

# Time to Act

2017

*Civil Rights Defenders is an independent expert organisation founded in 1982 in Sweden, with the mission to defend people's civil and political rights and empower human rights defenders at risk worldwide. Civil Rights Defenders has a presence on four continents and is active in some of the world's most repressive regions. By working in collaboration with 200 local partners and focusing on innovation, the goal is to achieve long-term sustainable change.*



Photo: Robert Fogarty/Dear World

Mary Moses / Peace Will Give Us Our Home Back. After decades of civil war, independence brought renewed hope for the people of the new nation South Sudan in 2011. But today, six years later, the country is immersed in a new, bloody internal conflict that has caused the death of hundreds of thousands and the displacement of millions.

*The Challenges of Our Time / We Fight Together / Significant Events / Human Rights Innovation Initiative / Natalia Project / Online Activism / Myanmar Looks the Other Way / Me Nam Arrested in Vietnam / Does Sweden Live Up to Its Reputation / Detained – But Not Without Rights / Police Violence Goes Unpunished / East and Horn of Africa: Hope and Despair / Latin America Tackling Old Problems with New Solutions / New Wave of Repression Hits Venezuelan Civil Society / Fighting for Human Rights Against All Odds / Fighting Against Impunity for Grave Human Rights Abuses / Joint Training for Azerbaijani and Belarusian Human Rights Lawyers / Serbian Laws End Where Homophobia Begins / Civil Rights Defender of the Year Award 2017 / South Sudan: A False Start to Upholding Human Rights? / When The Time To Act Is Now*



Photo: David Lagerlöf

# THE CHALLENGES OF OUR TIME

*We have long known that human rights are poorly respected in countries like Azerbaijan, Ethiopia, Iran, China, Cuba, Russia, Saudi Arabia, and Vietnam. Not only do these countries deny their own citizens their rights; they also do their utmost to question, challenge, and relativise the international laws, treaties, and institutions that have been designed to protect human rights.*

**CRITICAL AND INVESTIGATIVE VOICES** from civil society, such as human rights organisations and the independent media, are continuously persecuted and often see their work disrupted. Through state control over legislation, courts, and the media as well as one-sided state propaganda, those who dare to challenge these regimes are demonised – presented as undesirable to the wider public and as fair game for fanatical opponents.

Yet it seems that some of the greatest challenges of our time are found in less obvious places. Negative developments in many of the world's leading democracies have led to a retrogression with regards to human rights standards. The growing number of neo-Nazis, right-wing extremists, and populist politicians who prey on the fear of others is now a substantial threat to democracy and human rights in European countries like France, Greece, Poland, Slovakia, Great Britain, Hungary, and the Czech Republic. Even long-standing democracies like Denmark and Sweden have adopted new laws that may potentially reinforce and perpetuate already restrictive legislation, not least with regards to asylum law.

A door has thus been opened for those European leaders who – for the sake of

protectionism, isolationism, nationalism, or populism – wish to depart from many of the fundamental rights and freedoms that leaders in another time deemed necessary after suffering through two world wars in only a few decades.

Measures that on the surface appear to be isolated, often presented as temporary, may also, after a closer look, be recognised as the first step towards a systematic yet disorganised dismantlement of our fundamental rights and freedoms. As has been confirmed in numerous international conventions, human rights are indivisible and interdependent. This means that they depend on and strengthen one another; if rights in one area are dismantled, rights in other areas will be affected too.

At the same time, we are now witnessing the dawn of a new era in the USA with the election of Donald Trump as president. The polarisation of American society has many causes, and manifests itself in many areas of life.

The new president has made it clear that he is not afraid to use this to his advantage. We saw it during his election campaign, and we have seen it during his first months in office.

Under Trump's leadership, American foreign policy is likely to change. Global

efforts for human rights and democracy can be expected to become a lesser priority. With his attacks on the established media, hostility towards immigrants, climate scepticism, aggressive foreign policy, and pervading power-hunger – which manifests itself in a pronounced disregard for the rule of law and is characterised by implacability, faulty ideology, a relativising approach to facts, and a seemingly inexhaustible need for attention – Trump might turn out to be the gravest security threat to the USA, and the world, since the Cold War.

Trump meticulously characterises himself as one to “walk the talk”. With this attitude, there is great risk that he begins to act out against the media that he has already spent much time discrediting. We have seen this in other countries where independent and investigative voices are silenced through legislative and administrative measures. Alternatively, fanatic supporters, who consider themselves to have the right to act out with violence, could be agitated by the rhetoric of their leader.


Leading politicians in democratic countries are diminishing the divide between themselves and the totalitarian, misanthropic regimes whose survival has

*“In the end, what leader, and what country, will be able to speak up for the universality and sanctity of human rights with preserved credibility?”*

– Robert Hårdh

depended on the expectation that international protection of human rights will one day implode.

In the end, what leader, and what country, will be able to speak up for the universality and sanctity of human rights with preserved credibility?

We must still dare to believe that we – together – can reverse this negative course of development. And we must dare to believe that we, through our work, can continue to make a difference. This work is not limited to one specific area and it cannot be left for someone else to do. We are all responsible for our future, and for our children's future. Vote and use your voice to stop those who want to put limits on our world, our rights, and our freedoms. Show them, through words and actions, that you will not let fear control your life. Commit yourself – it is Time to Act. 

**ROBERT HÅRDH,**  
Executive Director

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**ROBERT HÅRDH IS A SWEDISH HUMAN RIGHTS LAWYER** and the Executive Director of Civil Rights Defenders. He received a Master of Laws degree from Uppsala University in 1997. During his years as a law student, he was active in the Amnesty International lawyer's group in Sweden and, between 1998-2000, he was a Board member of Amnesty International Sweden.

**ROBERT BEGAN WORKING AT CIVIL RIGHTS DEFENDERS IN 1999** and was appointed Executive Director in 2000. Under his leadership, the organisation started a rapid development and its number of staff grew significantly. Through focusing on establishing partnerships with local human rights defenders, including several new regions in the organisation's work, and expanding its international focus – Civil Rights Defenders could grow into the global actor that it is today.

**SINCE 2006, ROBERT IS ALSO A BOARD MEMBER OF STIFTELSEN EXPO;** a foundation which challenges intolerance, racism, antisemitism, and xenophobia through conducting research and education. In addition, Robert is a member of the Advisory Council to the Committee for Human Rights in North Korea, and a Steering Committee Member of the World Movement for Democracy.



Photo: David Lagerlöf

# WE FIGHT TOGETHER

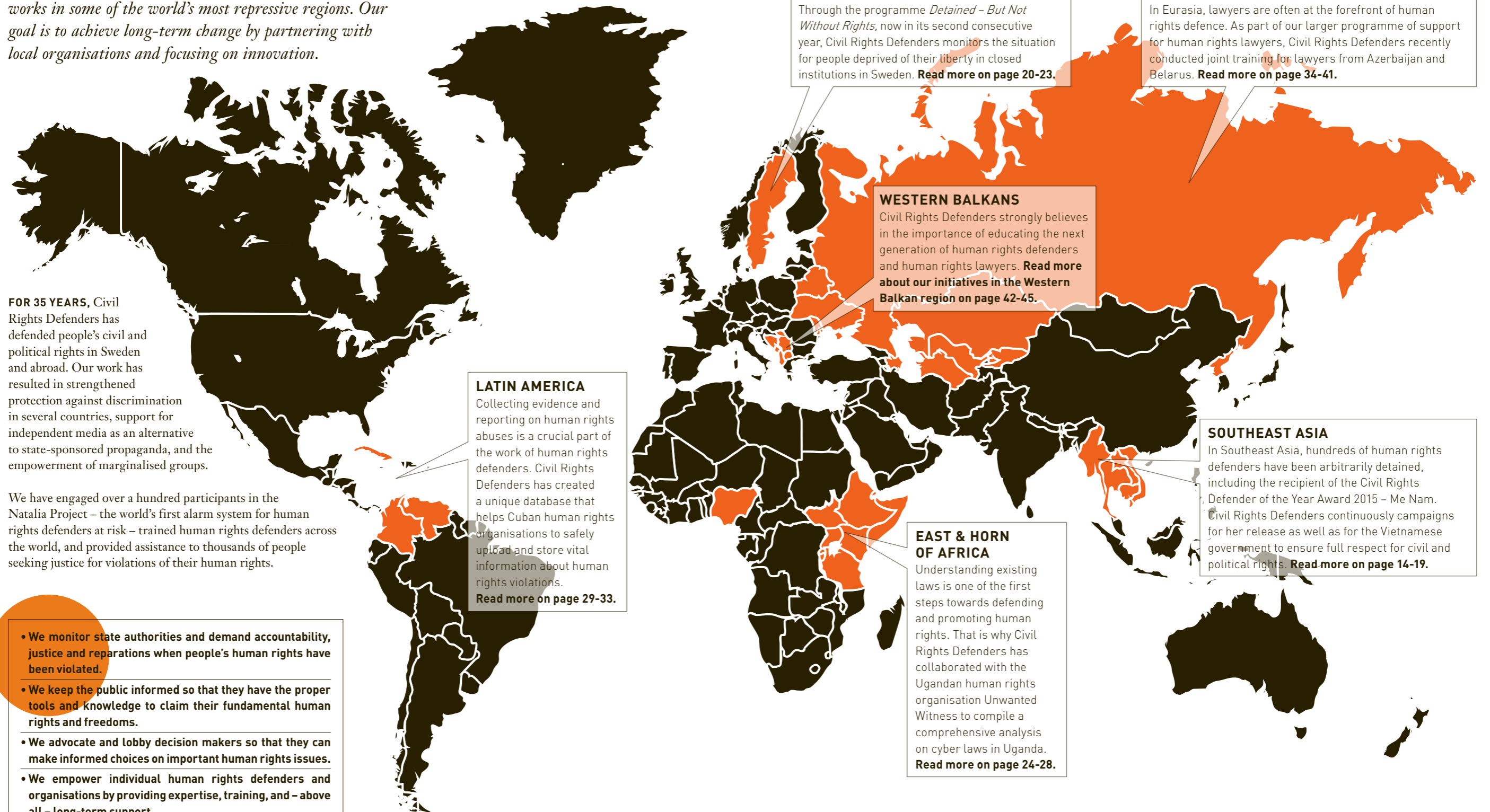
We defend people's civil and political rights and empower human rights defenders at risk.

*With a presence on four continents, Civil Rights Defenders works in some of the world's most repressive regions. Our goal is to achieve long-term change by partnering with local organisations and focusing on innovation.*

FOR 35 YEARS, Civil Rights Defenders has defended people's civil and political rights in Sweden and abroad. Our work has resulted in strengthened protection against discrimination in several countries, support for independent media as an alternative to state-sponsored propaganda, and the empowerment of marginalised groups.

We have engaged over a hundred participants in the Natalia Project – the world's first alarm system for human rights defenders at risk – trained human rights defenders across the world, and provided assistance to thousands of people seeking justice for violations of their human rights.

