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Global Trends in 2012 for human rights defenders



FRONT LINE DEFENDERS

THE INTERNATIONAL FOUNDATION FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS

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This report highlights developments in the situation of human rights defenders in 2012. It does not aim to be comprehensive, but to illustrate some of the main global and regional trends as emerged from **Front Line Defenders'** work.

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OVERVIEW

Over the course of 2012, **Front Line Defenders** issued **287** urgent appeals on **460** human rights defenders at risk in **69** countries; it provided **267** security grants and trained **358** human rights defenders. Overall, more than **1150** HRDs benefited from **Front Line Defenders'** protection support in 2012.

The situation of human rights defenders (HRDs) in 2012 was a serious cause for concern: globally, violations against HRDs – who were targeted because of their legitimate work documenting and denouncing abuses, exposing corruption, or pushing for reforms – continued unabated. The trend that had emerged in recent years of governments reducing the space for civil society, through legislation, restrictions on funding, promoting a negative public perception of the work of HRDs and fomenting hostility against them, also continued. Conditions for HRDs did not improve in Africa, the Americas and Asia, and deteriorated in countries in Europe and Central Asia, where the allegation that human rights are a vehicle for Western interests was increasingly used to depict human rights defenders as serving foreign powers. In the Middle East and North Africa, HRDs were affected by instability and uncertainty linked to the ongoing transitions of power and by government repression of continuing protests.

Alarmingly, the **killing** of human rights defenders continued across all regions. Front Line Defenders reported on 24 killings of HRDs in 2012 in a number of countries including Brazil, Burundi, Cambodia, Colombia, Guatemala, Honduras, India, Mexico, the Philippines, Somalia, South Africa, Tanzania, Thailand, and Ukraine. This number represents only the tip of the iceberg. To put things into perspective, in Somalia alone there were reports of 18 journalists killed, most of whom were targeted in retaliation for the stories they produced, which in many cases highlighted human rights violations or gave a voice to the community. In Latin America, ten HRDs lost their lives for denouncing corruption, exposing abuses by police, working on land rights, providing legal assistance, and reporting on drug cartels and the links between organised crime and corrupt government officials. The number of those killed for their work on economic, social and cultural rights increased in Asia, where ten HRDs working on indigenous rights, land rights, the environment, and corruption were murdered. Virtually all these killings remain unpunished, and in some cases the authorities failed even to open an investigation.

Physical attacks were reported in 2012 in 28 countries across all regions: Azerbaijan, Burundi, Chad, Chile, Colombia, Cuba, Democratic Republic of Congo (DRC), El Salvador, Guatemala, Honduras, India, Kazakhstan, Kenya, Laos, Maldives, Mexico, Nigeria, Pakistan, Palestine, the Russian Federation, Somalia, South Sudan, Sri Lanka, Ukraine, United Arab Emirates (UAE), Uzbekistan, Venezuela, and Vietnam. Given the persistence of killings and physical attacks against HRDs, it is appalling that only a handful of governments, primarily in Latin America, have created specific HRD protection mechanisms. A positive development was the adoption of a law, in April, by the Mexican Parliament establishing a protection mechanism for human rights defenders and journalists, which, if implemented in an effective way, may help significantly ensure the safety of HRDs at risk. Many other countries must do likewise.

Governments across the globe continued to deploy security forces to disrupt **peaceful demonstrations** and arrest human rights defenders involved in protest movements or documenting human rights violations. In 2012 Front Line Defenders worked on cases from Algeria, Azerbaijan, Bahrain, Belarus, Cameroon,

Cambodia, India, Kazakhstan, Kuwait, Oman, the Russian Federation, Saudi Arabia, Sudan, Swaziland, Tanzania, Ukraine, UAE, Uzbekistan, Vietnam, and Zimbabwe. In a wave of peaceful demonstrations that swept Sudan from June to August, triggered in part by austerity measures adopted by the government, security forces arrested and detained several hundreds of protesters, including many HRDs and other members of civil society. Some of those detained were ill-treated and tortured, and a number of women human rights defenders were reportedly subjected to sexual harassment. Popular mobilisations continued across the Middle East – although with much less intensity than in 2011. In Egypt, thousands took to the streets again in reaction to the new leadership not living up to the hopes and promises of the revolution and fears of a return to authoritarian rule. In Bahrain, unfulfilled promises of dialogue and reform and the unwavering targeting of human rights defenders and political activists caused protests and clashes with security forces to continue.

During 2012, as in recent years, governments adopted **legislation** that restricts the space in which civil society operates or that may be used against HRDs. Legislation affecting HRDs was under consideration or was passed in countries such as Algeria, Azerbaijan, Burundi, China, Egypt, Iraq, Israel, Lithuania, Moldova, the Russian Federation, and Ukraine. Legislative initiatives in the Russian Federation have been particularly significant, given the strong regional influence the Russian government maintains. Restrictive amendments were made to the Law on Public Rallies and the Administrative Code, introducing harsher penalties and imposing new restrictions on public demonstrations. Criminal libel, which had been previously removed from the legal code, was re-introduced. A law limiting freedom of information on the Internet was adopted in July. The definition of treason was broadened to include "financial, technical, advisory or other assistance to a foreign state or international organisation (...) directed at harming Russia's security". On 1 January 2013, a new law entered into force, which permits the closure of organisations receiving funding from citizens or entities of the United States. These legal restrictions were accompanied by new NGO legislation that obliged all groups that receive foreign funding and engage in very broadly defined 'political activities' to register as "foreign agents", in a clear attempt to affect public perception of their work.

