED 386 URGENT APPEALS AND UPDATES ON 426 HUMAN RIGHTS DEFENDERS AT RISK IN 64 COUNTRIES.

IT PROVIDED 297 SECURITY GRANTS AND TRAINED 480 HUMAN RIGHTS DEFENDERS.

OVERALL, MORE THAN 1,200 HUMAN RIGHTS DEFENDERS BENEFITED FROM FRONT LINE DEFENDERS' PROTECTION SUPPORT IN 2013.

## EVERY YEAR HUMAN RIGHTS DEFENDERS PAY THE ULTIMATE PRICE FOR THEIR COURAGE.

THESE ARE THE NAMES OF THE HUMAN RIGHTS DEFENDERS WHO WERE KILLED IN 2013, AND WHOSE CASES WERE DOCUMENTED BY FRONT LINE DEFENDERS.

#### WE REMEMBER THEM AND TO THEM WE DEDICATE OUR WORK:

Abdi Farah Dheere (Somalia)

Abdikarin Hussein Gorod (Somalia)

Abdul Waheed (Pakistan)

Adelinda Gómez Gaviria (Colombia)

Ahmed Jan Baloc (Pakistan)

Armando Fúnez Medina (Honduras)

Carlos Hernández Mendoza (Guatemala)

Chandra Kant Gaikwad (India)

Don Medelso Martínez Interiano (Guatemala)

Eliseo Ramos Martínez (Guatemala)

Encarnación Marcos Ucelo (Guatemala)

Eric Ohena Lembembe (Cameroon)

Godefroid Mutombo (DRC)

Hassan Guyo (Kenya)

María Enriqueta Matute (Honduras)

Mateo García Pérez (Guatemala)

Mohamed Mahmoud Afrah (Somalia)

Mohamed Mohamud Tima'adde (Somalia)

Perveen Rehman (Pakistan)

Philip Ochieng Onguje (Kenya)

Ricardo Soto Fúnez (Honduras)

Rocksy Tshimpaka (DRC)

Rolen Langala (Philippines)

Sabino Romero Izarra (Venezuela)

Santos Fidel Ajau Suret (Guatemala)

Tomas García (Honduras)

#### **OVERVIEW**

We begin this report by remembering those human rights defenders (HRDs) who paid the ultimate price for their human rights work. In 2013, Front Line Defenders documented the **killing** of 26 HRDs from Cameroon, Colombia, Democratic Republic of Congo (DRC), Guatemala, Honduras, India, Kenya, Pakistan, the Philippines, Somalia, and Venezuela. This is a fraction of the hundreds of HRDs killed every year around the world: in Colombia alone, in the first six months of 2013, 37 HRDs were murdered because of their human rights work.

**Impunity** for those killings or other serious abuses against HRDs was also widespread, regardless of whether the perpetrators were hired thugs, armed groups, law enforcement officials or corporate actors. Front Line Defenders reviewed the investigations carried out in over 20 killings of HRDs working on economic, social and cultural rights perpetrated in 2012 and 2013 in ten countries<sup>1</sup>: in only 10% of these cases were the perpetrators brought to justice. In what appears to be a ludicrous attempt to justify impunity, authorities in Thailand claimed in December that they could not continue the inquiry into the 2004 disappearance of Somchai Neelaphaijit because they alleged the investigation file had been stolen when anti-government protesters entered the building that month. His file was the only one reported missing, which has given rise to serious doubts about the validity of the claim. It is hoped that the new United Nations (UN) Special Rapporteur on human rights defenders (to be elected in March 2014) will make the fight against impunity for the murder of HRDs a priority for the mandate.

The targeting of HRDs working on issues related to **extractive industries**, the right to land, clean water and sanitation, and opposing abuses by corporate actors was on the increase again. These cases account for over a third of the assistance provided by Front Line Defenders in 2013, representing a marked increase over previous years. While in many of these cases the authorities were involved in the targeting – through the military, the police or the use of the judicial system – non-state actors such as private security firms and corporations also played a direct or indirect role, in spite of the repeated expression of their 'full commitment to corporate social responsibility'. The last report of the UN Special Rapporteur focused on large-scale development projects and HRDs: she found that since taking up her mandate in 2008 the situation for this group of HRDs has worsened. It is clear that the international approach to business and human rights taken until now has not ensured that those concerned about the human rights impact of corporate activities can speak out safely.

**Restrictive legislation**, one of the contemporary trends affecting civil society around the world, was proposed or passed in 2013 in numerous countries. Legislation ranged from laws regulating NGOs and access to funding (Azerbaijan, Ecuador, Egypt, Indonesia, Israel, Kenya, Kyrgyzstan, South Sudan), to laws on public assembly (Egypt), media (Burundi, Kenya), public order (Uganda), sexual orientation and gender identity (Russian Federation, Uganda, Ukraine). In some cases, these laws introduced an outright ban on the publication of materials on a set list of issues (Burundi); introduced disproportionately heavy prison sentences, up to 15 years, for 'publishing false information' (The Gambia); or granted the authorities the right to dissolve an organisation for virtually any minor violation of the law (Ecuador).

A modern feature of restrictive laws is that they spread contagion. Legislative initiatives passed in the Russian Federation, including the infamous 'Foreign Agents' Law (see page 10), were widely discussed by officials and lawmakers in countries in the region. In Kyrgyzstan, a 'Foreign Agents' bill was presented for public discussion in September, but was fortunately rejected by Parliament in December. The Parliament in Ukraine passed, and eventually repealed, a Foreign Agent law in January 2014. In Kenya, the National Assembly discussed an amendment to the 2012 Public Benefit Organisation Act seeking to cap the amount of foreign funding NGOs can receive at 15% of their budget (see page 3), in a move closely resembling the 10% cap passed in Ethiopia in 2009, which succeeded in effectively silencing local civil society.