- We monitor state authorities and demand accountability, justice and reparations when people's human rights have been violated.
- We keep the public informed so that they have the proper tools and knowledge to claim their fundamental human rights and freedoms.
- We advocate and lobby decision makers so that they can make informed choices on important human rights issues.
- We empower individual human rights defenders and organisations by providing expertise, training, and – above all – long-term support.



**SWEDEN**  
Through the programme *Detained – But Not Without Rights*, now in its second consecutive year, Civil Rights Defenders monitors the situation for people deprived of their liberty in closed institutions in Sweden. **Read more on page 20-23.**

**EURASIA**  
In Eurasia, lawyers are often at the forefront of human rights defence. As part of our larger programme of support for human rights lawyers, Civil Rights Defenders recently conducted joint training for lawyers from Azerbaijan and Belarus. **Read more on page 34-41.**

**WESTERN BALKANS**  
Civil Rights Defenders strongly believes in the importance of educating the next generation of human rights defenders and human rights lawyers. **Read more about our initiatives in the Western Balkan region on page 42-45.**

**LATIN AMERICA**  
Collecting evidence and reporting on human rights abuses is a crucial part of the work of human rights defenders. Civil Rights Defenders has created a unique database that helps Cuban human rights organisations to safely upload and store vital information about human rights violations. **Read more on page 29-33.**

**EAST & HORN OF AFRICA**  
Understanding existing laws is one of the first steps towards defending and promoting human rights. That is why Civil Rights Defenders has collaborated with the Ugandan human rights organisation Unwanted Witness to compile a comprehensive analysis on cyber laws in Uganda. **Read more on page 24-28.**

**SOUTHEAST ASIA**  
In Southeast Asia, hundreds of human rights defenders have been arbitrarily detained, including the recipient of the Civil Rights Defender of the Year Award 2015 – Me Nam. Civil Rights Defenders continuously campaigns for her release as well as for the Vietnamese government to ensure full respect for civil and political rights. **Read more on page 14-19.**

# SIGNIFICANT EVENTS

## OUR WORK IN SWEDEN AND THE WORLD 2016



Stockholm Pride Parade 2016. Civil Rights Defenders participated in the nineteenth annual Stockholm Pride festival – here at the Pride Parade together with friends from Russia, Belarus and the Western Balkans.

*Civil Rights Defenders continues to grow rapidly. In 2016, we used this momentum to intensify our work around the world. We have established a permanent presence in Latin America, with our newly opened field office in Bogotá, in order to facilitate exchange between Cuban and Colombian human rights defenders. Our presence in the region has also allowed us to deepen our collaboration with several Venezuelan human rights organisations.*

**OVER THE COURSE OF THE YEAR,** Civil Rights Defenders maintained its support for a new generation of human rights defenders in the East and Horn of Africa region. By encouraging our partners to involve youth in all engagements, Civil Rights Defenders has seen a great number of young human rights defenders enter the human rights field.

Together with eleven Roma individuals who were included in a much-criticised register kept by the police administration in Skåne, southern Sweden, Civil Rights Defenders filed suit against the Swedish state for ethnic discrimination in 2015. On 10 June 2016, the Stockholm District Court ruled in our favour, establishing that the eleven individuals had been registered for no other reason than their ethnic origin and that the state was guilty of ethnic discrimination.

Throughout Southeast Asia, governments continue to target human rights defenders and activists. Civil Rights Defenders has continued to advocate the release of all arbitrarily detained bloggers, journalists, and human rights defenders. Since the Vietnamese authorities arrested and arbitrarily detained the 2015 recipient of the Civil Rights Defender of the Year Award – blogger Me Nam – Civil Rights Defenders has released several statements,

urging the international community to campaign for her release.

**AS RUSSIA CONTINUES ITS CRACK-DOWN ON HUMAN RIGHTS,** Civil Rights Defenders released the report “Putting the Lid on Freedom of Expression” in Russia in April 2016. The report highlights how the state attempts to silence human rights defenders in Russia, and how Western governments fail to support those who have been silenced.

In November 2016, Civil Rights Defenders and the Swedish Embassy in Bosnia and Herzegovina arranged a panel discussion to highlight the challenges to the freedom of the press that persist in the Western Balkan region. Furthermore, Civil Rights Defenders has released numerous statements to condemn recent media attacks on human rights defenders in the Western Balkans.

### EMPOWERING HUMAN RIGHTS DEFENDERS AT RISK

In 2016, Civil Rights Defenders was able to provide 31 security actions through our Emergency Fund. In total, we supported 134 human rights defenders and their families.

Natalia Project grew rapidly in 2016. Over the course of the year, 31 new human rights defenders were included. The

FEBRUARY	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	NOVEMBER
The second-generation Human Rights Defenders School kicked off in Serbia.	Human rights defenders from all around the world attended Defenders' Days – Empowering Human Rights Defenders at Risk.	Success as the tenth Regional Moot Court Competition was organised.	The Stockholm District Court established that the Swedish state was guilty of ethnic discrimination.	Civil Rights Defenders attended Almedalsveckan to put human rights on the Swedish political agenda.	Guests from Russia, Belarus, and the Western Balkans joined us in Stockholm for the annual Stockholm Pride.	Civil Rights Defenders was present during Belgrade Pride and organised a conference and a photo exhibition.	Civil Rights Defenders organised a seminar on press freedom in Bosnia and Herzegovina.

In 2016, Civil Rights Defenders supported the Human Rights Defenders Mentorship Programme in Kenya. Here are four of the young human rights defenders who participated.



Photo: HURIA

*Natalia Project currently includes over a hundred participants from three continents.*

majority are active in Russia, where they work to document and monitor human rights violations. Natalia Project currently includes over a hundred participants from three continents, with representatives from the Western Balkans, South-east Asia, Central Asia, and East Africa.

In addition to the expansion of Natalia Project, Civil Rights Defenders has continued to develop the Human Rights Innovation Initiative.

The initiative aims to provide international and cross-sectoral expertise on problems that human rights defenders face in their everyday lives. For one year now, Civil Rights Defenders has had a presence at Nordic Innovation House, in Palo Alto, San Francisco, to keep close ties to well-known technology companies and universities in the city, aiming to find new solutions for human rights defenders at risk.

In early April 2016, Civil Rights Defenders for the fourth consecutive year welcomed human rights defenders from around the world to Defenders' Days – Empowering Human Rights Defenders at Risk. The conference has continued to grow: this year, more than 160 human rights defenders from four continents participated. Participants were able to join expert training sessions in areas such as

digital security, writing shadow reports, and video campaigning.

On the last day of the conference, we presented the annual Civil Rights Defender of the Year Award to human rights lawyer Intigam Aliyev from Azerbaijan. Intigam Aliyev had been imprisoned along with other Azerbaijani human rights defenders since 2014, and was released less than two weeks before the ceremony. Due to a travel ban, Intigam Aliyev's son received the award on behalf of his father at the ceremony in Stockholm.

#### EDUCATING FOR HUMAN RIGHTS

At the beginning of the year, Civil Rights Defenders organised for 50 participants to take part in the second-generation Human Rights Defenders School in Belgrade and Nis in Serbia. The training programme covered a period of ten months, with the aim of empowering a new generation of human rights defenders.

In the beginning of July 2016, Civil Rights Defenders attended Almedalsveckan in Visby, Sweden, to put human rights on the Swedish political agenda. Among other things, we participated in seminars where we raised various issues, such as human rights in closed institutions, surveillance in dictatorships, and

the EU's obligations towards vulnerable EU-citizens.

In May 2016, Civil Rights Defenders successfully organised the tenth edition of the Regional Moot Court Competition, during which more than 120 law students were trained to present cases in the European Court of Human Rights.

Together with the AIRE Centre, Civil Rights Defenders organised the third Rule of Law Forum in Sarajevo in March 2016. The forum gathered more than 120 legal professionals from the Western Balkan region, including judges from the European Court of Human Rights and respective state courts. We focused particularly on the right to a fair trial and offered expert discussions on the right to an independent and impartial court, which is one of the region's major challenges.

In Sweden, Civil Rights Defenders initiated a new project called the Human Rights Clinic, which offers law students an opportunity to deepen their practical legal skills and learn more about advocacy work. The pilot project was successful: the law students who engaged in the pro-

ject all concluded that participating in the project had been extremely valuable.

#### SUPPORTING LGBT RIGHTS ACROSS THE WORLD


For the eighth year in a row, Civil Rights Defenders supported QueerFest in St Petersburg. This was the first year that no harassment was directed towards the festival and no venue cancellations were forced upon the organisers. Civil Rights Defenders sees this as a great success given the dire human rights situation, in which the LGBT community and their events are particularly vulnerable targets.

For the fifth consecutive year, Viet Pride was successfully organised in Hanoi. Civil Rights Defenders supports Viet Pride and participated in this year's events along with a growing coalition of local and international supporting organisations, including civil society groups, businesses, and foreign embassies.

Civil Rights Defenders was present during Belgrade Pride festival in September 2016, with the full-day international conference "Safe School for All". During

the conference, which included participants from 20 countries, we explored possibilities for the adoption of anti-bullying legislation in Serbia. During the festival, Civil Rights Defenders also organised an exhibition of photos by the Serbian photographers Vesna Lalic and Dragan Kujundzic. The exhibition was titled "The Invisible Ones" and highlighted the situation for transsexual Roma in Serbia.

In April 2016, Armenian activists arranged queer film screenings with support from Civil Rights Defenders. It was the first event ever of such scale, and a significant step towards mobilising the community in a society where homophobia and violence against LGBT people are widespread.

The first week of August 2016 marked the nineteenth annual Stockholm Pride festival. Civil Rights Defenders participated together with guests from Russia, Belarus, and the Western Balkan region. In addition, Civil Rights Defenders organised a seminar highlighting the precarious situation for LGBT activists in Belarus and Russia. 

Social Media Campaign Corner at Defenders' Days – Empowering Human Rights Defenders at Risk 2016.



*Our capacity building conference Defenders' Days has grown: in 2016, more than 160 human rights defenders from four continents participated.*

Photo: Jacob Zocherman

Human Rights Innovation Initiative

# “THOSE WHO WANT TO STOP US ARE INNOVATIVE. BUT SO ARE WE.”

– Robert Hårdh, Executive Director



*“Many of the best projects are still to be invented.”*

*Repressive regimes and policy makers have stepped up their coercive game and become more thorough. As they continue to find new methods of oppression, we must find new ways to stop them. That is why we have the Human Rights Innovation Initiative.*

**FOR CIVIL RIGHTS DEFENDERS,** innovation is key to providing realistic and long-term solutions for human rights defenders at risk. As conditions continue to deteriorate in many of the regions where we work, it is becoming all the more crucial to develop smart and creative ways to assist those who need it the most. With this as our starting point, Civil Rights Defenders is intent on taking innovation to the next level.

**“Our goal is very simple, yet challenging: to present ideas that could become important tools for protecting human rights defenders at risk and making their important work more effective. The more ideas that are developed, the better”,** says Robert Hårdh, Executive Director of Civil Rights Defenders.

With support from the Swedish Postcode Lottery and with help from new and highly qualified additions to the Civil Rights Defenders team, these ideas and solutions are underway. They will be developed through the establishment of an international and cross-sectoral council comprised of experts from a variety of sectors: academia, business, civil society, and entrepreneurs. Pooling positive forces from leading universities, companies, private individuals, and organisations, this new project is unique in its efforts.