Legislation was also passed to target specific groups of HRDs, such as those working on lesbian, gay, bisexual, transgender or intersex **(LGBTI)** people, which was considered or passed in several countries, in particular in Eastern Europe (Lithuania, Moldova, the Russian Federation, Ukraine). In Uganda, the infamous Anti-Homosexuality Bill was revived again in December. While these initiatives took different forms, from national and regional laws to local regulations or administrative acts, they all included provisions limiting freedom of expression, assembly and association for LGBTI rights defenders. We reported cases of intimidation and attacks against LGBTI rights defenders in Chile, Costa Rica, Ecuador, Kyrgyzstan, the Russian Federation, South Africa, Uganda, Ukraine, and Zimbabwe.

Judicial harassment was the most common tactic used to silence HRDs that Front Line Defenders documented in Asia and in Europe and Central Asia, but remained widespread across all regions. Cases of judicial harassment in 2012 were reported in nearly 40 countries – Algeria, Azerbaijan, Bahrain, Belarus, Burundi, Cambodia, Cameroon, Chad, China, Colombia, Cyprus, Djibouti, Ethiopia, Guatemala, Hungary, India, Iran, Kazakhstan, Kenya, Kyrgyzstan, Mauritania, Mexico, Moldova, Morocco, Oman, Peru, the Philippines, the Russian Federation, Saudi Arabia, Sri Lanka, Sudan, Syria, Thailand, The Gambia, Turkey, UAE, Uzbekistan, Vietnam, and Zimbabwe. HRDs were sentenced to particularly long prison terms, ranging from ten years to life imprisonment, in Bahrain, China, Colombia, Ethiopia, Iran, and Kazakhstan.

Charges related to the exercise of fundamental rights and freedoms were most common, for example defamation, holding illegal gatherings or belonging to unregistered groups. In Thailand, ten prominent HRDs stood trial for leading a peaceful demonstration against the military-appointed National Legislative Assembly and face up to 20 years imprisonment if found guilty. The trial, which started in February, remains pending at year's end.

Terrorism and other security-related charges were used in Bahrain, Burundi, China, Ethiopia, Iran, Mauritania, the Russian Federation, Sri Lanka, and Turkey. In Ethiopia, a court sentenced prominent journalist and

blogger Eskinder Nega to 18 years imprisonment in July on charges of conspiring with rebels for writing a series of articles on the Arab Spring in 2011. In Turkey, hundreds of HRDs, trade unionists, lawyers, intellectuals, academics, and journalists faced spurious charges of belonging to a terrorist organisation. The case files were based on the legitimate expression of views or peaceful activities in relation to the Kurdish issue, including public statements, participation in protests, or the provision of legal assistance. The Confederation of Public Workers' Unions (KESK) had nearly 70 members in detention at year's end and 15 of the Human Rights Association's (IHD) executives were imprisoned.

Besides securing long prison terms, the use of terrorism charges was often also aimed at discrediting the role and work of HRDs, undermining their credibility and fomenting public hostility against them. The same aim was behind the use of false charges of murder or deploying violence in Mexico, Peru and Colombia – charges which were often accompanied by public smear campaigns. An extremely lengthy 18-year prison sentence on fabricated charges of conspiracy to commit a crime and aggravated murder was imposed in December in Colombia on David Rabelo Crespo, who had remained in detention since his arrest in 2010. Information technology laws were also used against anyone expressing dissent or circulating information on human rights abuses, in particular in Asia and the Middle East.

Reprisals against HRDs for cooperating with United Nations human rights bodies have become more prominent. While this issue has been a concern for the United Nations for a number of years, it gained more attention in 2012 when instances occurred openly in connection to sessions of the Human Rights Council (HRC) and the Universal Periodic Review, and were denounced by the President of the HRC. Cases of reprisals were reported by HRDs in Bahrain, Belarus, Colombia, Kazakhstan, Saudi Arabia, and Sri Lanka. In Bahrain and Sri Lanka in particular, intimidation and threats were coupled with smear campaigns dubbing HRDs travelling to Geneva to attend UN meetings as traitors.

AFRICA

Front Line Defenders issued 37 urgent appeals on behalf of human rights defenders at risk in 19 African countries – Angola, Burundi, Cameroon, Chad, Cote d'Ivoire, Democratic Republic of Congo, Equatorial Guinea, Kenya, Malawi, Mauritania, Nigeria, Senegal, South Africa, South Sudan, Sudan, Swaziland, Tanzania, Uganda, and Zimbabwe.

In 2012, human rights defenders in Africa[1] continued to face serious challenges to their security. Throughout the year, Front Line Defenders received reports of killings, death threats, physical attacks, abductions, arbitrary detention, judicial or other forms of harassment and police intimidation. Many governments increased repression against human rights defenders by introducing or maintaining legislation that substantially restricted their work. In countries affected by armed conflict, non-state actors also targeted human rights defenders.

The year was marked by the killing of two LGBTI rights defenders. In South Africa, Thapelo Makhutle was brutally killed on 9 June 2012. He was a member and volunteer of LEGBO, an advocacy group based in Northern Cape which provides support and training to rural LGBTI communities that face stigmatisation and harassment. No arrests have been made to date in connection with the killing. In Tanzania, the body of Maurice Mjomba, who worked with the Centre for Human Rights Promotion (CHRP), was found on 30 July in Dar es Salaam. The body showed signs of beating and strangulation. As reported in part 1 above, 18 journalists were murdered in Somalia, in most cases for their reporting of human rights abuses.