While HRDs have been at the forefront of the battle against restrictive legislation, the international community has struggled to find effective ways of opposing this trend. The passing of a resolution on the **criminalisation** of HRDs by the UN Human Rights Council (HRC) in March was a welcome positive step. This was by far the strongest resolution adopted in a long time, and it addressed the issue of restrictive laws in a straightforward and unequivocal way. It touched upon issues such as restrictions to funding, the use of anti-terrorism or national security legislation, access to and use of information technology and media, and the protection of HRDs in the context of protests. This was followed, in September, by resolutions on civil society space and on **reprisals** against HRDs cooperating with the UN. While these developments were undoubtedly positive, the challenge remains of how to ensure compliance.

Other developments at the UN were disappointing. While the HRC resolution on reprisals requested the Secretary-General to appoint a senior UN-wide focal point to coordinate the UN response on the issue, the General Assembly (GA), at the initiative of the African group, took the unprecedented step of putting on hold the HRC resolution and the mechanism it established. Besides blocking a praiseworthy initiative, this action has the potential to compromise the mandate of the HRC, establishing the GA as a review mechanism on issues already addressed, negotiated and decided upon by the HRC. The same countries also played a negative role in relation to the first-ever GA resolution on **women human rights defenders** (WHRDs). While very strong as initially tabled, it was eventually passed in a significantly weakened version and provisions stating that culture and tradition cannot justify restrictions on the work of WHRDs were dropped.

While 2013 did not bring about many positive changes to laws or policies on HRDs, a potentially positive news item came towards the end of the year from China. In November, the Government announced its intention to abolish the **re-education through labour** system. Under this system, police were permitted to send people to labour camps for up to four years without any trial or judicial oversight and with no possibility of appeal. While the announcement was welcome, it remains to be seen how and when this much reviled system, which was often used to punish HRDs, will be dismantled.

Edward Snowden's revelations about mass surveillance of communications by the US and other countries drew public attention to an issue which HRDs have long been facing. Along with pervasive **electronic surveillance**, many HRDs have had their websites or emails hacked, their laptops confiscated and inspected, had malware and spyware installed on their mobile devices or computers, or have seen email or other types of online communication appear as evidence in court. Front Line Defenders received reports of such cases from Angola, Azerbaijan, Belarus, China, Kazakhstan, the Russian Federation, Turkey, Ukraine, Vietnam, and Yemen. HRDs, journalists and bloggers were arrested and charged for publishing human rights-related information on websites, blogs or social networking sites, or for criticising authorities or government policies online. Cases were reported in Bangladesh, Bahrain, Chad, China, Egypt, Kazakhstan, Kuwait, Morocco, Oman, the Russian Federation, Saudi Arabia, Syria, Thailand, Tunisia, UAE and Vietnam.

The year closed with the passing of legislation against lesbian, gay, bisexual, transgender and intersex (LGBTI) people in Uganda. Throughout the year, LGBTI issues continued to be used by governments for political gains, either to portray themselves as defenders of traditional values against foreign-backed moral corruption or as a way of distracting the electorate from economic or political problems, a crackdown on opposition or corruption scandals. In Haiti, where the Martelly Government appears to be drifting slowly towards authoritarianism, the issue of same-sex marriage occupied the headlines – fomenting threats and attacks against LGBTI rights defenders – despite the fact that this is not on the agenda of local LGBTI groups. Front Line Defenders reported on cases of arrest, threats, attacks or killing of LGBTI rights defenders in Cameroon, DRC, Georgia, Haiti, Honduras, Macedonia, the Russian Federation, Senegal, Sierra Leone, Zambia and Zimbabwe.

#### **AFRICA**

## Front Line Defenders issued 48 urgent appeals on behalf of HRDs at risk in 15 African countries.

#### **Most reported violation: Arrest**

In 2013, Front Line Defenders received reports from across the continent of HRDs facing death threats, suffering physical attacks, or enduring police and judicial harassment. Attempts to undermine the work of HRDs also came in the form of draconian legislation, crackdowns on public events and demonstrations, government take-over or closure of independent NGOs, and smear campaigns.

Physical attacks were reported in Angola, Cameroon, DRC, Kenya, Mauritania, Sierra Leone, Somalia and Zimbabwe. Some of these attacks resulted in deaths. In July came news of the deplorable, brutal murder of Eric Ohena Lembembe of the Cameroonian Foundation for AIDS, an outspoken activist who worked for the rights of LGBTI people. In August, security officers in Moyale, Kenya's North Eastern region, shot and killed Hassan Guyo of Strategies for Northern Development. In November, Kenya also lost Philipp Ochieng Onguje, founder and coordinator of Usalama Reforms Forum, an organisation working on security issues and campaigning for substantial police reforms. Onguje lost his life after his house caught fire in suspicious circumstances, which were never clarified, and which also caused his wife to be hospitalised.

HRDs in countries affected by **armed conflict** continued to face serious difficulties and threats as they tried to document human rights violations by armed groups. In the Eastern region of the DRC, a HRD was abducted by an armed group in April, while working in the area under its control. In May, more than 80 human rights groups issued a joint appeal to the newly nominated UN Special Envoy for the Great Lakes Region, Mary Robinson, calling for an end to impunity for members of rebel group M23, which they accused of "abducting, beating and killing" their colleagues. While the Congolese army defeated the M23 in early November, it remains unclear whether its members and leaders will be held accountable for their crimes. In Somalia, journalists reporting on human rights continued to be subject to violent attacks. In October, unidentified gunmen shot Mohamed Mohamud Tima'adde six times and he died a few days later in a local hospital. Tima'adde was a Universal TV reporter who had been investigating and exposing a range of human rights issues.