“Many of the best projects are still to be invented. The most important thing is to connect people with real problems on the ground to people who have the financial and technical means to create solutions to these problems. I believe that Civil Rights Defenders has the capacity needed to do exactly that”, says Robert Hårdh.



Civil Rights Defenders works together with Haas School of Business at University of Berkeley to develop the Human Rights Innovation Initiative. Five MBA students will support Civil Rights Defenders with business expertise and input to the development of the initiative.

# NATALIA PROJECT

*In early 2016, the Natalia Project included 19 new bearers, all from the Joint Mobile Group (JMG) of the Russian Committee for the Prevention of Torture. The group was created in 2009 with the mission to retrieve reliable information about human rights violations in the Chechen Republic. In particular, the group investigates the reasons for the authorities' ineffectiveness when investigating cases of torture and abductions in Chechnya.*

**THE GROUP CONSISTS OF HUMAN RIGHTS** lawyers working in pairs in Chechnya within a system of monthly rotations. Because of the hostile climate in the region, the work of the JMG implies high risk and constant exposure to threats and attacks. In January 2016, the group was registered as a "Foreign Agent" by the Russian Ministry of Justice, which further complicates their work.

"The JMG and its members face serious threats to their health and life. During the last two years, several incidents have occurred, including arson and destruction of the office of the Joint Mobile Group, as well as an armed attack on journalists and members of the JMG", says Dmitriy Kazakov, a member of the JMG.

By becoming members of Natalia Project, the JMG has developed their security routines one step further. In March 2016, they took part in security training led by Civil Rights Defenders, in which they learned how to use the alarm and the so-called

trackers that notify the world of their location in case of an attack. One of the participants was Dmitriy Kazakov.

**"THE TRAINING, WITHOUT A DOUBT, WAS VERY HELPFUL"**, says Dmitriy. "Among other things, it gave us a chance to learn how to use trackers that react in case of an attack. We have now for the last several months been using them on our missions in the Northern Caucasus region."

The JMG was founded after the abduction and brutal murder of human rights defender Natalia Estemirova – the very same defender whom Natalia Project is named after. Her contribution to gathering information and witness reports was essential for highlighting the situation in Chechnya and for bringing redress to those who had been abused. Today, with the help of Natalia Project, the JMG continues her important work. 📌

*The Joint Mobile Group was founded after the abduction and brutal murder of human rights defender Natalia Estemirova – the very same defender whom Natalia Project is named after.*



Photo: Alexander Minatsakanyan

On 15 July 2009, Natalia Estemirova was abducted and brutally murdered. At the time, Natalia Estemirova was investigating several cases of torture, abduction and extrajudicial killings committed by Chechen police.

## NATALIA PROJECT – THE WORLD IS WATCHING

Natalia Project is the world's first security alarm and positioning system for human rights defenders at risk. Once activated, a distress signal including the exact GPS location is sent to Civil Rights Defenders' headquarters in Stockholm. Within minutes of the attack, the signal is also sent out to global social media platforms, allowing people everywhere to immediately get involved and exercise pressure on the regime. The ability to act quickly can be the difference between life and death. The attacks no longer occur in secrecy – the world is watching. **Learn more at [nataliaproject.org](http://nataliaproject.org)**

# ONLINE ACTIVISM: A GAME-CHANGER FOR HUMAN RIGHTS IN SOUTHEAST ASIA?

*Respect for human rights continues to spiral downward in Southeast Asia amid challenges to democracy, weak institutions, and rampant corruption. Human rights defenders are vulnerable to abuse and censorship. Hundreds of peaceful activists have been detained across the region. Throughout Southeast Asia, draconian laws have been adopted in an attempt to curtail freedoms of expression, peaceful assembly, and association.*

**SINCE APRIL 2016**, one former and four senior staff members at the Cambodian human rights organisation ADHOC have been detained on politically motivated charges. In December the same year, opposition party member Mang Puthy was arrested and charged with “attempted murder” for allegedly hitting a police officer with his car. However, a widely-shared video shows the official collapsing for no reason in front of Puthy’s motionless vehicle.

While political framing is not new in Cambodia, the response to Puthy’s arrest from the country’s growing online community has been unprecedented. Dozens of citizens and bloggers have mocked the police officer’s uninspired acting performance, uploading parody videos of themselves re-enacting the fake fall, and thereby slamming attempts by the ruling Cambodian People’s Party to suppress critical voices.

## UNPRECEDENTED SOCIAL MEDIA IMPACT

While Puthy was released on bail, at the time of writing the so-called “ADHOC five” remain in detention. This attempt by the government to silence Cambodia’s vibrant civil society has been met with a long-standing online campaign for their release: #FreeThe5KH. Civil Rights Defenders has supported the campaign and called for the release of the five arbitrarily detained human rights defenders.

Facebook has become Cambodia’s number one news source, triggering a sense of growing insecurity within the

government. Activists and citizens who have stood up for the detained ADHOC members, by posting photos of themselves in black t-shirts as part of the “Black Monday” initiative, have been referred to as a threat to “national security” by Prime Minister Hun Sen and other high-ranking officials.

## A CHALLENGE TO GOVERNMENT MEDIA CONTROL

But why so much fear over online activism? Social media’s exponential growth and the potential it offers for access to alternative information may be a game-changer for governments in the region, who are used to enjoying official or de facto one-party control over television channels, radio stations and newspapers. The Internet is different – and those in power know it. In 2015, Vietnamese Prime Minister Nguyen Tan Dung was reported to have told senior staff officials that it is “impossible” to ban social media.

Vietnam’s authorities are thus aware of the potential of online activism, but unable to stifle it. They are deploying a broad range of repressive tools – from digital attacks and surveillance to intimidation, threats, beatings, and arrests – to punish those who use their pen, or their laptop, to inform fellow citizens about human rights and demand accountability for abuses.

Despite the government’s attempts to stem the tide of online activism and citizen journalism, a large number of Vietnamese blogs, web pages, and Facebook accounts open up a space for free expression that does not otherwise exist in Vietnam.



**Nget Khun, human rights defender from Beoung Kak community in Cambodia, being carried away by security guards during the trial of 23 human rights defenders and garment workers on 25 April 2014. Since 2012, Cambodians have enthusiastically turned to social media networks to circumvent government media controls and disseminate information about police violence and other human rights abuses.**

Photo: LICADHO

Even in Laos, where the 2012 enforced disappearance of the well-respected activist Sombath Somphone has had a chilling effect on civil society, and where there is virtually no public debate on human rights issues, online activism could ultimately help combat fear and isolation by creating the kind of public scrutiny to which traditional media fails to subject state authorities.

*The Internet is different – and those in power know it.*

## ONLINE ACTIVISM MAKING A DIFFERENCE

The Sombath Initiative is an example of how online activism can challenge the government to honour its human rights obligations. The initiative is supported by Civil Rights Defenders and several other international human rights organisations. In 2016, Civil Rights Defenders prepared a briefing paper on the Lao government’s treaty obligations and commitments. In addition, Civil Rights Defenders and members and supporters of The Sombath Initiative released several statements during 2016, calling on the Lao government to fulfil its obligation to do its utmost to make the fate or whereabouts of Sombath Somphone known.


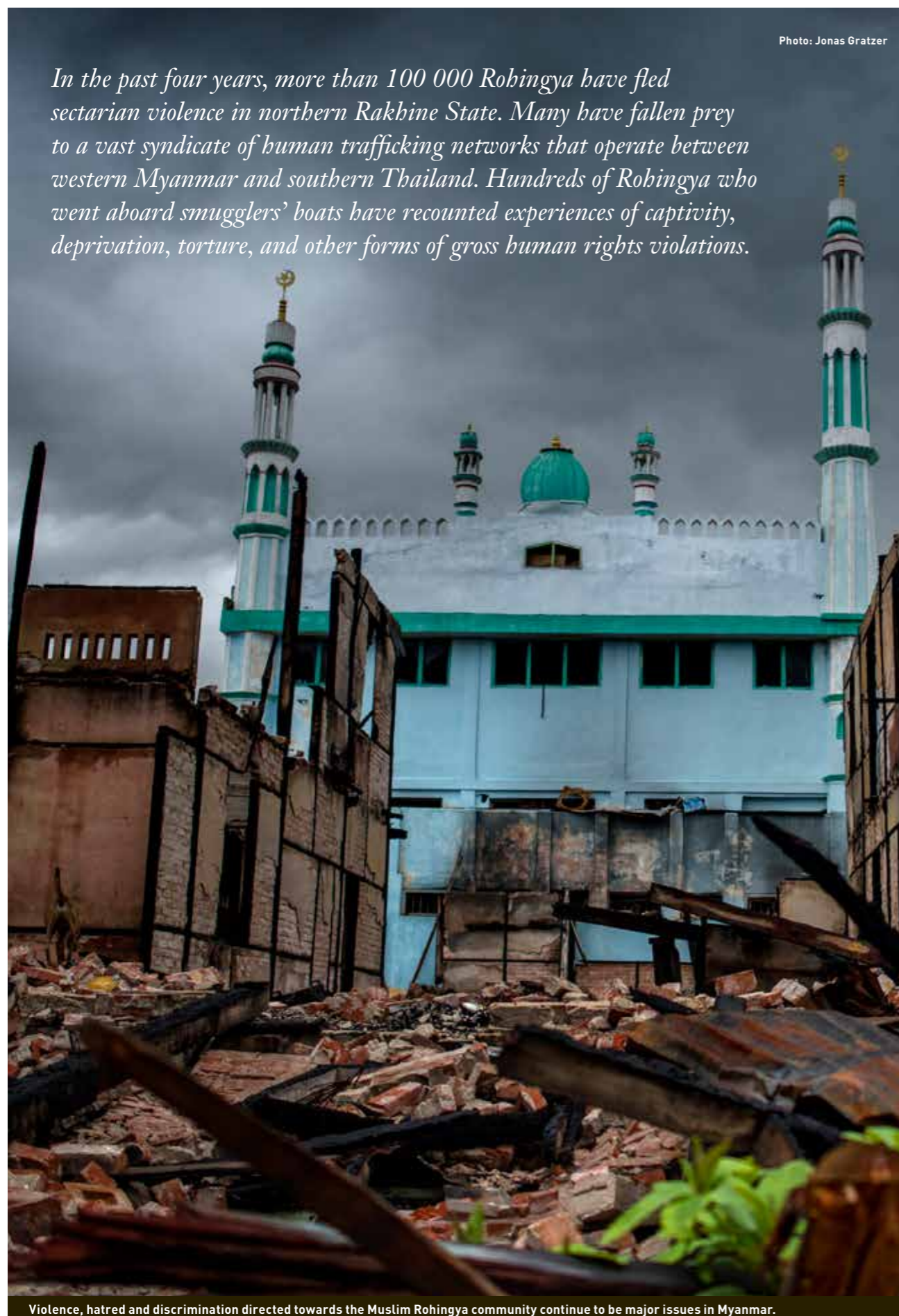
In Cambodia, Vietnam and Laos, the benefits of increased access to information and open debate for citizens by far surpass the risks associated with “fake news” and a lack of critical thinking. Despite threats, harassment, and repression, the fight for human rights and fundamental freedoms goes on. Those who hold power will not stop worrying about the game-changing potential of social media and online activism any time soon. 