Numerous **physical attacks** were reported in Burundi, Chad, DRC, Kenya, Nigeria, Somalia and South Sudan. In the DRC, human rights defenders based in the conflict-torn Eastern region were the most vulnerable. In particular, women human rights defenders were physically assaulted, and some of them raped, while working in remote villages. The situation worsened even further with the advancement of the rebel movement M23 who captured the city of Goma in December. Meanwhile in Northern Mali, controlled by Islamic Jihadists intent on imposing sharia law and a fundamentalist interpretation of Islam, human rights defenders were forced to practice self-censorship to avoid reprisal attacks.

HRDs focused on fighting **corruption** continued to face the threat of violent assault or prosecution. Cases were reported in Burundi, Cote d'Ivoire, Kenya, and South Sudan. In early July in South Sudan, an anti-corruption HRD was abandoned by unidentified kidnappers after being subjected to a three-day ordeal that included beatings and food deprivation. In Kenya, in November, an anti-corruption activist was assaulted and injured by two unidentified men. Before hitting him, one of the assailants demanded he drop a pending lawsuit alleging corruption in the procurement of election-related material.

Peaceful **demonstrations** were disrupted, often with violence, and human rights defenders involved in the protests were arrested in Cameroon, Sudan, Swaziland, Tanzania, and Zimbabwe. In Swaziland, in April, police forcibly disrupted events organized by the Trade Union Congress of Swaziland (TUCOSWA) and other civil society groups to commemorate the 1973 ban on political parties as they called for democratic reforms; fifteen trade union members were arrested. Ahead of the protests, the Swazi Government issued a notice of de-registration of TUCOSWA. In Zimbabwe, women human rights defenders from Women of Zimbabwe Arise (WOZA) were arrested and detained for participating in demonstrations in January, June, July, September, October and November.

There were numerous instances of **judicial harassment** in Burundi, Cameroon, Chad, Djibouti, Ethiopia, Kenya, Mauritania, Sudan, The Gambia, Uganda, and Zimbabwe. In Mauritania, prominent anti-slavery HRD Biram Dah Ould Abeid was detained for more than four months with six colleagues over allegations of "threatening state security" in connection with a protest against texts of Islamic scholars used

1 For practical reasons, Front Line Defenders covers sub-Saharan Africa and the Middle East and North Africa as regions. This does not reflect any political position.

to endorse slavery. In Kenya, HRD and community organiser Phylis Omido was charged with incitement to violence and unlawful assembly after staging a peaceful demonstration against a local lead-processing plant reportedly responsible for lead-poisoning in the Mombasa area. She was eventually acquitted in November.

Human rights defenders throughout the region had their work undermined by acts of **police interference and intimidation**, including in DRC, Equatorial Guinea, Kenya, Malawi, Mauritania, Nigeria, Senegal, Sudan, Tanzania, and Uganda. In Uganda, police in Fort Portal intensified their harassment against members of Twerwaneho Listerners Club (TLC) through a series of repeated summons to appear before the prosecutor, who warned them of possible criminal charges of incitement to violence and sectarianism in reaction to TLC's advocacy work on illegal evictions. In the Northern region of Gulu, police raided a drop-in centre run by a women's rights group in May without a search warrant. They confiscated computers, documents and other office materials and entered personal email accounts. Five members of the organisation, which also works on sex work, were subsequently charged with living on the earnings of prostitution. In Zimbabwe, police launched a manhunt against members of Gays and Lesbians of Zimbabwe (GALZ) and raided the organisation's offices in August, claiming to be searching for illegal and offensive material, and arrested 44 members who were in a meeting at the time of the raid.

The space for independent civil society remained limited in Sudan, where HRDs were arbitrarily arrested and subjected to intimidation, ill-treatment and torture, in particular at the hands of the National Intelligence and Security Service. Civil society organisations were publicly accused of working for foreign interests and three organisations were closed down in December. The space for independent civil society is non-existent in Eritrea, where dozens of journalists and other dissenting voices remained in long-term imprisonment without charge. In August, reports emerged that three of the ten journalists arrested in a 2001 crackdown died in prison.

No significant progress was realised in the fight against **impunity** in relation to the killings of HRDs that occurred in recent years. Although the cases of those suspected of involvement in the killing of Floribert Chebeya (Democratic Republic of the Congo) in 2010 and of Ernest Manirumva (Burundi) in 2009 were both heard on appeal, there was no hope that the proceedings would in the end deliver justice; calls to investigate senior figures within both countries' security services, who may have been involved in the killings, continued to be ignored.

Country in Focus: Burundi

Burundi's reputation as country where human rights defenders and journalists enjoy substantial space to do their work is long lost. In recent years, the government has steadily imposed restrictions, either legal or de facto, on freedom of expression, of association and of peaceful assembly. Most worrying in 2012 was the continuing use of violence and threats of violence against HRDs, in addition to the use of the judicial harassment and administrative measures to restrict their work.

In February, Leonard Hakizimana, the head of the Matongo branch of the *Ligue Iteka*, was murdered after receiving repeated death threats. In June, the Bubanza correspondent of the independent radio station *Radio Publique Africaine* was the victim of a violent assault and had to be hospitalised. Two of his attackers were arrested, then released a few days later due to reported political pressure. In June, a prominent women's rights advocate went into hiding as a result of multiple threats against her. Pro-government media outlets were used to foment hostility against prominent human rights defenders and journalists by running a continuous smear campaign against them.