**Arbitrary arrests** and **police clampdowns** on HRDs were reported in Angola, Cameroon, Chad, DRC, Gabon, Kenya, Mauritania, Senegal, Somalia, Sudan, The Gambia, Uganda, Zambia and Zimbabwe. In January, police in Uganda arrested three members of Twerwaneho Listeners Club (TLC) accusing them of making defamatory statements against the presidential family during a radio talk show. Two months later, TLC's bank accounts were unlawfully frozen by the regional police criminal investigation department in Fort Portal. In The Gambia, renowned Muslim cleric and human rights defender, Imam Baba Leigh, was released without charges in May, after five months in incommunicado detention. He had been arrested for declaring the execution of nine death row inmates to be inimical to Islamic teaching. In Mauritania, police violently disrupted a sit-in in late September in the town of Boutilimit organised by members of the *Initiative pour la Résurgence du Mouvement Abolitionniste en Mauritanie*, and arrested five HRDs.

The year was also marked by the introduction of regressive **legislation** that directly or indirectly interfered with the work of HRDs. In June, Burundi passed a draconian media law that required journalists to reveal their sources. The law also banned the media from publishing information about national defence, public safety, state security and the local currency. In July, the National Assembly of The Gambia amended the 2009 Information and Communications Act introducing a 15-year jail term or a fine of 3 million Dalasi (approximately € 65,000), or both, for the offence of spreading 'false news' about the Government or public officials. The act will have a chilling effect on an already weakened civil society. In Kenya, the Information and Communication (Amendment) Act and the Media Council Act, passed in December, introduced heavy fines for journalists and media companies if a government-controlled regulatory board finds them in breach of a government-dictated code of conduct. Also tabled was an amendment to the 2012 Public Benefit Organization Act seeking to cap foreign funding for NGOs at 15% of their budgets. While the amendment was eventually rejected, the political intentions behind it – namely

to bring a number of key human rights groups to their knees – remain and may lead to further negative developments in 2014. In Uganda, in August, Parliament passed the Public Order Management Act, which requires police approval if three or more people wish to assemble to discuss political issues. The infamous Anti-Homosexuality Bill, pending since 2009, was passed in December 2013, subject to it being signed into law by the President. In South Sudan, a draft Non-Governmental Organisations Bill was discussed in November which included problematic provisions on registration, its annual renewal, the permissible scope of NGO work, as well as government control. The bill remained pending at year's end.

Fabricated charges and court proceedings continued to be used as one of the most prevalent ways of interfering with the work of HRDs. Cases were reported in Angola, Cameroon, Chad, Gabon, Kenya, Mauritania, Somalia, Uganda and Zimbabwe. In Gabon, environmental HRD Marc Ona Essangui was given a six-month suspended prison term and a substantial fine following a defamation lawsuit initiated by the Chief of Cabinet of the President. Essangui had published articles on the activities of a foreign agribusiness firm questioning the Government's stance in relation to its environmental impact. In north-western Cameroon, members of Mbororo Social and Cultural Development Association (MBOSCUDA), a social organisation defending the rights of Mbororo pastoralists, faced trial over unsubstantiated allegations of 'misinformation' in connection with their efforts to seek truth and justice for an attempted murder. In Angola, journalist Rafael Marques faced multiple criminal charges in connection with the publication of a book detailing government corruption as well as cases of killings, torture, forced displacement and intimidation against villagers and diamond diggers. In Somalia, Radio Shabelle's journalist Mohamed Bashir Hashi was arrested and faced a defamation trial in connection with an interview with a victim of sexual violence. He and the victim were found guilty and had to pay a fine to avoid a six-month prison term.

In Rwanda, in July, the **takeover** of the Rwandan League for the Promotion and Defence of Human Rights (LIPRODHOR) by individuals believed to be favourable to the Government – after unlawfully ousting the organisation's legitimate leadership – silenced the country's last independent human rights organisation. Civil society continued to have no space to operate in Eritrea, where dozens of journalists and other dissenting voices remained in long-term imprisonment without charge.

#### **Country in Focus: Zimbabwe**

The "harmonised elections" of 31 July were much anticipated as a way out of the challenging power-sharing agreement between MDC and ZANU-PF negotiated in the aftermath of the 2008 electoral crisis. The elections marked a turning point for many Zimbabwean HRDs, many of whom had put their lives on the line pursuing a reform agenda. The contested results consolidated the rule of President Mugabe and ZANU-PF, thus frustrating hopes of democratic change in the country.

While there was no repeat of the widespread and intense violence of previous elections, there were numerous reports of attacks by youth groups affiliated with ZANU-PF against HRDs and of disruption of their public events. HRDs carrying out civic education or other election-related projects were particularly targeted and dubbed agents of the West. Abel Chikomo of the Human Rights NGO Forum and Martha Tholanah of Gays and Lesbian of Zimbabwe were put on trial on charges of "operating an illegal organisation". Human rights lawyer Beatrice Mtetwa was arrested and charged with obstructing the course of justice and using abusive language, for telling police officers that their actions were illegal. Journalists were arrested and the Research and Advocacy Unit think-tank was banned from publishing a report on the voters' roll. A number of offices used by human rights groups were stormed by attackers suspected of having links with the ruling party. Activists demonstrating peacefully, such as members of Women of Zimbabwe Arise (WOZA), were repeatedly the target of violent police crackdowns.

After the elections, many human rights defenders felt uncertain for the future. In regions such as Matabeleland where sentiments of marginalisation remain high, HRDs had grave concerns for their security. As threats, arrests and court proceedings continue, any change in the way the regime deals with civil society appears unlikely.

#### **AMERICAS**

## Front Line Defenders issued 57 urgent appeals on behalf of HRDs at risk in 9 American countries.

#### **Most reported violation: Threats**

The most dramatic trend in the Americas continued to be the use of violence. Killings were reported in Colombia, Costa Rica, Guatemala, Honduras, and Venezuela. In many other cases, HRDs survived assassination attempts and faced violent intimidation, including shooting at their offices or homes, or the detonation of explosive devices outside their offices as in Colombia. Throughout the region, uncertainty and insecurity for HRDs remained high. Death threats, judicial harassment, arbitrary detention, defamation, break-ins, and attacks or intimidation of family members were regularly reported.

