

THE OBSERVATORY

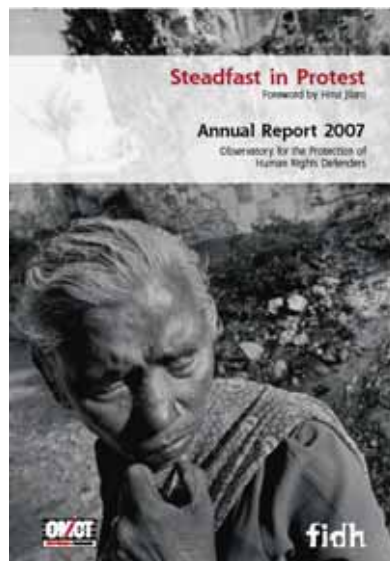
for the Protection of Human Rights Defenders

L'OBSERVATOIRE
pour la Protection des Défenseurs
des Droits de l'Homme

EL OBSERVATORIO
para la Protección de los Defensores
de Derechos Humanos

Steadfast in Protest

Publication of the 2007 Annual Report



Media Kit



Backlash...

Over the past 60 years, the Universal Declaration of Human Rights has been promoted every day by women and men who bear witness on behalf of victims and demand justice for the weakest. From Andrei Sakharov to Digna Ochoa, from Shirin Ebadi to Hu Jia or Nelson Mandela, these human rights defenders have contributed and still contribute to ensuring that the Declaration is a reality in the daily life of all.

These famous names hide a multiplicity of anonymous human rights defenders, who exposes themselves everyday to the risk of facing the negative consequences of their commitment to a fairer and freer society.

The Observatory, which accompanies, follows and protects all year long these defenders, publishes, as every year, its Annual Report dedicated to a whole year of struggle in favour of human rights all over the world.

This Report, which is different from the previous ones in terms of presentation (see on the next page : "a *New Annual Report*"), sadly confirms the tendency observed in recent years, i.e. the continuing repression of defenders ever more harshly. Once again this year, the little and partial progress that has been noted has again been counterbalanced at best by a stagnation, and at worst by a deterioration in the situation of human rights and fundamental freedoms.

Without being pessimistic, the situation of these rights and freedoms and their defenders described in this Annual Report for 2007 is scarcely or not at all satisfactory. Although it is difficult to obtain precise statistical data for each country, many defenders still currently lose their lives because of their commitment. And although the international and regional intergovernmental

mechanisms for the protection of human rights and the increasing media coverage of cases of human rights defenders who are in danger henceforth permit improved protection for many of them, they are nonetheless subjected to constant harassment and laws that are destructive of freedom, which prevents them from carrying out their activities serenely.

Arbitrary arrests, sentences handed out following unfair trials, or placements under house arrest continued this year, all constraints on the activities of hundreds of human rights defenders throughout the world. Subjected to verbal and physical violence by the authorities, private armed groups or the henchmen of such-and-such a regime, defenders have to cope with all kinds of accusations, each more extravagant and



Wei Jingsheng, Writer, 1996
Laureate of the Sakharov
Prize for Freedom of
Thought

"The collective rights defending activities of the Chinese people have been developing rapidly in the folder of several times every year, both in number and scale, which resulted in the creation of many rights lawyers and group leaders. (...)

Meanwhile, CCP's repression against the rights movement has come from the traditional, without certain rule type into the systematic repression that have its goal, and rules to follow. On one hand, there are newly equipped, most modern military police of 200,000 that cooperate with local polices and are composed into a large and strong suppression system that specifically targets people's rights activities. On the other hand, the CCP tries to destroy all the leaders and right defending people by severely torturing the detained rights defenders, in an effort to destroy them both physically and mentally. Many political prisoners were destroyed both ways, thus losing their ability to make a living.