A number of HRDs continued to be dragged in court. The president of an anti-corruption group was arrested in February and sentenced in July on charges of making false declarations in relation to a statement denouncing corruption in the judicial system. Because of an interview with a rebel group, terrorism-related charges were brought against a *Radio Bonesha* journalist, host of a popular talk show debating topical issues including human rights. He was sentenced to life imprisonment in May, and the appeal remains pending.

By the end of 2012, proposals were put forward for draft legislation on non-profit organisations that included new restrictions on their activities, including a requirement for such organisations to renew their registration on an annual basis.

AMERICAS

Front Line Defenders issued 61 urgent appeals on behalf of human rights defenders at risk in 13 American countries – Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Peru, Venezuela.

The situation of human rights defenders in Latin America remained of grave concern in 2012. The use of violence against HRDs was the most dramatic trend. Journalists, trade unionists, environmental and land rights defenders faced significant threats and were targeted with violent attacks throughout the region. Indigenous peoples' rights defenders, women's rights defenders and LGBTI rights defenders were amongst those most vulnerable. Although this violence occurs in a context, in many countries, in which there has been an overall breakdown in security, human rights defenders remain specifically targeted from a variety of sources – government, militia, criminal groups, transnational narco-trafficking groups and corporate-hired thugs.

In August, the Inter-American Court on Human Rights ruled that "[States party] must establish processes of free, prior and informed consultation before initiating any projects that could affect either the territories of indigenous peoples and communities or other rights essential for their survival"[2]. Vast mineral and natural resources have continued to attract mining companies and extractive industries which have had a marked effect on the landscape in which people working on indigenous peoples' rights, the environment and access to land are operating. Heightened scrutiny of mining activities has led to increased social protest and opposition. Government forces and, increasingly, private security companies have deployed violent tactics against those defending affected communities.

In 2012, Front Line Defenders reported on the **killing** of ten human rights defenders and their family members in Brazil, Colombia, Guatemala, Honduras and Mexico. In Brazil, four HRDs were killed in April, June and August: Raimundo Alves Borges made formal complaints concerning illegal activities associated with the buying and selling of land; Almir Nogueira de Amorim and João Luiz Telles Penetra were members of the Association of Sea Men; human rights lawyer Diego Luiz Berbare Bandeira filed complaints for abuses committed by civil and military police, prison directors and other authorities. In Colombia, Manuel Ruíz, who advocated for the return of land to displaced communities in Curvaradó y Jiguamiandó, was murdered in March together with his son. Among the massive numbers of those murdered in Honduras, Manuel Díaz Mazariegos was killed in September, just two days after the assassination of Antonio Trejo Cabrera, legal representative of a peasants' movement. In Mexico, Regina Martínez Pérez, a journalist reporting on drug cartels and the links between organised criminal groups and government officials, was beaten and strangled to death in April. The cases Front Line Defenders reported on represent only a fraction of the total number of those killed in the region because of their involvement in human rights.

Those **surviving** assassination attempts faced physical and psychological trauma not just from the attacks but also due to the impunity enjoyed by the aggressors. HRDs suffered attempted killings in Guatemala, Honduras and Venezuela. In Honduras, Gonzalo Cruz was shot at by police agents in January, and Juan Vásquez and Sotero Chavarría were shot in June as they returned from a meeting on a land conflict involving an indigenous community. In Venezuela Victor Martínez survived an assassination attempt outside his home, in the same place his son was gunned down two years before. Other physical attacks were reported in Brazil, Chile, Colombia, Cuba, El Salvador, and Honduras.

Disappearances were reported in Colombia, Ecuador, and Mexico. Mexican HRD José Enrique Morales Montaño was kidnapped by four masked men in a truck, while on his way to a meeting with a group of textile workers in the city of Puebla in central Mexico. He was held for 17 hours, a gun was put to his head several times and his life and the lives of his colleagues were threatened.

Fabricated criminal charges remained common in Colombia, Guatemala, Mexico, and Peru. In Peru, a HRD working on forced evictions was falsely accused of aggravated violence against a public

2 Kichwa People of Sarayaku v. Ecuador case.

official before being eventually acquitted. The criminalisation of HRDs is an attempt not just to silence their work but also to undermine their credibility within the community. Likewise, public smear campaigns by local media and politicians are used to delegitimise the work of HRDs. Front Line Defenders also reported on other cases of **smear campaigns** in Argentina, Guatemala and Mexico and on **arbitrary arrests** in Colombia, Cuba, Mexico and Peru.

The **homes and offices** of HRDs continue to be vulnerable to break-ins and attacks in attempts to steal sensitive information and valuable equipment, and to disrupt their work. Break-ins and theft of material were reported in Brazil, Colombia, Costa Rica and El Salvador.

Death threats, intimidation and harassment were the most common way of warning human rights defenders that their work has 'crossed the line' and will not be tolerated. Front Line Defenders received reports on multiple cases of threats and intimidation in Argentina, Brazil, Colombia, Costa Rica, Cuba, Guatemala, Honduras, Mexico and Venezuela.