Despite the ongoing, systemic nature of violations against HRDs, in many countries the statistics of attacks against them were masked by generally-high levels of violence and crime. Attacks were carried out by a variety of actors, including government and other public officials, militias, private security and thugs hired by corporate entities, and criminal groups including transnational narco-trafficking groups.

2013 was a challenging year for **indigenous peoples** and those defending the rights to land, water and a clean environment, as well as for communities opposing abuses by corporate actors. Front Line Defenders reported on a number of such cases in Argentina, Brazil, Colombia, Guatemala, Honduras, Mexico and Venezuela. In October the *campesino* community of Pitalito (Colombia) was forcibly and unlawfully evicted from its land. The community has been actively and non-violently struggling to defend their rights to the land since previously being forcibly displaced in June 2010. It established itself as a community of activists by offering support to other groups facing forced evictions and fighting for their land rights. In July, shots were fired outside the home of Yolanda Oquelí Veliz del Cid (Guatemala), the leader of a movement defending community land from the expansion of mining activities in San José del Golfo and San Pedro Ayampuc. Oquelí had survived a previous assassination attempt in 2012, and this latest attack happened just shortly after the killing of HRD Santos Fidel Ajau Suret as he returned from a peaceful sit-in protest against a mining project in La Puya village.

Women continued to be at the forefront of human rights defence and to be at particular risk of harassment, discrimination, stigmatisation, criminalisation and physical and sexual violence. The majority of official statistics of attacks against HRDs do not contain a gender indicator, and violations faced by **WHRDs** are not given specific attention. As a result, where they exist, protection mechanisms are not often designed with a gender dimension in mind. WHRDs working in defence of sexual and reproductive rights continued to face reprisals for their work supporting others. In Haiti, in August, the home of Malya Villard Apollon was attacked by a group of armed men, who fired gunshots at the gate. This was due to her work to prevent and redress sexual assault, and to care for survivors. She has been receiving threats for a number of years but these threats intensified since she was nominated as a 'CNN Hero' in 2012.

In many countries across the region **LGBTI** rights defenders were specifically targeted in acts of aggression, harassment and intimidation, and the authorities often failed to recognise them as targeted attacks resulting from their work on behalf of a marginalised community. In Honduras, the offices of the *Asociación LGTB Arcoiris* were broken into twice in the space of a week in September. In June, in Tegucigalpa, a transgender activist was shot by unknown assailants, another one was severely beaten in August, and the daughter of a leading LGBTI rights defender was kidnapped for several hours. In November, in Haiti, the office of an LGBTI group was broken into by armed individuals who assaulted and threatened its members.

**Break-ins** and **theft or loss of sensitive information** have increased in 2013. Cases were reported in Brazil, Colombia, Guatemala, Haiti, Honduras and Mexico. Whilst sending out a very clear message of intimidation, the theft of information also greatly hinders the activities of an organisation and puts a number of others at risk. Despite clear indications that the organisations were specifically targeted, because of the type of equipment tampered with or information removed, the authorities all too often treated these incidents as common robberies.

Cases of **judicial harassment** were reported in Colombia, Cuba, Guatemala, Haiti, Honduras and Mexico. Fabricated criminal charges and short-term detentions were widely used to silence HRDs and undermine their credibility. Even when eventually acquitted, their human rights work was hindered through drawn out legal processes. When released on bail pending trial, HRDs often had restrictive, financially challenging and time-consuming conditions attached to their bail. In September, a magistrate in Honduras ordered the pre-trial detention of Berta Cáceres, general coordinator of the Civic Council of Popular and Indigenous Organisations of Honduras (COPINH), following a hearing on trumped-up charges of usurpation of land, coercion, and allegedly causing more than \$3 million in damages to a hydroelectric dam company. Fellow HRDs Aureliano Molina and Tomás Gómez Membreño were ordered to sign in at a police station every 15 days. In Haiti, human rights lawyers found themselves prosecuted due to their work assisting victims of police abuses or exposing corruption.

Other attempts to discredit HRDs occurred through well-defined strategies of **defamation** and **stigmatisation**. Labelling HRDs as traitors and terrorists or accusing them of using violence serves to diminish support for that person's work. Stigmatisation and attacks on reputation were reported in Guatemala, Honduras, Mexico and Venezuela. In April, in Venezuela, the Minister for Information and Communication initiated a smear campaign on Twitter against the NGO Programme for Education and Action on Human Rights (PROVEA). In October, media outlets in Mexico published statements made by a number of government officials denigrating and discrediting the work of human rights lawyer Lucha Castro Rodriguez. In Guatemala, a national newspaper regularly published supplements denouncing the activities of environmental rights defenders, including 2009 Front Line Defenders Award winner Dr Yuri Melini. HRDs were accused of being troublemakers funded from outside the country to undermine economic development and make money for themselves.

While the few existing examples of **protection programmes** designed specifically for HRDs are found in this region, it is regrettable that no significant progress was recorded regarding their effective implementation. Despite an encouraging start, the protection programme in Mexico, legally established in 2012, remains non-operational. In Brazil, the National Protection Programme provided assistance to several HRDs at risk. However, despite the commitment of its staff, major flaws remain with regard to the resources at its disposal, its reach and geographical scope.

HRDs based in North America also faced challenges. Front Line Defenders received reports of electronic surveillance, including the monitoring of comments posted on social networking sites, and of targeted funding cuts against HRDs in Canada. In the United States, there were reports of police harassment and intimidation as well as arson attacks against grassroots organisations working on issues such as sex work, drug policy and reproductive rights.