In particular, last year the Chinese Government's repression has rapidly upgraded, in an effort to make sure there is no dissident voices from the people during the 2008 Olympics. The repression scale has been expanded into the Western sportsmen, media and tourists. In a few Western countries, this kind of suppression of dissident voices has been relayed by some Western politicians, such as: Belgium, England and New Zealand who tried to suppress their sportsmen to express their political opinions during the Olympics."
(Extract from the Wei Jingsheng contribution to the 2007 Annual Report)



unfounded than the others. In addition, the obsession with “security” henceforth takes precedence over the requirement for citizens’ liberty, including within the most democratic States, and those who refuse to accept this have to face appalling criticism. The year 2007 also confirmed the tendency to criminalise social protest in many of the world’s countries.

These developments have considerable repercussions on the international system of human rights protection, which is prey to attempts to weaken it. Human rights defenders are often victims of their own success in the field and are consequently subject to a backlash on the part of the most repressive States, against which we must react immediately if we want to avoid a risk of regression.

This year, the sixtieth anniversary of the Universal Declaration of Human Rights and the

tenth anniversary of the Declaration on Human Rights Defenders, should therefore be, for us and for all those who take risks in the field to defend the rights and freedoms promoted in these Declarations, a year in which to rejoice and to wish long life to these texts that are the core of the human rights protection system established since the Second World War.

Indeed, but current events world-wide are there to remind us how often the needle veers to red with regard to access to fundamental rights and freedoms. And the main indicator is certainly that of how human rights defenders are able to act in the field.

Souhayr Belhassen, FIDH President
Eric Sottas, OMCT Secretary General

A “New” Annual Report”

The most important aspect of the annual report, which we have now published for nine years, is probably to provide an understanding of current events in relation to the situations that are experienced by human rights defenders.

It is precisely because this correlation between the situation of human rights defenders and that of the societies in which they live is obvious, because a worsening of the conditions in which they act or live prefigures a *de facto* general deterioration in freedoms in their countries, that this year we have decided to change the format of the publication and to place the analysis of the forms of repression to which defenders are subjected in their political context, which is indissociable from the combats they lead for human rights and fundamental freedoms.

A new annual report, then, which enables us to understand more thoroughly the political and geo-political situation of the countries where human rights defenders engage their actions, thus enabling a better understanding of the challenges the latter have to face.

How can psychological support be provided to the victims of international crimes and other serious human rights violations when it is impossible to travel within a country like Sudan that is prey to war? Can one develop an effective programme of prevention against sexual crimes in the Democratic Republic of Congo (DRC) when threatened with death for being a member of an association? Who today, in Russia, can afford to make a regime to face up to its responsibilities, without being subjected in one way or another to violence by groups that are totally dedicated to the regime, or even by an extremely scrupulous State body that is likely to find all kinds of reasons for refusing to “register” your organisation? What reserves of artfulness must Chinese inter-nauts draw on to escape the ever-present “Big Fire Wall”, which has probably become the most effective anti-democracy virus nowadays, potentially benefiting from the *de facto* support of the sector’s huge multinationals?

These few examples show to what extent the human rights defenders activities are precarious and the consequences that repression can have on their activities.

You can find all the cases dealt with by the Observatory in 2007 at the following addresses : <http://www.fidh.org> - <http://www.omct.org>