Photo: Jonas Gratzner

*In the past four years, more than 100 000 Rohingya have fled sectarian violence in northern Rakhine State. Many have fallen prey to a vast syndicate of human trafficking networks that operate between western Myanmar and southern Thailand. Hundreds of Rohingya who went aboard smugglers' boats have recounted experiences of captivity, deprivation, torture, and other forms of gross human rights violations.*



Violence, hatred and discrimination directed towards the Muslim Rohingya community continue to be major issues in Myanmar.

# MYANMAR LOOKS THE OTHER WAY AS OPPRESSION AGAINST THE ROHINGYA CONTINUES

*In early October 2016, outbreaks of violence in northern Rakhine State escalated, following an attack on three border posts that left nine police officers dead. The government claimed that the attacks were carried out by Rohingya militants and retaliated with a disproportionate and ruthless counter-insurgency operation.*

**IN MYANMAR**, the situation for the Rohingya and Muslim minority has steadily worsened since 2012, with a renewed wave of sectarian violence towards an already vulnerable and marginalised community. The Rohingya have been persistently subjected to a systematic, state-sponsored campaign of violence, abuse, and discrimination.

Almost all access to northern Rakhine State has been sharply curtailed.

**Neither the independent media nor human rights organisations are able to freely investigate the situation.**

Harrowing allegations of rampant human rights abuses have surfaced since early October, including extrajudicial killings, rape, and torture. Satellite imagery indicates that more than 1 400 homes in northern Rakhine State, most of which belong to the Muslim community, have been torched and destroyed.

After entirely halting humanitarian assistance to a community that relied almost exclusively on it for survival, the government is now insisting that all aid towards conflict-ridden Rakhine must be routed through diplomatic channels and delivered exclusively by the government. The situation has led to dire food insecurity and malnutrition among the estimat-

ed 30 000 Rohingya, including children, who remain displaced after the last conflict escalation.

In the past four years, more than 100 000 Rohingya have fled sectarian violence in northern Rakhine State. Many have fallen prey to a vast syndicate of human trafficking networks that operate between western Myanmar and southern Thailand. Hundreds of Rohingya who went aboard smugglers' boats have recounted experiences of captivity, deprivation, torture, and other forms of gross human rights violations.

State Counsellor and Foreign Minister Aung San Suu Kyi has repeatedly renounced the term "Rohingya" to describe the 1.2 million inhabitants in Myanmar, insisting that government policy classifies them as "people who believe in Islam". Effectively erasing the Rohingya from the national lexicon constitutes yet another state failure to reverse an inherited official policy that has historically abetted hatred and discrimination against the Muslim minority.

Restrictions on freedom of movement have persisted since 2012, impeding access to basic services including health and education. The fact that the government still denies citizenship to the Rohingya only perpetuates this cycle of abuse. Amending and repealing discriminatory laws should be of high priority, including

the 1982 citizenship law. The international community has a responsibility to stand firm and encourage the new government, including the military, to take a rights-respecting approach to the ongoing crisis. Optimism about the new and "reformed" Myanmar cannot include looking the other way while an entire community is rendered stateless, nameless, and unprotected.

#### **CIVIL RIGHTS DEFENDERS IN MYANMAR**

Non-discrimination remains a core focus of Civil Rights Defenders' programme in Myanmar. Civil Rights Defenders supports the human rights defenders who fight on behalf of the Rohingya and against discrimination. We provide capacity-building support, including training with specific emphasis on physical and digital security. We help defenders create a working security network to respond immediately and effectively in emergency situations.

We lobby foreign governments to push local authorities to honour their human rights obligations under international law, stop the systemic discrimination against the Rohingya, and make tangible and institutional changes to improve their lives. We speak out on behalf of our partners and issue regular publications to mobilise international support on behalf of the Rohingya. 🇲🇲

# “MOTHER MUSHROOM” ARRESTED IN VIETNAM FOR CRITICISING THE GOVERNMENT

*Me Nam – “Mother Mushroom” – has been detained incommunicado since October 2016, which exposes her to a high risk of torture and ill-treatment. She has still not been allowed to see a lawyer, which clearly violates her right to a fair trial and due process of law.*

*Because of her activism for freedom of expression and other universal human rights, Vietnamese blogger Nguyễn Ngọc Như Quỳnh has been harassed and threatened by Vietnamese authorities on several occasions. On 10 October 2016 she was arrested and arbitrarily detained, accused of “spreading propaganda against the Socialist Republic of Vietnam”.*

**MS QUỲNH, ALSO KNOWN UNDER HER PEN NAME ME NAM** – which translates as Mother Mushroom – is one of five human rights defenders who have been awarded the Civil Rights Defender of the Year Award since its inauguration in 2013.

As a result of unlawful imprisonment and travel bans, three of the five recipients never made it to Stockholm to receive the award in person. Instead, an empty chair on the stage became a symbol for the laureates, all of whom share the risk of reprisals being meted out to them. In April 2015, an empty chair stood as a symbol for the courage of Me Nam, who, at the time, was unable to travel because her passport had been confiscated by Vietnamese authorities.

#### **MORE THAN 100 POLITICAL PRISONERS BEHIND BARS**

Since then, the authorities have stepped up their illegal actions against Me Nam and other bloggers and human rights defenders in the country. Today, she faces up to 20 years’ imprisonment under Article 88 of the country’s draconian Penal Code.


She has been detained incommunicado, which exposes her to a high risk of torture and ill-treatment. She has still not been allowed to see a lawyer, which clearly violates her right to a fair trial and due process of law.

She has also been denied visits from her family, including her 10-year-old daughter and 4-year-old son.

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**Along with Me Nam, more than 100 political prisoners remain arbitrarily detained under various national security provisions in Vietnam.**

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On 21 December 2016, 70 days after Me Nam had been detained, Civil Rights Defenders issued a statement calling for the immediate release of all imprisoned human rights defenders, activists, journalists, and bloggers, and urging the Vietnamese authorities to put an end to the persecution of independent and critical voices in the country. 

# DOES SWEDEN LIVE UP TO ITS REPUTATION?

Sweden has gained a reputation for being a vocal defender of human rights in the international arena. Yet the country fails to address serious human rights violations in its own backyard. When reviewed by the UN Human Rights Committee in March 2016, Sweden was criticised in several areas. The committee pointed out that courts, authorities, and municipalities lack practical knowledge of human rights.

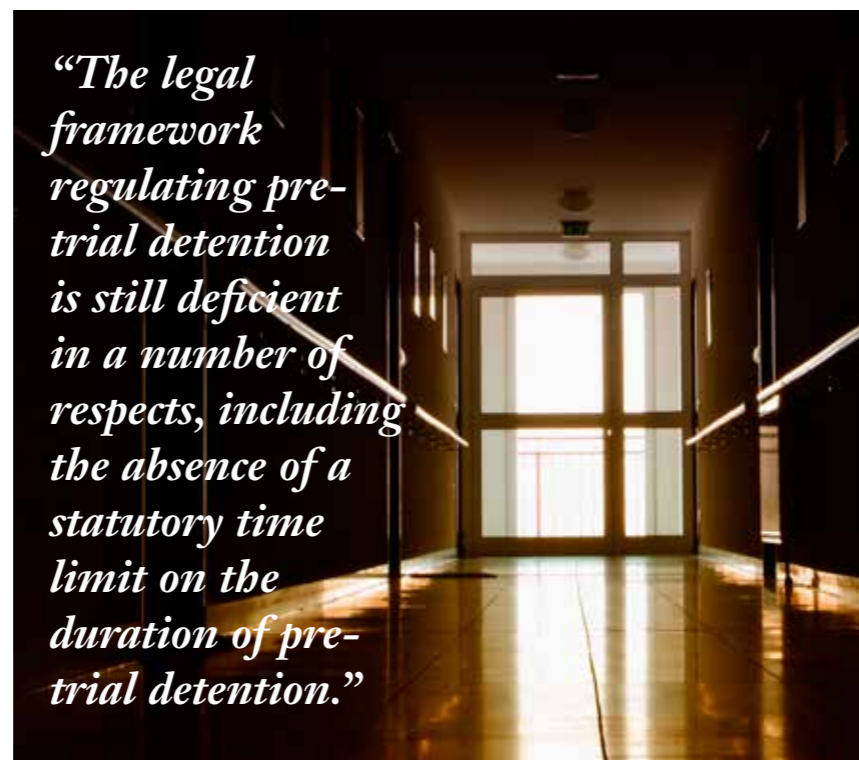
**THE MAJORITY OF CONCERNS** and subsequent recommendations were largely in line with the content of Civil Rights Defenders' shadow report, which had been submitted to the UN prior to the review. Among other things, the Committee criticised Sweden for extended pre-trial detention, stating that:

**"The legal framework regulating pre-trial detention is still deficient in a number of respects, including the absence of a statutory time limit on the duration of pre-trial detention."**

Echoing the arguments made in our shadow report, the statement demonstrates how voices from civil society are heard in the review process. More specifically, it reiterates one of Civil Rights Defenders' fundamental arguments, as submitted in our alternative report: that the Swedish government has failed to bring its legislation and practices into compliance with the country's international obligations to respect everyone's right to liberty and security of person.

Civil Rights Defenders also highlighted the need for the Swedish government to include non-Swedish Roma citizens in its efforts to strengthen the rights of Roma individuals at large. Hence, we welcomed the Committee's recommendation that Sweden should "ensure that all individuals within its jurisdiction, including vulnerable Roma citizens of other EU countries, enjoy equal rights without discrimina-

*"The legal framework regulating pre-trial detention is still deficient in a number of respects, including the absence of a statutory time limit on the duration of pre-trial detention."*



tion." Furthermore, the Committee recommended Sweden to identify ways of facilitating their access to social benefits, education, and healthcare.

Along with issues of extended pre-trial detention and the rights of Roma citizens, the Committee also expressed its concern with regards to discrimination and hate-speech, government surveillance, trafficking, deficiencies in asylum law, police violence and excessive use of force, and the

fact that indigenous Sami people are not guaranteed any decision-making impact with regards to issues of land and water extraction.

The UN, along with Civil Rights Defenders and other civil society organisations, now demands that measures be taken to rectify the human rights situation so that Sweden fully complies with the demands of the International Covenant on Civil and Political Rights. ♣

Fred Taikon is one of the eleven Roma individuals who Civil Rights Defenders represents in the lawsuit against the Swedish State.



Ethnic Profiling

## SWEDISH POLICE REGISTRATION OF ROMA CITIZENS

2016 marked the year when Sweden outranked 162 countries and was declared the "goodest" country in the world according to the Good Country Index. But one week after the announcement, on 10 June, the Swedish state was found guilty of ethnic discrimination. The reason was that the police in southern Sweden had registered several thousand Roma individuals in a much-criticised database.