#### **Country in Focus: Honduras**

Four years on from the coup d'état that ousted elected President Manuel Zelaya, insecurity remains high. Presidential elections were held on 24 November and saw the victory assigned to the National Party that took power after the coup. The elections were marred by high levels of political violence, with killings and armed attacks against candidates, their families and campaign leaders. The *Libertad y Refundación* party, whose presidential candidate was the wife of former President Zelaya, experienced the highest levels of attacks and killings.

Repressive practices by government forces, militarisation, privatisation of public services, laws criminalising the expression of dissent and protests, and huge inequality including in the access to land constitute the backdrop of an unsafe and high risk environment for HRDs. Since the coup, HRDs have faced an upsurge in violence which continues today. They suffer extra-judicial executions, enforced disappearances, torture and ill-treatment as well as judicial harassment, threats, surveillance, intimidation and stigmatisation. Journalists, lawyers, prosecutors, those defending the rights of women, children, the LGBTI community, indigenous and Afro-Honduran communities, and those working on environmental and land rights issues are particularly at risk. In recent years, 70 lawyers, 30 journalists and 113 campesinos from the Agúan region alone have been reported killed. A further 350 campesinos in the Agúan have criminal or other legal proceedings pending against them as a result of their defence of the land.

In partnership with ACI-Participa, APUVIMEH, and ARCOIRIS, Front Line Defenders launched a radio ad campaign on human rights defenders in Honduras, accessible at radiohrd.org/honduras.

#### **ASIA AND THE PACIFIC**

## Front Line Defenders issued 59 urgent appeals on behalf of HRDs at risk in 15 Asian countries.

#### **Most reported violation: Arrest**

The situation facing HRDs in Asia and the Pacific remained critical in 2013. Front Line Defenders documented killings, enforced disappearances, physical attacks and threats, arbitrary arrest and detention, judicial harassment and intimidation against HRDs across the region. HRDs working on economic, social, and cultural rights continued to face increasing threats.

**Killings** of HRDs took place in India, Pakistan and the Philippines. In India, Dalit rights activist Chandra Kant Gaikwad was shot and killed in February after filing a complaint about caste-based violence. At the end of the year in the Philippines, indigenous and land rights defender Rolen Langala was killed. In the same country, the inquiries into the murder of three HRDs in 2012 did not result in the perpetrators being brought to justice.

**Enforced disappearances** were reported in Laos, Pakistan, and Sri Lanka. In Laos, prominent community leader Sombath Somphone remained missing one year after his disappearance in December 2012, when his car was stopped at a police checkpoint. By year's end, there was very little progress in the investigation.

Physical attacks and death threats were reported in Afghanistan, Bangladesh, Cambodia, China, India, Indonesia, Nepal, Pakistan, Sri Lanka and Thailand. In February, in Sri Lanka, human rights lawyer Lakshan Dias received a number of threatening phone calls, and a suspicious white van was seen following him the previous day. Dias has been providing legal representation to victims of torture. In December, in Cambodia, Ou Virak of the Cambodian Centre for Human Rights received threats, including death threats, both online and offline, in relation to concerns he expressed over discriminatory language used by the leadership of the Cambodian National Rescue Party. The threats, which numbered in the hundreds, included racial slurs, accusations of treason and espionage, and demands that he go into exile.

In Bangladesh, Burma, Cambodia, China, India, Indonesia, Malaysia, South Korea, Thailand and Vietnam, trumped-up criminal charges and lawsuits were filed against HRDs. In Burma, community leader Naw Ohn Hla was found guilty of 'disturbing public tranquillity' and was sentenced to two years in prison with hard labour. Naw Ohn Hla was instrumental in calling for the suspension of the Letpadaung mining project in Northern Burma. Imprisoned until a presidential amnesty in November, she was re-arrested in December for her continuing campaign against the project. In the Philippines, in September, Joel Q. Yagao, member of the Rural Missionaries of the Philippines, was arrested by six members of the army and national police on fabricated charges of multiple murder on account of his work with farmers' communities. He remained in detention at the time of writing. In October, in Vietnam, human rights lawyer Le Quoc Quan – detained since December 2012 – was convicted on a charge of tax evasion and sentenced to 30 months imprisonment.

Threats by non-state actors were reported in Pakistan and Thailand. In November, gunshots were fired in the air by unidentified men to intimidate members of the Southern Peasants Federation of Thailand. The men were travelling in vehicles bearing the stickers of a company involved in a land dispute with the community. Also in Thailand, migrant rights defender Andy Hall had three lawsuits filed against him by a fruit processing company for his work documenting the labour conditions of migrant workers in the company's plant.

In Bangladesh, Burma, Cambodia, China, Fiji, India, Nepal, South Korea and Sri Lanka, police violently dispersed demonstrations, prevented them from taking place, including through the arrest of the organisers, or prosecuted HRDs who documented the use of violence by police. In Fiji, in March, police withdrew the permit previously granted for the annual International Women's Day March organised by the Fiji Women's Crisis Centre, due to alleged security and public order concerns. In Nepal, between January and March, several sit-in protests against gender-based violence and impunity were violently dispersed by the police and attacked by youth groups linked to the Unified Communist Party of Nepal (Maoist). The protests were organised by Occupy Baluwatar, a civil society movement

fighting for accountability for abuses committed by security forces and Maoist rebels during the armed conflict.

Governments in the region also **limited freedom of assembly**, including gatherings such as festivals, seminars and private events. In July, a human rights forum organised by Rights Now Collective for Democracy in Sri Lanka was disrupted by government supporters despite the presence of police, who did not intervene. In September, in Malaysia, Lena Hendry was charged under the Film Censorship Act for organising the screening of a documentary on human rights violations in Sri Lanka. She was arrested in July when approximately 30 police officials raided the screening. In China, the nascent New Citizen Movement, which called for constitutional government, attracted HRDs from up to thirty cities who met regularly for dinner to discuss issues around political reform. The authorities responded by arresting dozens of activists in a number of cities, including the Beijing lawyer and architect of the movement, Xu Zhiyong.