The Observatory

for the protection of Human Rights Defenders

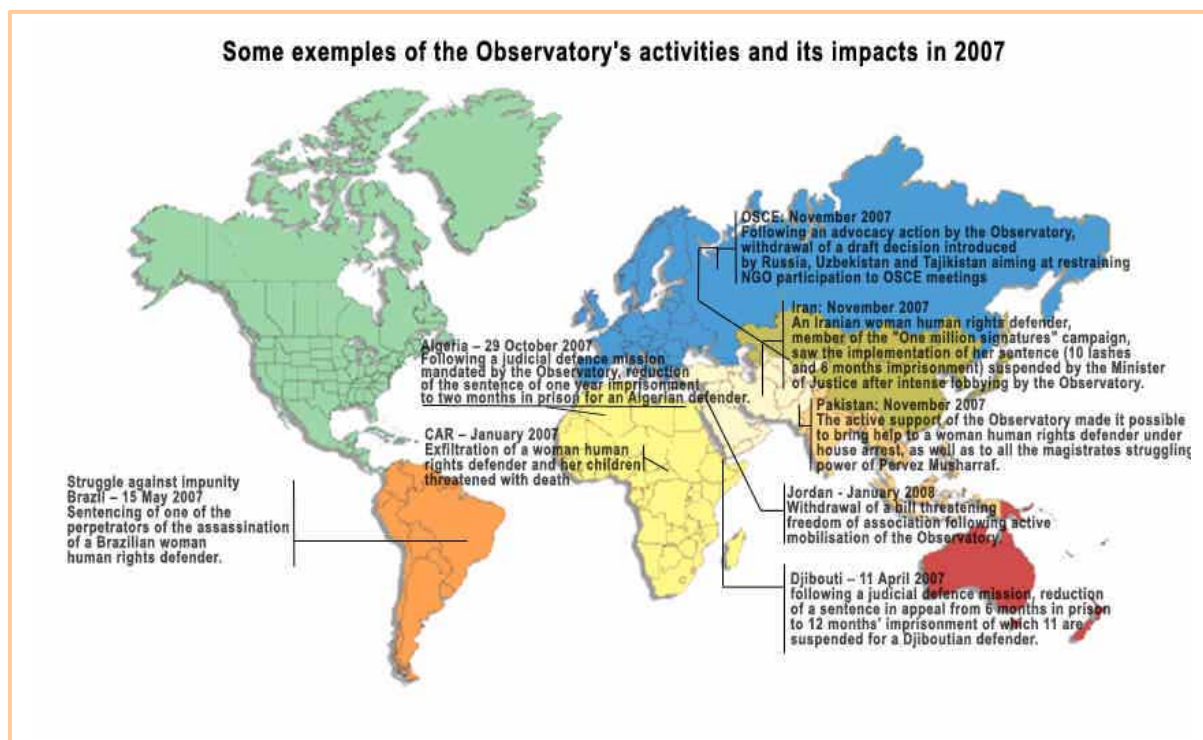
The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), was established in 1997. This action programme is based on the belief that strengthened cooperation and solidarity towards defenders and their organisations will contribute to break the isolation they are faced with. It is also based on the absolute necessity to establish a systematic response from NGOs and the international community to the repression against them.

The objective of the programme is double: to act in order to prevent or to solve specific situations of repression against human rights defenders, and to mobilise the international community in view of the recognition of their role and of their necessary protection both at regional and international levels.

The Observatory's main fields of action can be summarised as follows :

- a **systematic alert of the international community** on cases of harassment and repression of defenders, through urgent appeals, letters to authorities and press releases. In 2007 for instance, the Observatory launched 346 urgent interventions, concerning the situations of human rights defenders subjected to different types of reprisals (assassinations, acts of torture, ill-treatment, arbitrary arrests and detentions, instrumentalisation of the judiciary, defamation campaigns, obstacles to freedom of association, etc.).

- **international fact-finding, judicial observation or defence and solidarity missions**, regarding specific situations of defenders directly at risk, as in Cambodia, where the Observatory sent a mission in 2007, which aimed to evaluate the effective implementation of the freedoms of expression and peaceful meetings, with a very particular attention to the situation of the activists working on the problem of forced evictions of the rural populations and other vulnerable groups.





Mobilisations and testimonies...



"I have just been released. I thank you all for your alerts which can do nothing but reinforce my convictions of human rights defender. A big thanks again to all of you."

Jean-Paul Noël-Abdi,
President of the Djibouti League for Human Rights.

On December 2, 2007, **Mr. Noël Abdi** had been arrested and placed in custody in the premises of the Djibouti judicial police, where he had been interrogated on the publication of a press release in which he was denouncing the ongoing corruption within official circles and the risk of electoral frauds on the occasion of the legislative elections of January 2008. A few hours later, he had been transferred to a retention centre.

The continuing action and efforts of the Observatory to the Djibouti authorities led to the immediate release of Mr. Abdi the day after.



Appeal to drop activist's case

By Geoffrey bew
MANAMA

AN international organisation has backed calls for legal proceedings against a Bahrain human rights activist to be dropped. Bahrain Youth Society for Human Rights president Mohammed Al Maskati was summoned to the Lower Criminal Court earlier this month to answer charges of "activating an unregistered association before issuing the declaration of registration".