**IN SEPTEMBER 2013**, the Swedish newspaper Dagens Nyheter had revealed that the police administration in Skåne, southern Sweden, had built a database and registered approximately 4 700 Swedish Roma citizens. Several authorities examined the legality of the register, among them the Swedish Commission on Security and Integrity Protection. While the register was declared illegal, the authorities evaded from commenting on its ethnic approach.

Civil Rights Defenders was determined to prove that the register constituted a clear example of ethnic profiling. In close cooperation with Roma activists, we filed suit against the Swedish state for violations of human rights. In May 2016, the case was heard by the Stockholm District Court, where Civil Rights Defenders acted as legal representatives for eleven Roma individuals who had been registered for no other reason than their ethnic origin.

The court ruling cited the European Convention on Human Rights as well as the historic discrimination against Roma individuals. It confirmed that the eleven individuals, three of whom are children, were registered solely because of their Roma origin. An appeal has been lodged by the Chancellor of Justice, questioning the level of monetary compensation for damages. Nevertheless, the Swedish state has, as a result of the court proceedings, admitted to discrimination in violation of the European Convention on Human Rights.

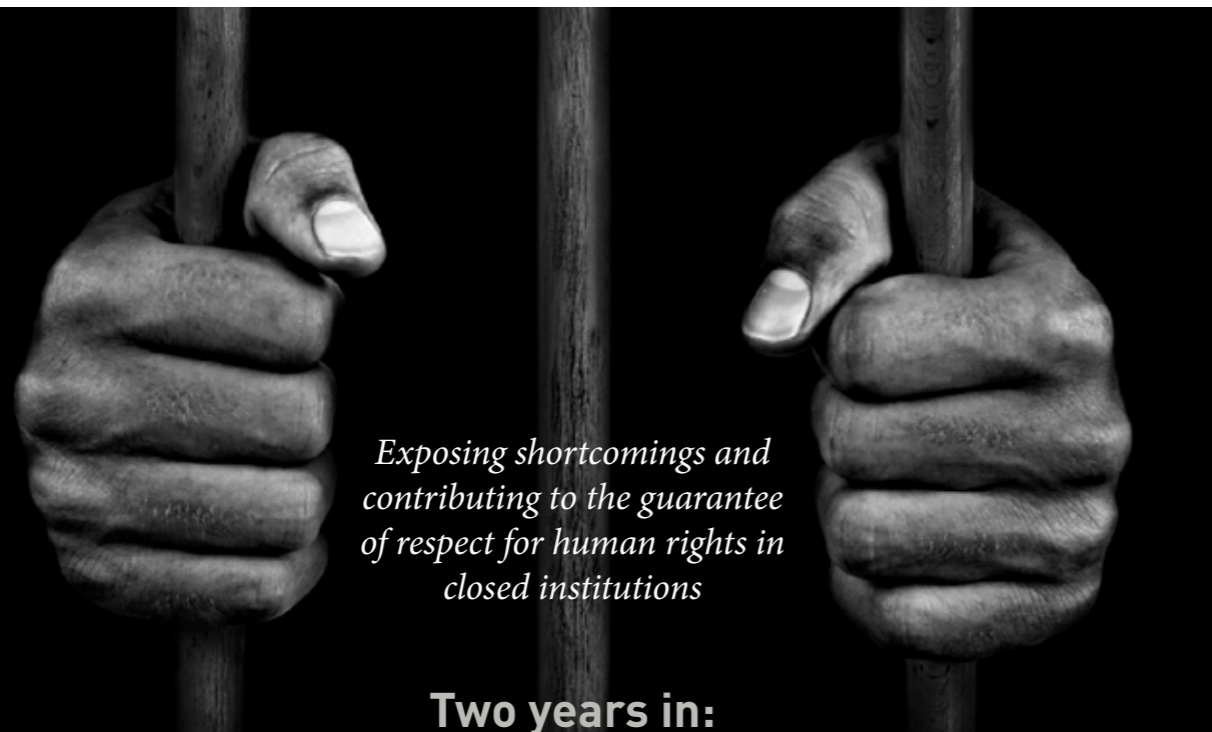
Although we are now looking towards the upcoming procedures in the Court of Appeal, where Civil Rights Defenders will continue to represent the eleven individuals, the success so far has been notable. Not only did authorities for the first time investigate the register's ethnic characteristics; but the long and emotional process also marked the beginning of important

*The importance of the case has numerous dimensions. But at its very core lies the principle of human rights.*

closure for the eleven Roma individuals. The case is a pilot case. Our ultimate goal is to ensure that all the victims registered on similar grounds are able to enjoy the same closure and redress.

The importance of the case has numerous dimensions. But at its very core lies the principle of equal rights.

**Sweden may well be the "goodest" country in the world; but when minorities and already vulnerable groups are excluded from its grace, it is simply not good enough. And regardless of how good Sweden is – when it comes to human rights, we will not compromise.** ♣



*Exposing shortcomings and contributing to the guarantee of respect for human rights in closed institutions*

Two years in:

## DETAINED – BUT NOT WITHOUT RIGHTS

**NOW IN ITS SECOND CONSECUTIVE YEAR**, our programme Detained – But Not Without Rights monitors the situation for people deprived of their liberty in closed institutions in Sweden. Over the course of 2016, Civil Rights Defenders and the Swedish National Council for Social and Mental Health (RSMH) developed new monitoring methods aimed at highlighting problems and drawing attention to violations of individuals' human rights before, during, and after their detention.

### **SURVEY SHOWS WIDESPREAD PROBLEMS**

In November 2016, Civil Rights Defenders and RSMH launched a survey for persons who are or have been admitted to a closed institution with compulsory treatment during the last five years. The survey will be carried out regularly and be used as a basis for analysis of the human rights situation in closed institutions. In the preliminary stage of analysis, Civil Rights Defenders found that more than half of the respondents have been subjected to coercive measures, and two thirds have been harassed, molested, or otherwise approached in an unwanted manner by staff or other patients.

Based on a broad analysis of the results – including interviews, statistics, existing reports, and other im-

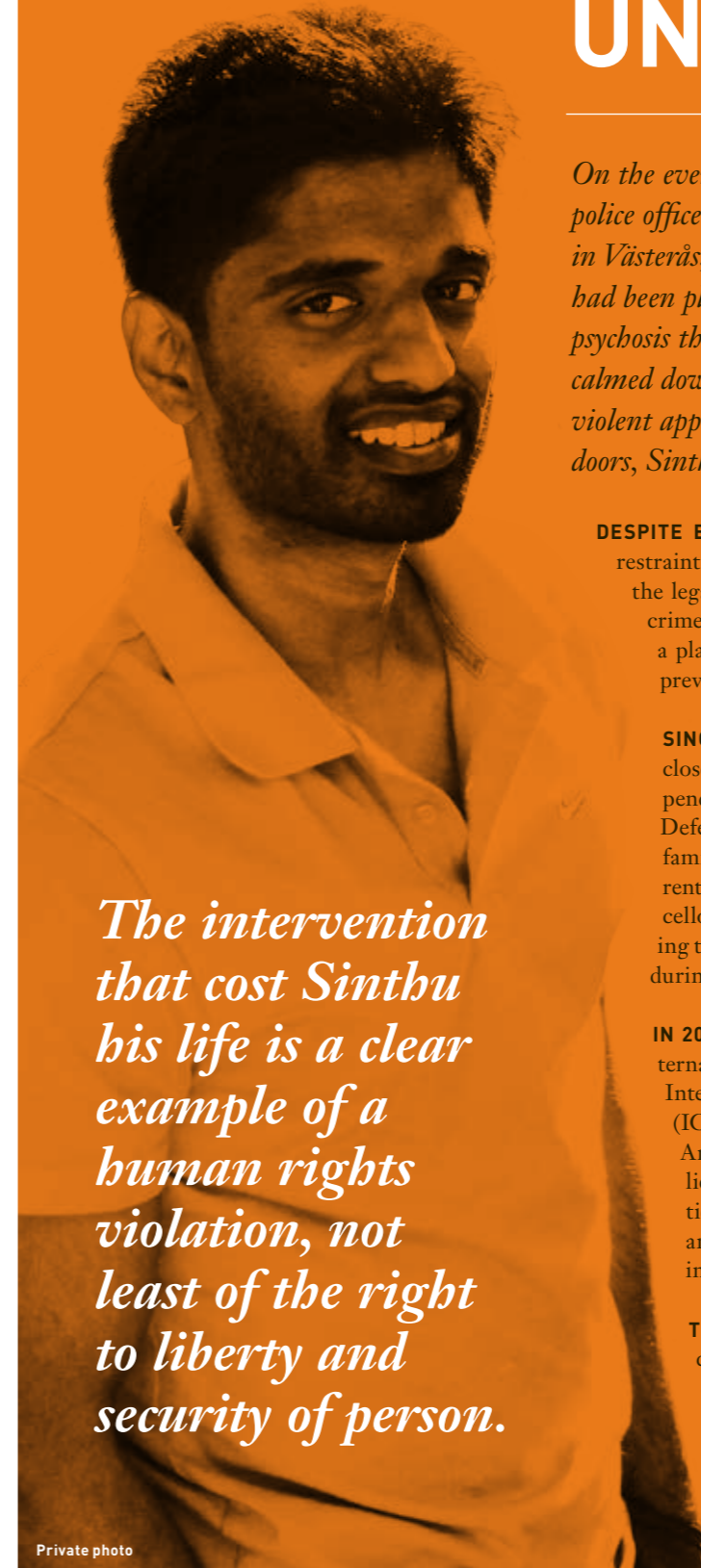
portant sources – Civil Rights Defenders advocates for necessary changes to ensure that Sweden fulfils its international obligations and that people in closed institutions are guaranteed their human rights. The aim is to monitor and influence the legal developments not only in Sweden, but also in Europe, advocating for our work to have an impact on European laws.

### **PROCEDURAL SAFEGUARDS KEY TO PROTECTING HUMAN RIGHTS**

Recently, Civil Rights Defenders and RSMH submitted an alternative report to the European Commission on procedural safeguards for vulnerable persons suspected or accused in criminal proceedings. The report provides substantial recommendations on measures needed to ensure respect for human rights.

“The report shows how complex this subject is and how important it is to ensure procedural safeguards for vulnerable persons. We will continue our work to find solutions and good practices from other countries, but also to chart the challenges in key procedural rights issues”, says Annika Åkerberg, human rights lawyer at Civil Rights Defenders. 🗣️

## Case: POLICE VIOLENCE GOES UNPUNISHED



*On the evening of 10 December 2014, five Swedish police officers entered a room at a psychiatric facility in Västerås, where 28-year-old Sinthu Selvarajah had been placed after experiencing a serious psychosis the day before. Even though Sinthu had calmed down, the police decided to intervene with a violent approach. A few minutes later, behind closed doors, Sinthu stopped breathing.*

**DESPITE EVIDENCE OF MISCONDUCT**, such as prohibited restraint techniques and pepper spray applied far beyond the legally accepted limit, the prosecutor stated that no crime could be proven and closed the case. At one point, a plastic bag had been used to cover Sinthu's mouth, preventing him from breathing freely.