Instances of **arbitrary arrests and detention** were reported in Bangladesh, Burma, Cambodia, China, India, Indonesia, the Philippines, South Korea, Thailand and Vietnam. Prolonged pre-trial detention was used against HRDs in some of these countries. In Bangladesh, Adilur Rahman Khan, secretary of Odhikar, was arrested without a warrant in August and later charged with publishing false information and disrupting law and order following the publication of a report on the crackdown against Hefazate Islam rally, which resulted in dozens of deaths. He was eventually released on six-month bail in October. In Burma, Rohingya community leader Kyaw Hla Aung remained in pre-trial detention following his arrest in July on false accusations of supporting a movement aiming to create an independent Rohingya state. In China, house arrest, secret prisons, forced travel and detention in psychiatric hospitals were employed against HRDs, especially during sensitive occasions. In one egregious example of arbitrary detention, Liu Xia, wife of jailed 2010 Nobel Peace Prize Winner Liu Xiaobo, remained under strict house arrest three years after her husband was awarded the Peace Prize, without being accused – or convicted – of any crime.

**Travel restrictions**, legal or de facto, were used in China, Malaysia, South Korea and Sri Lanka. In April, Taiwanese HRD Wang Yu Hsuan was not allowed to enter South Korea despite holding a visa. Since 2010, Hsuan has been working with people from the village of Gangjoeng who are at risk of being evicted to make way for a naval base which was planned without proper consultation with the community. The People's Solidarity for Participatory Democracy documented 21 cases of HRDs deported as a result of their work against the naval base.

In North Korea, the level of **repression** and control over society remain so severe, overwhelming and systematic that no HRDs are able to operate visibly.

#### **Country in Focus: Pakistan**

The situation for HRDs in Pakistan remained extremely challenging, partly due to the complex political, geographical, and religious divides. HRDs faced a broad range of risks, ranging from arbitrary arrest and detention, judicial harassment and death threats, to physical attacks, abductions and killings. WHRDs confronted traditional conservative views of the role of women in society, which significantly affected their work and left them exposed to pressure and violations from within their own communities.

Killings were on the rise in 2013. In May, social activist Abdul Waheed was shot dead in front of his daughter and elder brother, who were also injured in the attack. He was running an educational institute and a Polio Resource Centre where he handed out medicines for free. Islamist groups affiliated with the Pakistani Taliban have targeted those distributing vaccines, claiming they are un-Islamic. In March, Perveen Rehman, the founder of Orangi Pilot Project, an organisation working on housing issues for the poor, was murdered in Karachi.

In the Federal Administered Tribal Areas (FATA) and in Khyber Pakhtunkhwa, kidnapping of HRDs and family members remained common. In August, a family member of a prominent HRD was abducted and held for ransom by a militant group due to his human rights activities. Balochistan remained a no-go area for most HRDs, due to the extreme violence. Local groups reported the killing of seven HRDs in the area during the first quarter of 2013 alone. Travel restrictions remained in place, and HRDs were dependent on permission from the community in order to gain access.

Religious minorities and those who advocate for their rights were also exposed to risks. In November, gunshots were fired outside the home of human rights lawyer Sardar Mushtaq Gill, who has been providing legal aid to marginalised people and religious minorities. Months earlier, in June, he was held at gunpoint by three armed men because of his work defending Christian women who were reportedly paraded naked in Kasur district.

#### **EUROPE AND CENTRAL ASIA**

## Front Line Defenders issued 41 urgent appeals on behalf of HRDs at risk in 12 countries in Europe and Central Asia.

#### Most reported violation: Judicial harassment

The situation in many countries in Eastern Europe and Central Asia deteriorated in 2013, in connection with heightened negative practices towards civil society groups and the implementation of restrictive legislation adopted in previous years.

The situation in **Turkmenistan** remained characterised by the absence of freedom of association and assembly and by the systematic persecution of any dissenting voices. The isolation of the country, the impossibility for local groups to travel abroad and for international groups to visit, result in very limited direct information being available on its human rights record or on specific instances of violations, and information comes mainly from human rights activists in exile. In **Uzbekistan**, the authorities continued to persecute HRDs. Several human rights groups and individual activists continued to operate but were the target of threats, attacks or imprisonment. Access to the country by international human rights groups remained difficult.

In Azerbaijan, Belarus, Tajikistan and Uzbekistan, authorities continued to **arbitrarily deny or withdraw registration** to civil society groups. Human rights organisations operate in a precarious situation, exposed to possible charges and restrictions on access to funding. In Belarus in particular, the activities of unregistered groups remained criminalised.

In several countries in the region, the right to freedom of assembly and protest remained limited and permission to hold demonstrations was denied. Legislation in Azerbaijan, Belarus, Kazakhstan, Tajikistan and Uzbekistan remained particularly restrictive. Peaceful demonstrations were forcibly dispersed by police in Azerbaijan, the Russian Federation, Turkey, Ukraine and Uzbekistan.

Following the Russian example, **restrictive legislation** was discussed or passed in Azerbaijan, Kyrgyzstan and Ukraine. In Azerbaijan, amendments to the NGO Law were passed which introduced, inter alia, new registration and reporting requirements for grants. The amendments tightened administrative controls over both national and international NGOs, and were passed without being published in advance of parliamentary approval. In Kyrgyzstan, Parliament discussed a draft Treason Law which resembled the Russian amendments of July 2012, and that would have had the effect of criminalising legitimate NGO work such as international advocacy. As in the case of the Foreign Agents amendment (see page 10), the proposal was rejected.