Now the Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture and the International Federation for Human Rights, has called for urgent intervention in the situation.

It has urged the authorities to end its judicial action against Mr Al Maskati and ensure all members of his society are able to carry out their work freely.

A statement from the organisation said the legal proceedings "illustrate a determination to control and silence independent organisations and to limit the presence of non-government organisations (NGOs) in Bahrain".

□ **tunez d.humanos** 28-08-2007

Un Organismo internacional denuncia el persistente acoso contra Mohamed Abbou

El Observatorio para la Protección de los Defensores de los Derechos Humanos denunció hoy, 'una vez más', los actos de acoso contra el abogado Mohamed Abbou, miembro del Consejo Nacional para las Libertades en Túnez (CNLT) y de la Asociación Internacional de Apoyo a los Presos Políticos (AISPP).



"Thanks for your continued support. I hope that our human rights friends will share our immense gratitude."

Susan Tahmasebi, member of the "One million signatures" campaign, Iran.

The action of the Observatory led to the non-implementation of the sentence against **Delaram Ali**, another member of the campaign.

Delaram Ali was condemned in appeal on November 4, 2007 to six months' imprisonment and ten lashes for "taking part to an illegal gathering", "propaganda against the State" and "disturbance of public order".



AL BAYANE
Fondateur : Ali Yata - Directeur de la publication: Ahmed Zaki

FIDH et OMCT vivement préoccupés (7/13/2007)

Les récentes interventions des forces de l'ordre contre les manifestations pacifiques entreprises par des organisations syndicales ou de défense de droits humains, ou contre les sit-in organisés par les associations de diplômés en chômage, continuent de susciter préoccupations et rejet de milieux de défense des droits humains. La Fédération internationale des droits humains (FIDH) et l'Organisation mondiale contre la torture (OMCT) sont montées au créneau.

C'est à travers un document émanant de l'Observatoire pour la protection des droits de l'homme, leur programme conjoint, que les deux organisations ont élevé leur voix. Il s'agit d'une lettre ouverte adressée au ministre de l'intérieur où sont rappelés certains graves actes de matraquage des forces de l'ordre à l'encontre de manifestations pacifiques à la faveur des libertés syndicales, de solidarité avec des activistes en matière des droits de l'homme, ou du droit du travail.

"We take the opportunity to thank you once again for the unfailing support of the Observatory towards our family."

On behalf of the family of **Faida Justin**,

Antoinette Faida Mukamutoni, Rwandan human rights defender exfiltrated in 2006 by the Observatory, which also helped her family to join her in 2007.



Stanislas Dmitrievsky

"I have the pleasure to announce that we won the trial today. One of the main factors that contributed to that situation was the importance of the international attention given to that case".

Oksana Chelysheva

Oksana Chelysheva is jounalist at the Russian-Chechen Information Agency, and President of the Nizhny Novgorod Foundation to Support Tolerance.

The Observatory mandated a judicial observation mission on 26 October 2007, for the trial of **Mr. Stanislas Dmitrievsky**, Russian defender, charged for co-organising the "marches of dissent". This mission followed the issuance of several urgent actions on his case.

INTERNATIONAL
Herald Tribune | Europe

Russian press review: July 27

Created by Jean Le Yétre

GAZETA

REPORT ALLEGES CRACKDOWN ON HUMAN RIGHTS GROUPS: A report released Thursday by a coalition of international human rights watchdogs sharply criticized the Russian government for what it termed "repressive tendencies of the state in relation to civil society. The annual report, prepared by the International Federation for Human Rights and the World Organization Against Torture, suggested that tougher enforcement of registration and finance-related regulations for independent Russian NGOs has led such groups to soften their criticism of the state. Svetlana Gannushkina, the head of the refugee-rights group Civic Assistance, told the newspaper that her group was charged with violating Russia's extremism laws, but that authorities took no action when she herself was targeted for assassination on a hate website: "That's not extremism, it seems," she told the newspaper.



Syria: Human rights groups attack activists' bans

Damascus, 7 Nov. (AKI) - Two leading human rights organisations have attacked what they call "the increase of oppressive measures" that have affected activists working for human rights in Syria.