**SINCE IT WAS FIRST OPENED**, Sinthu's case has been closed twice, which demonstrates the lack of independent and effective investigation. Civil Rights Defenders, acting as legal representative for Sinthu's family, is determined to seek justice and redress. Currently, damage actions are being brought to the Chancellor of Justice for the wrongdoings of the police during the intervention and for the prosecutors' omissions during the subsequent investigation.

**IN 2016**, Civil Rights Defenders submitted a joint alternative report about Sweden's compliance with the International Covenant on Civil and Political Rights (ICCPR) to the UN Human Rights Committee. Among other things, the report highlights the police authorities' insufficient knowledge of disabilities and human rights, as well as the failure of courts and state agencies to interpret national legislation in light of international human rights standards.

**THE INTERVENTION** that cost Sinthu his life is a clear example of a human rights violation, not least of the right to liberty and security of person. If no one is held accountable for these violations, Civil Rights Defenders stands ready to bring the case to the European Court of Human Rights. 🗣️

*The intervention that cost Sinthu his life is a clear example of a human rights violation, not least of the right to liberty and security of person.*

Private photo

One of the participants in the Human Rights Defenders Mentorship Programme in Kenya in 2016.



Photo: HURIA

East and Horn of Africa:

# HOPE AND DESPAIR

*The East and Horn of Africa region is full of paradoxes. Economic growth and simultaneous erosion of democratic practices make for the most striking contrast. In 2016, five of the ten “fastest growing economies” in Africa could be found in this region. The region also recorded its highest share of Foreign Direct Investment (FDI) in 2015 as a culmination of years of steady growth, albeit with a bumpy road ahead. However, issues hindering democratisation could potentially threaten all these gains.*

**THE REGION LAGS** far behind in the process of democratisation. Not a single country in East and Horn of Africa has ever made it into the “Free” countries category in the annual Freedom in the World Index. Currently, only Kenya and Tanzania are designated as “Partly Free”, whereas the other eleven countries remain in the “Not Free” category. Human rights defenders (HRDs) in Kenya and Tanzania worry that their countries will fall for the temptation of authoritarianism, which seems entrenched in the region. Correspondingly, HRDs in other countries in the region constantly wish for their governments to catch up with Kenya and Tanzania. But that is as much as they dare to hope for, for the time being.

Few promises of democratic transition have been made and the HRD’s worries are not without reasons. The Ibrahim Index of African Governance (IIAG) clearly shows that, since 2006, the East and

Horn of Africa region has made the least improvement when it comes to “Participation & Human Rights”. Similar conditions inform the harsh socio-political environment in which HRDs operate. Civil Rights Defenders believes it to be imperative to support HRDs and local civil society organisations working under such precarious conditions. Our work in the region covers a wide range of issues. Here, we highlight a few key focus areas for 2016.

#### **GROOMING A NEW GENERATION OF HUMAN RIGHTS DEFENDERS**

Civil Rights Defenders is aware of the importance of empowering a new generation of HRDs in the region, and encourages partners to involve youth and women in all our engagements. With our support, the Mombasa-based **Human Rights Agenda (HURIA)** implemented a project to empower emerging HRDs and advance

human rights in the media, through a **Human Rights Defenders Mentorship Programme**. The programme brings together 16 carefully selected emerging HRDs and journalists. It is designed to link them up with mentors and human rights institutions who support peer learning and experience sharing on a range of topical human rights issues in Kenya. The project seeks to address the most critical missing link between powerful sections of society and the human rights sector, which needs renewed energy. The project achieved its twin goal of empowering young HRDs with knowledge and skills and increasing local media coverage of violations through the reporting work of the participants. Combined, these efforts increased the visibility of participating HRDs and civil society organisations.

**CYBER SECURITY AND INTERNET FREEDOM**

Understanding existing laws is one of the first steps towards defending and promoting human rights. That is why Civil Rights Defenders has collaborated with **Unwanted Witness Uganda** to compile a comprehensive analysis of the country's cyber laws. This collaborative project involves Unwanted Witness, Ugandan civil society organisations and parliamentari-



Geoffrey Wokullira Ssebagala, CEO of Unwanted Witness.

ans, Civil Rights Defenders' legal department, and postgraduate students from Uppsala University in Sweden. The analysis found that a number of legal provisions under different laws in Uganda breach both the country's own constitution and international standards. The findings have been published in a report and made available for public use. Unwanted Witness circulated the report and presented the findings to local journalists and international partners. Consultative meetings with members of parliament form an integral aspect of the project, which aims to advocate amendments and changes to Ugandan legislation. The analysis is the first of its kind in the

region and serves as an advocacy tool as well as a resource for interested parties. The project brought cyber security into the public discourse and increased the visibility of our partner, both in Uganda and abroad.

**INVESTIGATING HUMAN RIGHTS VIOLATIONS**

Human rights violations that are NOT investigated and well-documented risk being "forgotten" and repeated. Victims are denied justice; perpetrators escape ac-

countability. The majority of our partners in the East and Horn of Africa region engage in documenting local human rights violations. However, very few of these violations are investigated further with the aim of setting the record straight, achieving justice for victims, or fighting impunity. In most cases, local civil society organisations do not initiate such investigations. Civil Rights Defenders supports several partners in the region to conduct their own investigations of grave human rights

violations. Our support enables partners to use their knowledge and skills, build their institutional capacity to conduct local investigations, and influence decision makers based on their findings. Such initiatives also improve the quality of advocacy activities for redress and accountability.

**PREPARING FOR THE DIGITAL AGE**

An increasing number of human rights defenders are becoming connected online. They turn to digital platforms to exchange

information, to collect and spread human rights related news, to advocate for change or the release of an imprisoned HRD, and to raise funds, among other things. At the same time, HRDs are also targets for internet hacking and electronic surveillance. Civil Rights Defenders is invested in equipping HRDs with the necessary knowledge and skills to ensure their physical and digital security. Partners in all the countries where we work benefit from our physical and digital security training and

resources. Thanks to this engagement, our partners are digitally safer today than yesterday.

**Challenges in the areas of human rights in East and Horn of Africa require much greater investment during the coming years. Civil Rights Defenders is on the right track to meet the challenges by empowering human rights defenders across the region. This is only the beginning.**



Four of the participants in the Human Rights Defenders Mentorship Programme in Kenya 2016.

*The project seeks to address the most critical missing link between powerful sections of society and the human rights sector.*

*Civil Rights Defenders is on the right track to meet the challenges by empowering Human Rights Defenders across the region. This is only the beginning.*

Photo: HURIA

Munira Hamisi, participant in the Human Rights Defenders Mentorship Programme in Kenya 2016.



## “Training the Younger Generation Means Thinking About the Future”

**A NEW AND SPIRITED GENERATION** of human rights defenders is emerging throughout the East and Horn of Africa region. In Kenya, Civil Rights Defenders offers support through collaboration with our partner, Human Rights Agenda (HURIA). In 2016, HURIA conducted training with focus on advancing human rights via the media. This training was specifically designed to strengthen the relationship between young human rights defenders and the local media.

One of the participants was Munira Hamisi, 24 – a young human rights defender dedicated to working for a better society.

### What is it like to be a young human rights defender in Kenya today?

Considering that even the most experienced human rights defenders face major difficulties in advocacy, it is challenging for me as a young human rights defender. Despite important social and political reforms that have taken place in the last decade, including the adoption of a revised constitution, human rights defenders continue to be subjected to threats, arbitrary arrests, and deadly violence.

### What are your major concerns at the moment?

Lately, the government has attempted to introduce new laws and amendments governing the civil society sector. One of the provisions is set to limit the funding that civil society organisations can receive from external sources. The government has already de-registered 510 NGOs for alleged failure of reporting, money laundering, and financing terrorism. If human rights defenders were no longer recognised in our country, more widespread human rights violations would occur as the advocacy would disappear.

### And what kind of violations would you say are predominant in Kenya now?

Kenya has been criticised with regards to extrajudicial killings, especially in the fight against organised crime and terrorism, refugee rights, and the failure to address

issues of internally displaced persons. Also, the suppression of press freedom, adoption of a law that criminalises freedom of expression, and the punitive approach to civil society are areas of major concern. Another issue right now is the upcoming election; I am afraid that people are so tired of corruption that they will not vote.

### Do you see any progress at all for human rights defenders in Kenya?

I could say that there has been progress despite the war against human rights defenders. They have stayed strong and fought back to prove their importance in the society and for human rights. Then again, I could just as well say that there has been little or no progress at all, since the government has never liked the work of human rights defenders and think that all they do is to expose the government.

### What did you think of the training with HURIA?

The support from HURIA was a big boost to what I do. I was grateful to be one of the associates in their mentorship programme, which bridged the gap between the media and human rights defenders. As a result, I was able to partner up with a fellow human rights defender; a journalist with the Voice of America (VOA) whom I met at the programme. I can now use the VOA platform to advocate the government to live up to its promises. However, these initiatives happen quite rarely and I would like that to change. Training the younger generation means thinking about the future.

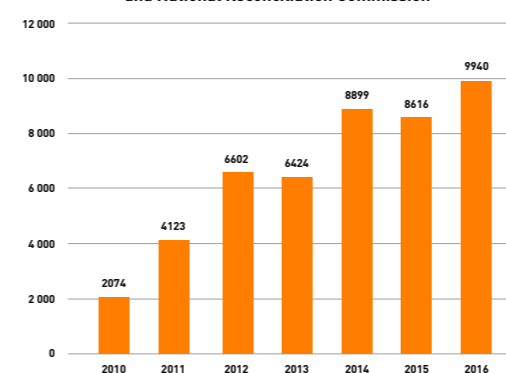
### Where do you see yourself in five years?

In five years I see myself as a human rights defender. I see myself aiming to reduce the number of human rights violations, particularly violations against vulnerable societies in the coastal region of Kenya. I will only achieve this if the government starts seeing civil society in a different, positive, way. In five years, I hope my country is a place where each and every individual respects the rule of law and each other's rights. 📌

# TACKLING OLD PROBLEMS WITH NEW SOLUTIONS

*Being able to collect evidence and report on human rights abuses is crucial to the work of human rights defenders. But information is often insufficient, inaccessible, or insecure. In Cuba, the Human Rights and National Reconciliation Commission – one of the oldest human rights organisations in the country – keeps a large quantity of their reports in boxes and storage. They are unable to compile reports, which are presented in unwieldy Word formats, in a way that allows for analysis and advocacy.*

Number of arbitrary arrests recorded by the Cuban Human Rights and National Reconciliation Commission



The Defenders' Database helps Cuban human rights defenders and organisations to safely upload and store information on arbitrary arrests and other human rights abuses.

**DETERMINED TO COME UP** with a solution to these issues, the Latin America Department at Civil Rights Defenders initiated a project to meet the needs of Cuban human rights defenders. In early 2017, this project resulted in the Defenders' Database (DiDi) – an easy-to-use IT tool that allows defenders to safely upload and store information, old and new. With just one click, any number of cases can be compiled in the database.