Governments throughout the region failed to provide adequate protection to those who work to defend human rights, and must address this situation. Protection programmes for HRDs at risk exist in Brazil and Colombia, although both face a variety of challenges in meeting the needs of HRDs. A positive development in 2012 was the adoption in Mexico, in April, of a law establishing a protection mechanism for human rights defenders and journalists at risk. The law provides the necessary legal framework for the cooperation between different relevant government bodies, and provides for the participation of civil society organisations in its implementation, including with regards to risk assessment and decision-making. However, eights months after the adoption of the law, the government has yet to adopt the regulations and protocols required to make the mechanism operational.
Furthermore, despite all these instances of threats and physical attacks, impunity in the region remains strikingly high. The lack of accountability not only allows perpetrators to escape unpunished, it also sends a signal that human rights defenders can be targeted without consequence and that violence is tolerated.

Country in Focus: Guatemala

Attacks against HRDs in Guatemala remained alarmingly frequent in 2012. While HRDs working on a broad range of human rights issues faced death threats, physical attacks, prosecution, harassment, surveillance, stigmatisation, arbitrary detention, forced disappearances and killing, those upholding economic, social and cultural rights were at particular risk.

Of serious concern is the unfair use of criminal proceedings against HRDs. In August, a court upheld fabricated charges of 'violence against women' and 'threats' against five prominent HRDs, Dr Yuri Giovanni Melini Salguero, Rudy Pivaral, Oscar Morales, Gustavo Martínez and Andrea Marcilia Hernández Melini.

Physical attacks against HRDs were frequent, and clandestine security organisations and illegal groups operating in the country were among the perpetrators. In June, human rights defender Yolanda Oquelí was shot as she travelled home from a peaceful protest against the expansion of mining activities in San José del Golfo. In November, another prominent HRD received warnings of an attack being prepared against her, in the latest in an ongoing series of threats and defamatory statements targeting her and her colleagues. In January, Vidal Cabrera Tuch was shot dead as he travelled by minibus with his father. He had been working on issues relating to wage conditions for campesinos, a just and dignified life for young people, land reform and nationalisation of electric energy in Guatemala.

Despite the creation in late 2006 of the International Commission Against Impunity in Guatemala (CICIG), which was mandated to investigate and prosecute serious crimes, perpetrators continued to enjoy an exceptionally high level of impunity. Front Line Defenders urges the Guatemalan Government to establish a protection programme for human rights defenders at risk.

Lives on the Line

New Decade, in association with Front Line Defenders, produced a documentary "Lives on the Line" which featured Dr Yuri Melini and other human rights defenders from Guatemala, and was broadcast in Colombia, Guatemala and Ireland early in 2013.

ASIA

Front Line Defenders issued 63 urgent appeals on behalf of human rights defenders at risk in 12 Asian countries – Cambodia, China, India, Indonesia, Laos, Malaysia, Pakistan, Philippines, Singapore, Sri Lanka, Thailand, Vietnam.

2012 continued to be a difficult year for human rights defenders in Asia. Front Line Defenders has documented an increasing number of cases in which HRDs working on economic, social, and cultural rights were specifically targeted for their work – especially in Cambodia, India, Indonesia, Laos, Pakistan, and the Philippines.

2012 was marked by an increase in the number of HRDs **killed** because of their work on economic, social and cultural rights. Front Line Defenders reported on the killing of ten HRDs in Cambodia, India, the Philippines and Thailand. In Cambodia, the founder of Natural Resource Protection Group Chut Wutty was shot dead in April and no effective investigation was carried out. In July, in India, K Rajmohan Chandra was attacked and killed in connection to his work on cases of corruption involving judges, police officials, politicians and businessmen. In the Philippines, HRDs working to defend indigenous communities' rights to land have been most targeted in the past years. In March, human rights defender and indigenous leader Jimmy Liguyon was shot dead outside his home in Barangay Dao, reportedly by a leader of a paramilitary group. An arrest warrant on the alleged killer was issued in May, but to date the accused has not been apprehended by the authorities. Other physical attacks against HRDs were documented in India, Laos, Maldives, Pakistan, Sri Lanka, and Vietnam.

Smear campaigns branding human rights defenders as enemies of the State or working for foreign interests continued in China, India, the Philippines, Sri Lanka, and Vietnam. In India, the Vice Chairman of the Gandhi Peace Foundation was branded as a Maoist sympathiser for his work on the protection of land and water rights of the disadvantaged.

Human rights defenders who provided information to UN human rights bodies faced reprisals in Sri Lanka. In March, four prominent HRDs received verbal threats by the Sri Lankan delegation attending the session of the UN Human Rights Council, where they had been lobbying to expose human rights abuses. A smear campaign was conducted in government-affiliated media accusing them of treason, belonging to the defunct separatist armed group Liberation Tigers of Tamil Eelam (LTTE) and receiving money to work against the interests of the country. During a public rally, the Minister of Public Relations also threatened them with physical harm.

HRDs sending information to international organisations and media outlets about the human rights situation in China were also targeted. At least one Tibetan human rights defender received a lengthy prison sentence for circulating information regarding a self-immolation and the human rights situation in the region to foreign organisations. The work of HRDs in Tibet and surrounding areas has become extremely difficult and dangerous as a result of the security crackdown in response to the self-immolation protests by Tibetans.

The rise of **fundamentalism** has affected HRDs working in Malaysia, Indonesia, and Pakistan. In Pakistan, from May to July, Salafist clerics in the Kohistan district made repeated threats against women human rights defenders and NGOs. In May, a former member of the Pakistan National Assembly publicly threatened that women human rights defenders will be forcibly married off to local men if they continue their work in the district. In October, 14 year old Malala Yousafzai was shot in the head and severely injured because of her campaigning for the right of girls to education.