The International Federation for Human Rights and the World Organisation against Torture said there was a growing number of arrests, as well as bans on meetings, demonstrations and travel under the state of emergency and martial law that's been in place for 50 years.

In a joint statement issued by the Observatory for the Protection of Human Rights, the two international organisations urged Damascus to cancel "every kind of repressive measure" which represented "an open violation of the international commitments the Syria had accepted in signing numerous international conventions related to human rights".



Hina Jilani : “These past eight years saw the flourishing of vibrant national civil societies”

2008 marks, together with the sixtieth anniversary of the Universal Declaration of Human Rights, the tenth anniversary of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (or Declaration on human rights defenders) adopted by the United Nations General Assembly. In 2000, the General Assembly and the Secretary General entrusted me with the task of promoting and implementing this Declaration. As my time as Special Representative of the Secretary General on the situation of human rights defenders is now coming to an end, it is particularly timely for me to reflect on these past years and look ahead at the challenges that still remain to be addressed.

During my eight-year tenure, I presented 34 reports, of which 21 to the Commission on Human Rights, 7 to the General Assembly and 6 to the Human Rights Council. I conducted 14 country visits to 12 countries (Angola, Brazil, Colombia, Guatemala, Indonesia, Israel and the Occupied Palestinian Territory (OPT), Kyrgyzstan, the Former Yugoslav Republic of Macedonia, Nigeria, Serbia including Kosovo, Thailand, and Turkey). I sent over 2,000 communications to 120 countries on the



Hina Jilani
Special
Representative
of the UN
Secretary-
General on the
situation of
human rights
defenders

situation of over 3,300 defenders, 22 percent of whom were women defenders. Finally, I issued over 40 press releases raising concern over the situation of human rights defenders in 28 countries.

Adversity

These figures evince my choice to adopt a broad definition of human rights defenders in accordance with the Declaration on human rights defenders, which states that people who, individually or with others, promote and strive for the realization of human rights are human rights defenders. I paid special attention to the challenges faced by women human rights defenders who need additional protection measures to work in a secure environment. I also highlighted the plight of defenders who enjoy less protection and are more at risk of violations, such as defenders defending economic, social and cultural rights as well as rights of indigenous peoples, minorities, and lesbians, gays, bisexuals and transgenders (LGBT).

I am particularly pleased that under my tenure, the Declaration on human rights defenders has gained increased visibility, and that direct reference to this text is made in several documents and instruments at the international, regional and national levels. Based on the rights and principles set out in the Declaration, I conducted in-depth studies of thematic areas that contributed to the development and articulation of the human rights discourse on defenders, and the identification of sets of recommendations and guidelines to facilitate the implementation of the Declaration.

These past eight years also saw the flourishing of vibrant national civil societies as well as the establishment and development of regional and international networks and coalitions of human rights defenders that refer to the mandate as their protection mechanism.

These are developments I strongly encouraged. I also actively supported the establishment of regional human rights mechanisms and the adoption of normative frameworks for the protection of human rights defenders, such as the Special Rapporteur on human rights defenders of the African Commission on Human and Peoples' Rights and the 2004 European Union Guidelines on human rights defenders.



A safe environment...

However, several challenges still remain for the effective protection of human rights defenders. First of all, a sustained focus by all stakeholders on the situation of vulnerable groups of human rights defenders must continue. Of special importance is the gender dimension of the risks encountered when defending human rights. A lot has been accomplished and the momentum must be kept up. A greater degree of cooperation between the mandate of

human rights defenders and States, particularly those which are less responsive, is further to be achieved. Finally, regional human rights mechanisms must be empowered and fully supported by all actors in order to ensure that human rights defenders enjoy the protection and legitimacy of a committed regional human rights framework.

Since its establishment in 1997 by the International Federation for Human Rights and the World Organisation Against Torture, the Observatory for

the Protection of Human Rights Defenders has relentlessly denounced acts of harassment and intimidation against human rights defenders throughout the world which impede their legitimate and non-violent activities in defence of human rights. I welcome the commendable work of the Observatory, and encourage it to continue its efforts in advocating a safe environment for all human rights defenders.