Also partly due to developments in the Russian Federation was the deterioration of the situation for **LGBTI** rights defenders. With the purported aim of defending 'traditional values', the Russian Duma adopted in June a law banning the *propaganda of non-traditional sexual relations* among minors. The law followed many similar ones adopted at the regional and municipal level in previous years, and may be used to ban any public activity of LGBTI groups. While most media attention is now focussed on the security of LGBTI people attending the Sochi Games, the law and the openly homophobic public discourse have already had an impact on the security of Russian LGBTI rights defenders, and physical attacks against them and their events were on the increase. This also occurred in Armenia, Belarus, Georgia and Ukraine, where public events organised by LGBTI organisations were banned or attacked by right-wing groups or religious extremists, and the police failed to adequately protect participants. Attacks and raids against LGBTI organisations were also on the increase in Macedonia.

**Media freedom** continued to be restricted in several countries, independent media were targeted and journalists faced judicial harassment and physical violence. In late December, Tetiana Chornovol, journalist and civic activist involved in a protest movement, was assaulted and badly beaten in Ukraine. In Turkey, hundreds of journalists remained imprisoned for their reporting. Across the region, governments reacted to the increasing importance of social networking sites and blogs by introducing provisions tightening **control over the Internet**. At the end of the year, the Russian Parliament adopted provisions simplifying the procedure to block websites suspected of

'extremist content'. In light of frequent accusations of extremism against HRDs, it is feared that the law may be used against legitimate websites providing human rights-related information. In Kazakhstan, in March, the courts ordered the closure of the website of news media outlet 'Youth Newspaper', and the order was confirmed in appeal in May.

HRDs working within the **European Union** were not immune from challenges. In several countries, most notably in Hungary, right-wing extremist groups posed threats to HRDs, in particular those working on Roma and LGBTI issues. An anti-fascism activist was killed in Greece in September by a member of the extremist party Golden Dawn. In Romania, in December, police used violence against local villagers and HRDs who were protesting against shale gas projects in Pungesti due to environmental and land rights concerns. In the United Kingdom, the partner of Glenn Greenwald, the Guardian journalist who helped bring to light the US global communication surveillance system, was held for several hours by police under the Anti-Terrorism Act while transiting through Heathrow airport. Baraa Shiban, a HRD from Yemen known for his work against the use of drones, faced a similar fate when travelling through Gatwick airport in September.

In **Turkey**, the police used violence against protesters and HRDs. Started as a local protest in Istanbul, demonstrations soon turned into a nationwide mass movement against the erosion of fundamental freedoms by the ruling Justice and Development Party. The repression against HRDs, lawyers, journalists and other voices supporting the rights of the Kurdish community continued unabated. Law reform amendments were passed which – it was hoped – might impact positively on the many pending trials of HRDs on trumped-up terrorism-related charges. However, at the close of the year, these hopes failed to materialise.

#### Country in Focus: the Russian Federation and the 'Foreign Agents' law

The situation in Russia was of particular concern in 2013. There were numerous reports of attacks and of judicial harassment against HRDs. Public discourse reflected a rise in hostility towards civil society. Of most concern was the implementation of the so-called 'Foreign Agents' law passed in 2012. The law requires all organisations receiving foreign funding and involved in broadly defined 'political activity' to register as 'foreign agents', a term reminiscent of the Cold War and which maintains a very negative connotation in Russian society.

An unprecedented wave of inspections began in February against, ultimately, approximately 1,000 NGOs. They started almost simultaneously in various parts of the country. They were carried out by representatives of the Prosecutor's office and the Ministry of Justice, but at times also involved the Ministry of Emergency Situations, the Federal Security Service, tax inspectors, the fire department, the health department, and other government agencies. In some cases, inspectors arrived with journalists from media outlets known for their anti-NGO stance.

The authorities initiated 26 administrative court cases (14 for failure to register and 12 for refusing to collaborate during the inspection), as well as four civil lawsuits. Lawsuits were also initiated by a number of NGOs challenging warnings of non-compliance. By the end of the year, three NGOs (Association for the Defence of the Rights of Voters Golos, the Regional Civil Organisation Golos, and the Kostroma Centre for Support of Civil Society Initiatives) were sentenced to administrative fines for failure to register as foreign agents, and two more (Anti-Discrimination Centre 'Memorial' in St Petersburg and the Centre for Social Policy and Gender Studies in Saratov) were ordered by civil courts to register. Of particular concern is that in one of the cases, the submission of an NGO report to the UN Committee Against Torture was considered as proof of 'political activity'.

The law also gave a green light for a smear campaign in state-controlled media against civil society groups, which have been presented as 'grant eaters' and promoters of Western interests, whose work was not aimed at improving the human rights situation but at soiling the image of the country.

The law was widely criticised internationally and domestically. Eleven Russian human rights organisations lodged a complaint to the European Court of Human Rights for violation of the rights to freedom of association and expression. Three complaints were brought before the Constitutional Court, including one by the Russian human rights Ombudsman. All proceedings remained pending at the time of writing. The only certainty so far is that the human rights work of many Russian NGOs has been heavily affected by the need to engage in the battle against the law.

#### MIDDLE EAST AND NORTH AFRICA

## Front Line Defenders issued 38 urgent appeals on behalf of HRDs at risk in 13 countries in the Middle East and North Africa.

#### **Most reported violation: Arrest**

2013 continued to see important changes in the region. Arab Spring states faced great challenges in achieving stability and the establishment of democratic institutions. Political instability, unrest and violence have had profound effects on the work of HRDs. In some cases, HRDs found themselves in situations of acute political polarisation and were caught between armed confrontations.

This was true in particular for Libya, Syria, Yemen and the Sinai peninsula in Egypt, where the proliferation of **non-state actors**, including fundamentalist Islamic groups, has emerged as a significant threat to HRDs. Those who resisted their influence, or condemn human rights violations committed by these groups, faced serious risks, including death threats, violent raids, and forced disappearances.