DiDi's potential was notable already during its first presentation. One of Civil Rights Defenders' new partners, Roberto Guerra from Hablemos Press, teared up

when watching years of work compiled on one platform where all the information can be managed easily. The Cuban Human Rights and National Reconciliation Commission has already uploaded over 7 000 reports to DiDi. In seconds, they can now produce yearly or regional statistics on violations against human rights defenders. Before DiDi, this would have required days of hard work for several people. DiDi allows them to immediately generate files to identify victims or perpetrators, and access information on where and how many times these individuals have been subjected

to or involved in human rights violations. These new possibilities offer tremendous potential for future transitional justice exercises, not only in Cuba but in most regions where Civil Rights Defenders operates.

**“In the East and Horn of Africa region, most of the documentation is neither complete nor up to date. And the files are rarely archived safely or analysed systematically. Moreover, the documentation is not available for third parties for further research and advocacy. Therefore, the need for tools such as DiDi is immense”,**

says Mesfin Negash, Programme Director for the East and Horn of Africa Department at Civil Rights Defenders.

Next up for the Latin America department is to continue improving and adding features to DiDi. We will make sure that new knowledge gained from feedback upon initial implementation is taken into account and that it remains at the very edge of available technology – online and offline. The Latin America department also plans on making all public reports available for third parties – such as donors, scholars, and the media – in order to draw attention to attacks against human rights defenders and provide the most up-to-date statistics at any given moment.

**“We hope that DiDi will improve both our own reporting on violations as well as that of our partners, so that we together can build an efficient database for all countries that we work in. This will improve our joint advocacy capacities and also give us the possibility to contribute to transitional justice processes in many countries”,** says Erik Jennische, Programme Director for the Latin America Department at Civil Rights Defenders. 📌



Erik Jennische

# BRAND NEW AGREEMENT, SAME OLD CUBA

Photo: Claudio Fuentes

*“Organisations like Estado de Sats and Damas de Blanco will continue to advocate democratisation of the island.”*

—Antonio Rodiles

Ivón Lemus is a member of Damas de Blanco (Ladies in White); a civic movement founded by relatives of jailed dissidents in Cuba. Together with Estado de SATS and other civil society groups they advocate democratisation on the island.

*“If the European Parliament wants to act in coherence with its own policies and traditions, it should not approve a cooperation agreement with Cuba. What it should do is demand respect for human rights and fundamental freedoms. That is a core requirement for the establishment of any normal relation with Cuba.”*

**THE QUOTE ABOVE BELONGS TO ANTONIO RODILES**, the coordinator for the Cuban organisation Estado de Sats and one of the most vocal human rights defenders in Cuba. When asked about the Political Dialogue and Cooperation Agreement between the European Union and Cuba, which is to be debated and approved in the European Parliament during 2017, Antonio Rodiles expressed deep concern.

**“Accepting a dictatorship as a normal country is dangerous. It sends strong and wrong signals to other countries in, for example, Asia, Africa, and Latin America.”**

Signing the agreement, the European Parliament would not only recognise but also legitimise the Cuban regime. At the same time, it ignores important input from the political opposition and independent civil society within the country”, says Antonio Rodiles.

**FOR A LONG TIME**, the international community’s approach to Cuba was clear – without change, there would be no cooperation. Twenty years ago, the abysmal situation for human rights and democracy was reason enough for the EU to develop a Common Position on Cuba, stating that “full cooperation with Cuba will depend upon improvements in human rights and political freedom”. Today, while the situation remains unchanged, the common position seems to have drifted. In 2016, the EU signed the Political Dialogue and Cooperation Agreement with Raúl Castro.

**“THE NEW AGENDA** does not prioritise or promote either democracy or human rights; the agreement is clear on that”, says Antonio Rodiles. “It is disturbing to read that the EU will respect a judicial framework where human rights and fundamental freedoms are violated by law”, says Antonio Rodiles.

**SINCE 2014**, Civil Rights Defenders, Estado de Sats, and other Cuban human

rights organisations have been advocating extensively for the inclusion of civil society and Cuban human rights defenders in the process of negotiating the agreement. Our analysis of the agreement and the process is outlined in our report “Nothing but a Dialogue on Human Rights”, published in December 2016. The report concludes that the Cuban government’s strategy for the coming years is transparent: it does not include any reforms with regards to the political system or human rights. The report further concludes that the EU has failed to promote real change. Instead, Estado de Sats, other civil society organisations, and human rights defenders have seen first-hand how oppression intensified during 2016.

**“THE REPRESSION INCREASED** as the regime received political legitimacy from international actors. Realising that there would be no consequences for committing human rights violations, they continued acting with total impunity. Sooner or later, if this does not stop, we will see increased violence also as measures of resistance. However, organisations like Estado de Sats, Damas de Blanco, and others included in the political platform The Forum for Rights and Freedoms, will continue to advocate democratisation of the island”, says Antonio Rodiles.

**HOWEVER**, without pressure both from inside Cuba and from the international community, Antonio Rodiles doubts that we will see a democratic Cuba in the near future. Instead, the country continues to walk in the footsteps of its former dictator.

**“EVEN AFTER 2006**, Fidel Castro lingered like a shadow over Cuba, and Raúl Castro kept using him to legitimise his own actions. Now that Fidel is dead, I do not believe that any major changes will occur. Raúl Castro will continue on as usual until stepping down and then, likely, he will hand over the power to his son. The regime is working on that right now, and they have



Photo: Claudio Fuentes

Antonio Rodiles

*“The repression increased as the regime received political legitimacy from international actors. Realising that there would be no consequences for committing human rights violations, they continued acting with total impunity.”*

—Antonio Rodiles

been creating a new loyal network to transfer the power to. To think that the regime in 2018 would be any different from today’s would be to believe in pure fiction. Raúl Castro has seen how power transfer works and he will try to repeat the same formula so that the control stays in the hands of the Castro family. The only way to disrupt their plans is through internal and external pressure”, says Antonio Rodiles.



# NEW WAVE OF REPRESSION HITS VENEZUELAN CIVIL SOCIETY

*The rise of street protests reached new heights in 2016 after the authoritarian leadership of President Nicolás Maduro intensified its state-sponsored attack on civil and political rights. The uprisings have been met with violence and increased numbers of political arrests in an attempt to bring Venezuelan civil society to its knees.*

**IN 2016, CONSUMER** prices rose with 800 percent, provoking a wave of looting in supermarkets. The last decade's surge in criminal violence continued; Venezuela has one of the highest homicide rates in the world. As when protests flared across the country in 2014, this year has seen an increase in political violence and arrests.

The human rights organisation Foro Penal Venezolano reported 2 732 cases of political arrests in Venezuela in 2016. In

Táchira, a border state to Colombia and home to one of the country's strongest protest movements, the situation is worsening notably.

"The repression against protesters is now stronger and more overwhelming. Previously, protesters were more political, but now they focus on acute social and economic problems. People now protest against things such as the bad quality of public service, lack of food and medicine, and prices on public transport", says Raquel Sanchez, Foro Penal's coordinator in Táchira.

**IN THE REPORT** "Leaving Democracy Behind", Civil Rights Defenders highlights the 2014 arrest of student protester Carlos Villamizar Guerrero in Táchira's capital San Cristobal. He was run over by a police motorcycle, beaten, and put in a police truck where the violence continued. Six days after his arrest, still imprisoned without medical treatment, he fainted and was taken into intensive care. Three weeks later he was sent home in a wheel chair and put under house arrest. After a month, the arrest was changed to precautionary measures, including a travel ban and the requirement that he present himself in court every other week.

"Nothing has changed in his case since then. And if he was to take part in any other protest, that would severely impact the possibility of him being acquitted. Furthermore, nothing has changed in his case against the policemen who beat him up either. They are all identified, but no one has been charged with anything", says Raquel Sanchez.

**IN THE SECOND HALF OF 2016**, eight political prisoners remained behind bars in Táchira. Four hundred miles away, in a Caracas prison, the Táchira representative to the national assembly, Rosmit Mantilla,

la, saw his second year of imprisonment continue into a third. The imprisonment of Rosmit Mantilla had sparked a wave of civil society campaigns, both nationally and internationally. During the

conference Defenders' Days in April, Civil Rights Defenders highlighted his case to put pressure on the international community to campaign for his release.

"He was eventually released in November after having spent almost two and a half years in prison", says Raquel Sanchez.

**THE AUTHORITIES IN VENEZUELA** use a strategy of circulation for political prisoners: when new ones are arrested, others are released. This leaves a steady number of individuals imprisoned on politically motivated charges. Since Nicolás Maduro assumed power in 2013, the numbers have increased rapidly from 13 to a 103 political prisoners in 2016. During this period, 429 individuals have been arbitrarily imprisoned for political reasons. Foro Penal calls the government's circulation strategy a "policy of revolving doors".

**"The government uses the prisoners as trading tokens in negotiations with the opposition.**

They let some prisoners out when they want to create conditions for dialogue, but then they detain another group some days later. Many of them have spent years in prison without fair trials, and are then let out without correct legal measures", says Raquel Sanchez.

This leaves the population discouraged about the opposition's capacity to contribute to change through negotiation.

"It has also increased the fear among Venezuelans for taking a clear stand against the government. Uniting with the opposition and civil society is seen as dangerous", says Raquel Sanchez. ♣