Hina Jilani

(NB : The titles and mid-titles have not been chosen by the author)

From the Declaration to the Special Representative

Genesis of the recognition of the status of human rights defender

In December 1998, the United Nations General Assembly adopted the "Declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms", whose importance would appear to be crucial for the defence of the promoters of liberties and fundamental rights all over the world.

The fact of recognising a category of women and men whose action entitled them as human rights defenders was indeed, at the international level, a progress of human conscience. Simultaneously, the necessity to protect these persons, main targets of authoritarian States' repression, revealed that there was still a long way to go.

The General Assembly's Delegates, aware that such a Declaration made only sense if an international mechanism ensured its concrete implementation, agreed upon the creation of the mandate of Special Representative of the United Nations Secretary-General on the situation of human rights defenders.

Since 2000, Ms. Hina Jilani has been chosen to carry out this mandate, which was renewed in 2004. As her mandate could not be renewed a second time, Ms. Margaret Sekaggya has taken over the mandate on May 1, 2008, as Special Rapporteur of the Human Rights Council on the situation of human rights defenders.

Finally, conscious that the most effective action is carried out as close to the victim as possible, Ms. Hina Jilani worked alongside the Observatory for the Protection of Human Rights Defenders to reinforce or to create the regional mechanisms intended for the protection of defenders.

Indeed, the last ten years have been ten years of drawing up mechanisms for the protection of human rights defenders, and today, in Africa, the Americas and Europe, these undeniably work.



In Belarus, Ales Bialiatski faces one of the last dinosaurs of the East



Ales Bialiatski
Director of Viasna

In 2007, the authoritarian regime of President Aliaksandr Lukashenko continued to suppress those struggling for democracy and the respect for human rights in Belarus. According to the human rights centre "Viasna", 617 persons were arrested and subjected to judicial proceedings, most of them for taking part to demonstrations. As in 2006, several demonstrations were violently repressed, demonstrators were beaten up by the police and arrested. The Belarusian authorities did not hesitate either to order the dismissal or the exclusion from universities of human rights defenders.

46 year-old Ales Bialiatski is one of the rare defenders who dares defying the regime by demanding democratic reforms. Since the beginning of the 1980's, he has actively taken part to the national and democratic movement. As an organiser of the first public demonstrations against totalitarianism, he was arrested for the first time in 1988. He has been arrested more than 25 times since then, for organising various democratic demonstrations.

He is member of the Union of writers of Belarus, but also one of the founders of the Association of Young Writers *Touteïchyia* (the People From Here) that he chaired from 1986 to 1989.



Since 1996, Alés has chaired the human rights centre "Viasna".

Following the closure of the centre by the authorities in October 2003, he has continued to manage the action of this association which became illegal. Since 1998, he has been the editor of the human rights bulletin "Right to freedom". From 2000 to 2004, he was in charge of the management of the working group of the Assembly of democratic non-governmental organisations which gathers more than 500 Belarusian NGOs.

He was awarded several human rights prizes :

- Andrej Sakharov Freedom Award (Norway, 2006)
- Homo nomini (Czech Republic, 2006)
- Per Anger Prize (Sweden, 2006)
- Treno della memoria (Italy, 2007)
- He was nominated to the Nobel peace prize in 2007.



Training of paramilitary groups in Colombia
(picture: N. Joxe)

Diana Milena Murcia, lawyer committed in the defence of human rights, has been member of the Colombian association « Colectivo de Abogados Alvear Restrepo » since 2001.

She is a specialist in the militarisation of Colombia and also works towards the denunciation of fumigations and human rights violations committed in the framework of the « Plan Colombia ». She regularly travels to the areas in question where she gathers direct testimonies.

She denounces in particular the immunity granted to US mercenaries guilty of drug trafficking and other offences. As an expert, Diana was also part of a UN mission on the question of Latin-American mercenaries sent to Iraq in more than precarious conditions.

Diana faced threats on several occasions because of her human rights activities and because she denounces, in particular, the grave violations committed by the paramilitaries in Colombia.