Judicial harassment was used against human rights defenders in Bangladesh, Cambodia, China, India, Indonesia, the Philippines, Sri Lanka, Thailand, and Vietnam. In China a number of HRDs have faced criminal charges and lengthy prison sentences as a result of their human rights activities. Inciting subversion

of state power' remains a common charge with which to target human rights defenders, especially writers and poets. Revisions made to the Criminal Procedure law in March allow for the secret detention of suspects in state security, terrorism and serious bribery cases for up to six months. Charges of 'fraud' were also brought against HRDs to damage their reputation within the community. House arrest, travel bans and extra-judicial detentions continued to be used by the security apparatus to prevent activists from doing their work, especially during times of heightened sensitivities. This was the case in November when a changeover of leadership took place at the top of the Chinese Communist Party: scores of human rights defenders were prevented from leaving their houses, forced out of Beijing or denied permission to travel abroad.

Political opening in Burma resulted in more space for HRDs working on civil and political rights. However, new development projects affected HRDs working on land, community rights and forced evictions, which faced more intimidation. In November, riot police violently dispersed thousands of protesters and human rights defenders who had gathered to protest against the impact of a copper mining project on the local community.

Governments in the Association of Southeast Asian Nations (ASEAN) have shown their unwillingness to fully protect the rights to freedom of association and of peaceful assembly at the regional level. Civil society conferences aiming to engage with ASEAN governments on issues such as human rights, sustainable development, environment and fair trade have been disrupted in February and November. In November, during the ASEAN summit in Phnom Penh, local authorities put pressure on guesthouses to refuse accommodation to civil society representatives, refuse hotel services and cut power supplies. An event held by ASEAN Grassroots People's Assembly, involving 1,300 human rights defenders, farmers, workers, and ordinary people was forced to end prematurely when electricity at the venue was intentionally cut off.

Country in Focus: Vietnam

The space for human rights activism in Vietnam remains very limited, and those engaged in human rights work do so at great personal risk. Throughout 2012, there were reports of intimidation, threats, surveillance, interrogation, harassment, arbitrary detention, travel restrictions, and ill-treatment in prison. A number of HRDs remain in detention serving lengthy sentences. Human rights lawyers, bloggers and citizen journalists were also particularly targeted. As a result of the restrictive environment, many HRDs try to maintain a low profile to avoid attracting the attention of the authorities.

The authorities frequently depict human rights defenders as troublemakers and 'enemies of the State'. State officials publicly accused HRDs of being 'foreign spies', 'traitors' or 'violators of public order and peace', and government media were employed to propagate this image. HRDs working on transparency and democratic reforms were particularly targeted; numerous cases of surveillance and intimidation were reported. The authorities also actively hinder access by Vietnamese HRDs to regional and international NGOs by preventing their travel and monitoring their communications.

17 human rights defenders, bloggers and citizen journalists were held in pre-trial detention for over a year. In many of these cases, the place of detention was not disclosed and family members lacked information on their whereabouts and well-being. Detained HRDs were routinely denied access to lawyers and bail. Lawyers providing legal assistance to detained HRDs or to victims of human rights violations were in turn harassed and at times disbarred from the legal profession.

Human rights defender Mr Pham Van Troi, detained from September 2008 to September 2012 under Article 88 of the Penal Code for 'propaganda against the state', was held in solitary confinement for three months for advocating for the rights of other prisoners while in detention.

EUROPE AND CENTRAL ASIA

Front Line Defenders issued 75 urgent appeals on behalf of human rights defenders at risk in 11 countries – Azerbaijan, Belarus, Hungary, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkey, Turkmenistan, Ukraine, Uzbekistan.

The situation of human rights defenders in countries of Eastern Europe and Central Asia deteriorated in 2012. Rather than encouraging respect for human rights, the economic growth of countries such as the Russian Federation, Azerbaijan and Kazakhstan was accompanied by increased repression against civil society, and appeared to reinforce the indifference of state authorities towards the recommendations of international human rights bodies. The effort to smear HRDs with propaganda that human rights are a vehicle for Western interests was increasingly used by governments and government-affiliated media outlets in the region. HRDs working on environmental rights and abuse of economic interests, on minority rights and on the rights of LGBTI people faced intimidation and attacks in a majority of countries in the region.

Azerbaijan, Belarus, Lithuania, Moldova, the Russian Federation, and Ukraine introduced **legislation** restricting freedom of association, peaceful assembly and expression, as well as strengthening State control over independent media and the Internet. In Azerbaijan, amendments to the Law On Freedom of Assembly made organisers liable for any actions by protesters and increased penalties for unauthorised demonstrations.
In the Russian Federation numerous legislative initiatives were passed in relation to public gatherings, criminal libel, the Internet, treason, freedom of expression and foreign funding (see Section 1, Overview). Of particular concern is the designation of NGOs in receipt of foreign funding as 'foreign agents', in that it aims to foment public hostility against them. It may result in increased intimidation and attacks in particular by extreme nationalist groups, which have previously targeted HRDs. The very same day that the law entered into force, the words 'foreign agent' appeared on the walls of two human rights groups.

Human rights defenders working in North Caucasus continued to be particularity vulnerable to attacks because of the almost total **impunity** enjoyed by perpetrators. Numerous threats and attacks on HRDs remained unreported due to fears that doing otherwise would expose them and their families to more risks. The killings of Natalya Estemirova and Zarema Sadulayeva are still not fully investigated.

In the United Kingdom, in December, a State-commissioned report found that State agents actively furthered and facilitated the 1989 murder of human rights lawyer Pat Finucane. The UK Government reiterated its refusal to honour their previous commitment to hold a full public inquiry into the murder.