In **Syria**, the mass popular uprising evolved into an internal conflict involving a number of different armed groups. A very high number of HRDs continued to flee the country in 2013. Those who remained and who continued their human rights work were targeted for their attempts at reporting human rights abuses. Two members of the Syrian Centre for Media and Freedom of Expression were released in February while three remained in detention at year's end. Their trial on fabricated terrorism-related charges remained pending. A number of other HRDs remained in detention, including secret detention as in the case of Khalil Matouq of the Syrian Centre for Legal Studies and Research. Four HRDs, including Razan Zeitouneh, were abducted in December and remained missing at year's end.

In **Egypt**, the emerging democratic experiment collapsed again in July with the ousting of President Morsi by the military, after mass protests against him and the Muslim Brotherhood (MB) to which he belonged. This was followed by violent dispersals of pro-MB protests, which resulted in 700 deaths. Repressive practices through the use of police or prosecutions continued throughout the year, and political groups used their supporters to engage in violence against protesters, political opponents and other critical voices. During this wave of violence many HRDs were physically attacked.

**Use of force by police against protesters** was reported in many other countries, including Bahrain, Morocco-administered Western Sahara, Saudi Arabia, Sudan and Yemen. In Western Sahara, nine HRDs were convicted in February, together with 16 other individuals, in relation to mass protests in El Ayoun in 2012. They were sentenced to heavy penalties ranging from 20 years to life imprisonment on charges of belonging to a criminal organisation and using violence against public officials.

The situation deteriorated in **Sudan**, where the year witnessed repeated crackdowns on civil society. Between December 2012 and January 2013, three civil society groups (Sudanese Studies Centre, ARRY Organisation for Human Rights and Development, and the Al Khatim Adlan Centre for Enlightenment and Human Development) were forcibly closed down by the authorities. Mass protests were met with excessive force by the security forces, and there were reports of beatings and arrests of journalists, student activists and HRDs, especially during demonstrations in September and October. Arbitrary arrests, incommunicado detentions and torture of HRDs by the Sudanese military and security forces were also reported.

**Restrictive NGO legislation** was pending in Egypt, where the new regime announced plans to introduce a law which would reinforce government control over civil society organisations. A new law on demonstrations was passed in November which banned overnight protests as well as gatherings of more than ten people without government approval. It is also feared that the law may be used to justify the use of lethal force by the police. Concerns that the NGO Law passed in Algeria the previous year would be used against HRDs were validated in May when Abdelkader Kherba received a two-month suspended sentence and a fine for distributing leaflets on unemployment. In Israel, proposals were made to introduce a bill imposing a 45% tax on foreign donations to

NGOs supporting campaigns for boycott, divestment or sanctions against Israel or calling for the prosecution of members of the Israeli Defence Forces in international courts.

**Judicial harassment** was widely reported across the region, in particular in Algeria, Bahrain, Egypt, Iran, Israel-OPT, Kuwait, Morocco, Oman, Syria, Saudi Arabia, and UAE. In Morocco, two journalists were put on trial on terrorism-related charges for their legitimate reporting on the use of anti-terrorism legislation. In Saudi Arabia, in June, a court in Dammam sentenced women's rights defenders Wajeha Al-Huwaider and Fawzia Al-Oyouni to ten months in prison, on charges of 'undermining the marriage' of a woman they sought to assist. In the occupied Palestinian territories, Palestinian HRD Hasan Karajah remained detained by the Israeli military, pending trial, since his arrest in January in connection to his legitimate involvement in the Stop The Wall movement. In July, human rights lawyers Mohammed Al-Roken and Mohammed Al-Mansoori in the United Arab Emirates were sentenced to ten years in prison on false charges of 'plotting to overthrow the state'.

In **Bahrain**, the Government failed to change its repressive policy towards HRDs. Throughout the year, numerous instances of arrest, prosecutions based on fabricated charges, assaults, ill-treatment and torture in detention were reported. The Government continued its practice of imposing penalties of long-term imprisonment. In September, Naji Fateel of the Bahrain Youth Society for Human Rights was sentenced to a 15-year prison term under the controversial Terrorism Act; the appeal remained pending at year's end and evidence that he was tortured in detention was not considered by the court. The Government failed to implement the Bahrain Independent Commission of Inquiry's recommendation to review the convictions it found to be fundamentally flawed, including that of former Front Line Defenders staff member Abdulhadi Al-Khawaja.

#### **Country in Focus: Yemen**

The transitional authorities continued to face major challenges in restoring stability and security, amidst defections within the army and tensions with those who remained loyal to former President Saleh. A National Dialogue was started under a Gulf Cooperation Council initiative, but it raised controversy rather than fostering mutual understanding among different factions. The Dialogue is expected to conclude in early 2014, and saw the participation of many prominent HRDs.

The political transition also showed a lack of political will to improve the conditions for HRDs and civil society, and the general climate continued to be unfavourable to NGOs and trade unions. Peaceful gatherings and independent media outlets remained the target of repression, particularly in the South where the situation deteriorated. Two HRDs suffered targeted attacks while participating in protests in February. The problematic 2001 Law on Associations and Institutions remained in place, curtailing HRDs' ability to seek registration for their organisations. While the Yemen Organisation for the Defence of Rights and Democratic Freedoms was granted recognition in 2012, ten years after its establishment, this remained an isolated case.

HRDs were victims of physical attacks, some of which were life-threatening. In February, Khaled Ayesh, president of the National Forum of Human Rights, suffered an incident while driving in the province of Hodeidah, when all tyres of his car suddenly burst. The investigation showed that all four tyres had been filled with cooking gas. Prior to the incident, he had received several threats from state security officials and was warned that he should stop his human rights work. In October, the director of the human rights group Nidal Al Taghyeer was surrounded by a group of Land Cruisers known locally to belong to national security agents, who started driving into his vehicle.

Women HRDs were especially targeted by defamation campaigns and accusations of immorality aimed at weakening their credibility. Other HRDs were subjected to travel bans, administrative sanctions or dismissal from public service employment and university programmes in retaliation for their human rights work. In those cases where HRDs and their organisations were targeted and it was reported to the police, no action was taken.

#### THANK YOU

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