Mexico : Testimony of a Woman Human Rights Defender



Marisela Ortiz Rivera

Marisela Ortiz Rivera, Cofounder of the organisation “**May our girls go home**” (“*Nuestras Hijas de Regreso a Casa*”), tells us her quest for justice and truth for the young women who disappeared in Ciudad Juárez, Chihuahua, Mexico

(this text was modified due to the format of this Media kit)

“In February 2001, my personal story took a dramatic turn when I found out about the disappearance of a former student in Ciudad Juárez. The lifeless body of Lilia Alejandra García Andrade appeared seven days after her kidnapping, showing signs of extreme violence and sexual abuse.

Rather than investigating into the disappearance of these young women, the authorities began a campaign of harassment, accusations, ill-treatments and serious threats against my life and my family’s. These actions came from the people who should instead have been investigating the regular murders of poor women and girls. I was submitted to verbal threats by armed persons who were sometimes well-known. In 2001, the then Prosecutor General of the State of Chihuahua, Mr. Arturo González Rascón, disrupted a protest I had organised with the families of women who had disappeared to tell me to let the dead rest in peace, since my girls, who are still alive, could run the same risk.



Since the issue has been raised at the international level, the State and its authorities are keeping a tight lip, and femicide is now hidden below a policy of secrecy, silencing and intimidation. At the same time, the authorities have used again the old strategies aimed at silencing us: TV programs are produced to present us to the community as delinquents and as people who have “soiled” the image of this city, to incite hatred, and to convince it to unite against harmful people like us.

My life will never be the same as before. For example, wherever I go, I bring my children with me, because I don’t know when the threats might materialise. We are always looking behind our backs to see who is there, waking up in full alert, and using two communication devices, since we speak up to 40 times a day to check that we are okay.

*We will not surrender. All these threats and aggressions make us stronger in continuing to fight and to work together with the goal of making Juárez safe again, so that women will be able to walk without fear. We do this with the confidence that we will see **our daughters come back home**, and that one day our shout “No one more!” will become a reality. Then, we will be able to say that, in this country, in Chihuahua, and in Juárez, justice has been made.”*

Acts of harassment against women human rights defenders (extract from the 2007 Annual Report)

Mexican women who fight for women's rights and their right to justice have also experienced numerous acts of intimidation to discourage them from pursuing their activities.

Members of the association “May our girls go home” (*Nuestras Hijas de Regreso a Casa*), an organisation which campaigns for justice for women abducted and murdered in Ciudad Juárez (Chihuahua), have been subjected to insults, threats and harassment because of their activities.

For example, on June 10, 2007, Ms. **Maria Luisa García Andrade** and Ms. **Marisela Ortiz Rivera**, members of the association, received threats and insults by email. On 22 June, Ms. Ortiz received death threats once again. Likewise, on May 7, 2007, Ms. **Lydia Cacho Ribeiro**, President of the Crisis Centre for Victims - Centre for full attention to women (*Centro de Crisis para Víctimas - Centro Integral de Atención a las Mujeres - CIAM*) in Cancun (State Quintana Roo), was the victim of an assassination attempt. On May 2, 2007, Ms. Cacho had testified at the trial of a contractor sued for child prostitution and trafficking of children. The contractor had threatened her at the hearing.



Steadfast in Protest

Foreword by Hina Jilani



Annual Report 2007

Observatory for the Protection of
Human Rights Defenders



"In 2008, the Observatory continues its action of protection"

The Observatory has continued its action of protection in 2008. Thus, in Africa, defenders have yet again found themselves on the front line of repression during the situations of crisis that the continent has experienced: in Chad, in Zimbabwe, in Kenya, human rights defenders have systematically been endangered for having testified, protested or condemned human rights violations perpetrated during these events. In Latin America, the Observatory continues its urgent interventions in cases of criminalisation of social protest or the protect the defenders who are stigmatised by the authorities, as it has been the case in Colombia, in Guatemala or in Peru. In Iran, the Observatory tirelessly continues to report the condemnations of the members of the "One Million Signatures" Campaign and to intervene, in a more general way, in cases of judicial harassment against defenders, as it is the case in Russia or in Egypt, where freedom of association is not guaranteed.