In August, environmental rights defender Volodymyr Honcharenko **died** after three days in intensive care in Ukraine. He was brutally attacked after holding a press conference in which he presented information about the illegal dumping of chemically contaminated and radioactive metal waste. No arrest has been carried out in relation to the attack.

The use of **tax regulations** to target HRDs remained a common practice, particularly in Belarus. Following the imprisonment of Ales Bialiatski, sentenced for alleged tax evasion in late 2011, other human rights defenders were summoned for questioning by tax inspectors in 2012 or were requested to submit tax documents in the context of investigations reportedly opened at the initiative of security officials. The space for civil society in Belarus remained extremely limited and all HRDs faced intense surveillance.

The use of the **legal system** against human rights defenders remained a familiar tactic by states in the region, with unsubstantiated charges such as hooliganism, bribery of public officials, fraud, and terrorism commonly used in Azerbaijan, Belarus, Cyprus, Kazakhstan, Kyrgyzstan, the Russian Federation, Turkey and Uzbekistan. In Azerbaijan, several HRDs were sentenced to long prison terms following trials marred by

irregularities, and several others remained in pre-trial detention. Some of the detained HRDs complained of torture or ill-treatment, but these allegations were not investigated. HRDs and journalists working on forced evictions also faced judicial harassment, attacks and intimidations. In France, a prominent Algerian HRD, director of the Geneva-based NGO Alkarama, was arrested in January following an extradition request from Algeria – a tactic commonly used by the Algerian government to target human rights defenders and political opposition figures in exile. A court subsequently qualified the request as 'grotesque'. Nonetheless, the human rights defender spent nearly six months in detention.

In Uzbekistan, a number of HRDs remained in prison and were routinely placed in solitary confinement, denied adequate medical treatment, and denied visits by family members. Several HRDs were harassed by public officials and received summons to appear before the police, the office of the prosecutor or the National Security Service. In numerous cases, the summons had no legal basis. Public officials also threatened and put pressure on individuals who were supported by human rights defenders, in order to co-opt them into accusing the HRDs in question of exaggerating facts, lying or extorting money from victims.

In Turkmenistan, human rights work remained banned and the work of independent journalists was closely monitored by the authorities. The Internet, which is accessible by only a very small part of the population, even in urban areas, remained under strict state control.

In Tajikistan, independent media outlets critical of the government faced defamation lawsuits. Amparo, one of the leading human rights organisations in the country, was closed down by court order which cited only minor administrative irregularities as justification.

Country in Focus: Kazakhstan

The situation of human rights defenders in Kazakhstan dramatically worsened after the events in Zhanaozen in December 2011, when the police and security forces violently broke up a mass protest of striking oil extraction industry workers. Security forces opened fire on civilians, killing at least 14 people and leaving thousands injured.

A number of people were arrested in the aftermath of those events, including strikers, political activists and HRDs. Most of them were sentenced in 2012 after trials marred by serious irregularities and reports of torture and ill-treatment. The case of Roza Tuletaeva, who was very active in drawing media attention to the events and was involved in discussions with oil company executives, was emblematic. She was sentenced to five years imprisonment on charges of organisation of mass unrest. She reported being subjected to torture, but three requests to open an investigation into these allegations by her lawyer were rejected.

Journalists who covered the events and HRDs who campaigned for an independent investigation and fair trials were submitted to defamation campaigns, intimidation and physical attacks. An independent journalist was shot at and received eight stab wounds by unknown assailants. The director of a prominent human rights group monitoring the Zhanaozen trials was sentenced to 15 days of administrative detention after he spoke publicly about irregularities in the court proceedings and allegations of torture. Popular bloggers writing about the events were accused of encouraging violence. In November, the office of the prosecutor brought charges against independent media outlets including newspapers Respublika and Vzglyad, the television channel K+ and the online video portal Stan.tv, for their coverage of the violent dispersal the Zhanaozen protests and the resulting trials, seeking to ban them on the basis that they would be 'extremist'.

MIDDLE EAST AND NORTH AFRICA

Front Line Defenders issued 51 urgent appeals on behalf of human rights defenders at risk in 14 countries in the Middle East and North Africa – Algeria, Bahrain, Egypt, Iran, Israel, Kuwait, Morocco, Oman, Palestine, Saudi Arabia, Syria, UAE, Western Sahara, Yemen.

2012 confirmed what started to emerge at the end of the previous year: the Arab Spring gave hope to thousands of people in virtually every country of the region, but to date it has only brought limited real change. Human rights defenders in Egypt continued to struggle against harassment and legislative restrictions. In countries such as Algeria and Bahrain, where mass protests failed to bring significant changes or reforms, HRDs have been arrested and sentenced. While there was a transition in Yemen, the new government continues to face seemingly insurmountable security, development and financial problems which have made progress for HRDs elusive. The most tangible change is ongoing in Tunisia. There as well, however, there were some reasons for concern: the current draft of the new Constitution includes provisions undermining respect of international human rights treaties as well as of freedom of expression, opinion and belief, women's rights and non-discrimination.

Continuing **popular mobilisations** in Algeria, Bahrain, Kuwait, Oman, Saudi Arabia, UAE and post Mubarak Egypt were met with violent repression and arbitrary arrest. In Bahrain and Kuwait, the authorities banned all public gatherings in October. The Moroccan government continued to employ violent tactics against peaceful protesters and HRDs in the Western Sahara cities of Laayoune, Dakhla and Smara. **Arrest and detention** remained the single most frequent violation against HRDs in the region, accounting for nearly three quarters of the cases Front Line Defenders reported on. Fabricated charges and **unfair trials** were reported in Algeria, Bahrain, Iran, Morocco, Oman, Saudi Arabia, Syria, and UAE. In Saudi Arabia, Mohammad Al Qahtani and Abdalla Al Hamid, co-founders of the Saudi Civil and Political Rights Association (ACPRA), faced trial on charges including establishing an unlicensed association, providing false information to United Nations human rights bodies, inciting international organisations against the country, and mobilising public opinion against the authorities by accusing them of abuses. The charges may result in up to 30 years in prison. In Palestine, human rights defenders were arbitrarily arrested by Israeli security forces and secret evidence was used against them.

In Syria, against the backdrop of the ongoing uprising, a number of HRDs were forced to flee the country. Scores of those who remained were arrested and held in undisclosed locations, which increased fears they may be subjected to torture. Widespread use of torture by State security personnel was documented by a report issued in July. The 2012 Front Line Defenders Award went to blogger and HRD Razan Ghazzawi, who was arrested in February for disseminating information on human rights abuses by Syrian security forces. Many of her colleagues remained in detention at year's end.

The arrest of HRDs, journalists and bloggers remained widespread in Iran. In March, prominent human rights lawyer Abdolfattah Soltani, co-founder of the Defenders of Human Rights Centre, was sentenced to 18 years in prison and banned from practising law for 20 years. A number of other HRDs remained in detention, sentenced after unfair trials on vaguely defined charges including propaganda against the government, endangering national security, or attempting to overthrow the government. Reports of physical and psychological torture against detained HRDs were frequent. In November, Sattar Beheshti, a blogger, died while in detention after reports that he had been tortured.

The targeting of those using the **Internet** to promote human rights was particularly strong in Gulf countries, where HRDs rely extensively on online platforms due to the very limited access to broadcast and print

media. In Oman, websites deemed sensitive or controversial, including news and human rights websites, were blocked. Several HRDs also had their personal pages on social networking sites hacked or blocked. Nine human rights defenders were sentenced in September and December on charges including insulting Sultan Qaboos and violating the information technology law. In the UAE, following criticism of the government expressed online, several political reformists and HRDs were stripped of their nationality in January and a prominent blogger and online media activist was deported in July, after two months in detention. Several HRDs are amongst dozens of individuals held in detention without charges as a result of their peaceful calls for political reform.

Human rights defenders were targeted by new **legislation** in Algeria, Egypt, Iraq, and Israel. In Egypt, there were proposals to make more prohibitive the already restrictive 2011 law no. 34, which assigns prison sentences and significant fines for peaceful protests and strikes. The latest draft of a new NGO bill was presented in October and remained pending at year's end; it eliminates some of the existing restrictions on local NGOs but maintains prior government approval for foreign funding as well as heavy criminal sanctions for violations of the law, and requires foreign NGOs to obtain a permit. In Israel, a bill on Foreign Funding of NGOs under consideration since late 2011 was eventually put on hold due to strong international and domestic criticism, but remains formally pending in parliament. In Iraq, draft legislation limiting freedom of expression and peaceful assembly remained pending at year's end. Also pending remained an Information Crimes bill, about which there are fears that it may be used to target bloggers and critical voices. If put into law, it would allow the authorities to prosecute Internet users on ill-defined grounds of, inter alia, undermining economic or political interests of the country – a crime which carries a life sentence.

In Bahrain, more than a year after the publication of the Bahrain Independent Commission of Inquiry (BICI) report, the authorities have failed to implement many of its recommendations, continued to suppress protests and arrest human rights defenders. In September, a court upheld the life sentence against Abdulhadi Al-Khawaja, founder of the Bahrain Centre for Human Rights and former Front Line Defenders staff member, on fabricated charges of organising and managing a terrorist organisation and attempt to overthrow the government by force and in liaison with a terrorist organisation working for a foreign country. Almost all the most vocal Bahraini HRDs were in detention at year's end.

Country in Focus: Algeria

The lifting of Algeria's 19-year state of emergency in early 2011 did not have a positive effect on the situation of human rights defenders as hoped. The government continued to persecute and harass human rights defenders. Throughout the year, peaceful protests were forcibly dispersed and protesters and human rights defenders were arrested and charged. An indefinite 2001 ban on protests continue to remain in force in the capital Algiers. A number of HRDs were put on trial under Article 100 of the Penal Code, which punishes the incitement of unarmed gathering.

A new law on associations was passed in January 2012 (Law 12-06) and required all civil society organisations to register with the Ministry of Interior. According to new law, members of an unregistered organisation face three to six months in prison and a fine of 960 to 2,900 euro approx. Fears that the new law would be used to limit the work of legitimate groups were confirmed in October when an anti-corruption group, the *Association Algérienne de Lutte Contre la Corruption* (AACC) was refused registration. No justification was provided.

Trumped up charges and violence by police against HRDs were also reported. In August, a HRD was charged with insulting a security official. A court denied him bail without providing any explanation for the refusal. It later emerged that the HRD was in another city at the time of the alleged offence. In October, police officers stopped a trade unionist travelling on a bus, forced him to disembark and assaulted him.

The authorities also attempted to silence HRDs working abroad, as illustrated by the case of a prominent Algerian HRD, director of the Geneva-based NGO Alkarama, arrested in France following an extradition request from Algeria (see Section 5, Europe and Central Asia).

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