Photo: Meridith Kohut/Bloomberg via Getty Images



*"The repression against protesters is now stronger and more overwhelming."*

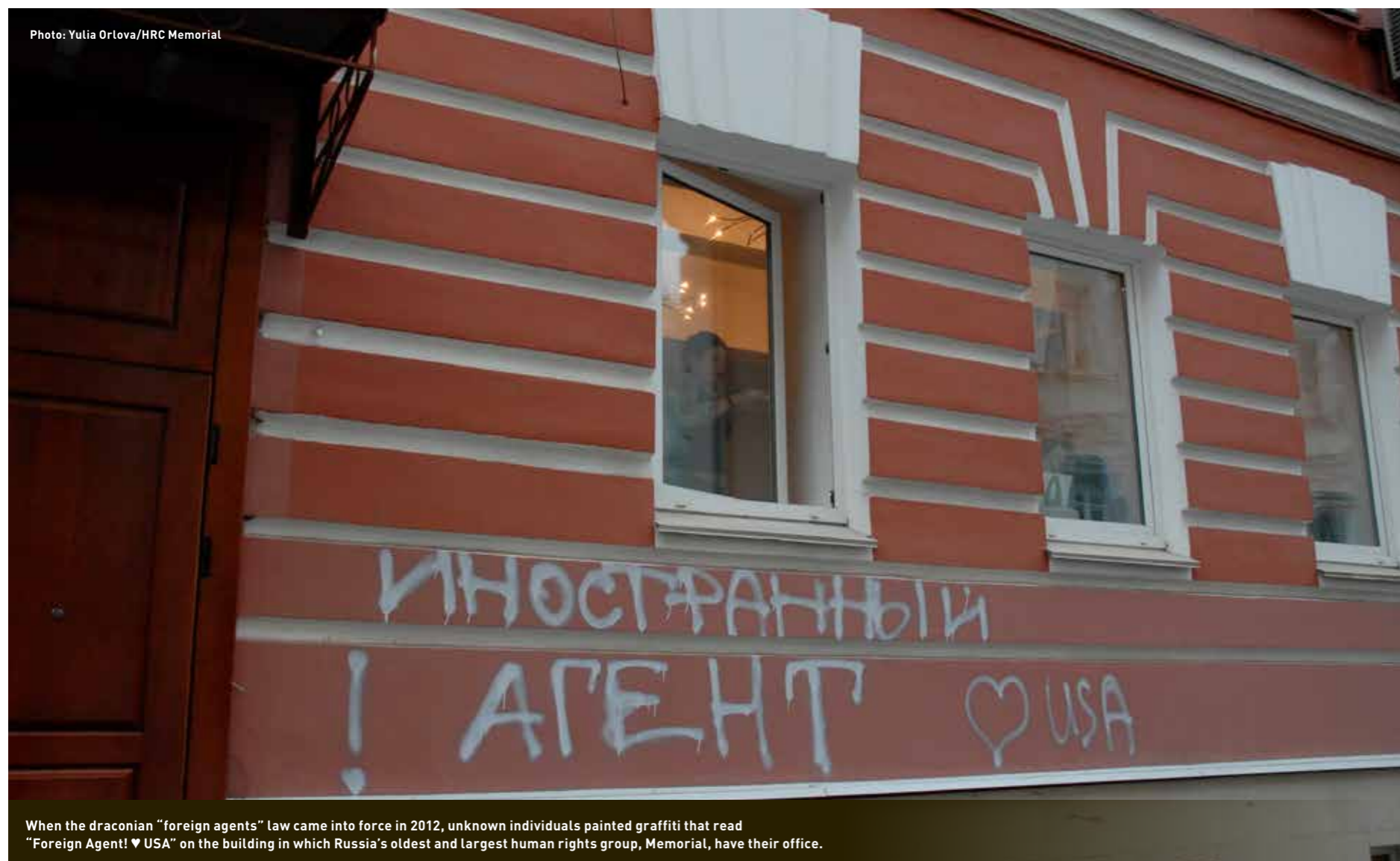
—Raquel Sanchez

An opposition supporter wears handcuffs and chains to protest the leadership of President Nicolás Maduro in Caracas, Venezuela on 19 September, 2015.

# WHO WILL SPEAK UP?

## Fighting for Human Rights Against All Odds in Putin's Russia

Photo: Yulia Orlova/HRC Memorial



When the draconian "foreign agents" law came into force in 2012, unknown individuals painted graffiti that read "Foreign Agent! ♥ USA" on the building in which Russia's oldest and largest human rights group, Memorial, have their office.

*President Putin leads the way as the Kremlin steps up its aggressive efforts to silence all remaining free voices for human rights in Russia. His signature weapons range from demonising legislation and state persecution, to unleashing the Federal Security Service (FSB) on a witch-hunt to find, interrogate, and harass human rights organisations.*

**LAST YEAR**, Civil Rights Defenders' partner, the human rights organisation Citizens' Watch, fell victim to state harassment. Its Director, Elena Shakhova, was summoned to the FSB for interrogation. Like almost every other Russian human rights organisation, Citizens' Watch has been under pressure from the authorities for a long time. This pressure intensified when Vladimir Putin returned to power in 2012. During his first year back in office, the Kremlin adopted the widely

criticised "Foreign Agents" law, which demonises human rights organisations and forces them to register as "spies".

**"THE LAW FORCES NGOS** to register as foreign agents if they receive any funding from abroad and engage in so called 'political activity'. Most NGOs in Russia have to apply for foreign funding because financial support from Russian businesses and private donors is scarce. Almost all human rights organisations receive grants and donations from foreign sources. As far as political activities are concerned, nearly every type of NGO activity can be interpreted as political, as the practice has shown", says Elena Shakhova.

The limited number of organisations still operating in Russia, in spite of the worsened situation, put great efforts into promoting and protecting human rights. But the struggle is as difficult as the Kremlin's message is clear – critical voices will not be accepted.

**"One would expect the government to support human rights organisations both financially and, more importantly, morally, by creating public policy that would favour and promote civil initiatives. However, over the last few years we have witnessed the exact opposite.**

The government has chosen a policy of excessive control over NGOs – in general, a repressive policy", says Elena Shakhova.

**WHEN ELENA WAS SUMMONED** by the FSB, it became clear that this was yet another way for the government to put pressure on Citizens' Watch and their work. The FSB demanded to know from where the organisation receives foreign funding as well as with whom, specifically, Elena communicates on this subject. She was further asked whether or not the organisation was going to carry out any projects to monitor the Duma elections in 2016. The interrogation is a striking example of the authorities' resistance to the inclusion of civil society in the shaping of public opinion within Russian society.



Elena Shakhova is the Director for the Russian human rights organisation Citizens' Watch.

**"THE THING IS THAT**, since Soviet times, public opinion has been primarily shaped by the authorities. Hence, the ideas of fairness, inalienability of human rights, and the necessity to protect the rights of individuals and thus attain common advantages are not perceived as valuable in people's minds. A person may condemn the authorities, but at the same time be afraid of reprisals. This contradiction has led to a situation in which a person prefers to adapt to the circumstances, avoid taking responsibility, and shift his or her own fears onto anyone who differs from the majority. In a time of recession, it can cause social tensions and even serious conflict.

**It is going to be more and more difficult to develop civil initiatives in a hostile environment, and so Russian society risks losing the tools of self-regulation", explains Elena Shakhova.**

Despite the limited space for critical voices in Putin's Russia, Citizens' Watch continues its work against all odds. In 2016, Civil Rights Defenders partnered up with the organisation to collaborate on a more thorough approach to combatting racist hate-speech and discrimination. In a society where lack of information is a grave obstacle, Civil Rights Defenders and Citizens' Watch make it a priority to provide legal aid, information, and assistance to those who have been victimised. ♡

# FIGHTING AGAINST IMPUNITY FOR GRAVE HUMAN RIGHTS ABUSES IN CHECHNYA

*Ekaterina “Katya” Vanslova is young but tough. Only 26 years old, she is one of several women in a team of two dozen human rights lawyers working for the Russian Committee for the Prevention of Torture (CAT). She is well aware of the risk to her own safety, yet continues to fight alongside her colleagues against grave human rights violations.*



Graves of four unknown men and one unknown woman in Makhachkala in the Republic of Dagestan situated in North Caucasus, Russia. The sign on the far right states “Remains of corpse no. 44. Buried 28.08.16”. Local human rights activists have informed that this is a special cemetery where the police and secret service bury people who have been subjected to extrajudicial killings.

**When asked to escort a group of journalists traveling on a press tour to Chechnya in 2016, she gladly agreed, despite the potential danger of the assignment.**

The risks were not new. CAT staff members have been exposed to violence on numerous occasions. Two attacks had al-

ready been launched against their office in Chechnya – once it was burned down and a second time a group of masked perpetrators, equipped with baseball bats and iron bars, staged a violent break-in. As they were smashing all of the equipment, the staff members fortunately managed to escape through the windows to the backyard.

**ON THE EVENING OF 9 MARCH**, Katya and the press group – including correspondents from Russian and foreign media, such as the New York Times and the Swedish Radio – approached the administrative border of Ingushetia and Chechnya. But their vehicle did not make it across before coming under attack. While Katya got away with only minor injuries, some of the other passengers were beaten and later had to be hospitalised.

None of the 20 masked and armed perpetrators has been held accountable. The incident is yet another example of the impunity that permeates the region at large.

**Despite tremendous pressure, threats, and attacks, Katya and her colleagues continue to fight against impunity for grave human rights abuses committed by local and federal law enforcement, secret service, and military in the North Caucasus region of Russia.**

It is a significant achievement that they are still able to monitor abuses and provide free legal aid to victims of human rights abuses. Igor Kalyapin, Head of CAT, says that their “work sets a limitation on dictatorship in Chechnya”.

**AS CAT’S PARTNER ORGANISATION**, Civil Rights Defenders is active in the region, providing support to local as well as national groups and independent human rights advocates. We provide training in areas such as litigation in

Photo: Misha Potunin



Ekaterina “Katya” Vanslova works for the Russian Committee for the Prevention of Torture.

*Despite tremendous pressure, threats, and attacks, Katya and her colleagues continue to fight against impunity for grave human rights abuses in the North Caucasus region of Russia.*

local courts and in Strasbourg, safe data storage and communication, and burn-out prevention. Civil Rights Defenders has gained the attention of politicians and officials in Sweden and abroad. We aim to highlight the precarious situation in Chechnya and the North Caucasus region at large, as well as the risks that human rights defenders in the region are forced to face.

**SO FAR, NOT A SINGLE PERPETRATOR** of grave human rights abuses has been sentenced in Chechnya. Even so, CAT has, in almost every case they have worked on, succeeded in getting local courts to issue decisions about the lack of effectiveness in official investigations. They have won a dozen cases in the European Court of Human Rights. The Strasbourg court has established the involvement of the Russian

state, and in some cases local authorities in Chechnya, in the atrocities. As a result, Russia has been forced to pay millions of Euros in compensation to those whom the court has ruled in favour of. In a region where the state has failed on many accounts, such rulings are hugely important for the victims and their families as well as future generations in their search for justice and truth. ♣

# EXCHANGING SKILLS OUTSIDE THE REPRESSIVE BUBBLE

Joint training for Azerbaijani and Belarusian human rights lawyers



Exhibition at Defenders' Days 2016: Drawing for Freedom. The drawings show a few of the several former and current political prisoners in Azerbaijan. They have all fallen victims of repressive legislation that particularly target human rights defenders, human rights lawyers, and the independent media.

*In Eurasia, lawyers are at the frontline of human rights defence, even in states where the rule of law is inconsistently applied and subject to political pressure. The slow, patient building and filing of cases is the bedrock of human rights defence, even when the domestic legal system is too damaged to provide any hope for immediate recourse. In many cases, the only possible route to justice may be through international courts like the European Court for Human Rights or the International Court of Justice.*

**Azerbaijan and Belarus have similar justice systems, as a result of their shared Soviet history and misfortune of an authoritarian executive that aspires to hereditary rule.**

Court decisions are often subject to political pressure. Non-governmental organisations face intentionally insurmountable legal hurdles. And the lawyers themselves sometimes face intimidation simply for daring to practice. Working in such an environment is psychologically draining; taking a break and mentally stepping outside the system is key to avoiding burnout.

*Stanislav Dmitrievsky, a veteran human rights activist, produced a book of evidence of human rights abuses during the second Chechen War, which so worried the Russian state that he was (unsuccessfully) prosecuted for publishing “extremist material”.*



Stanislav Dmitrievsky

With this in mind, Civil Rights Defenders has conducted joint training for leading lawyers from both countries in Tbilisi, Georgia, as part of our larger programme of support for human rights lawyers.

**One of the aims was to give both sides a constructive space to exchange experiences from years of working in repressive post-Soviet legal systems.**

The other was to equip participants with key tools for human rights lawyers, including public investigation techniques and best practices for collecting and archiving evidence, with the future aim of applying strategic litigation. Belarus is not a member of the Council of Europe, and therefore cannot bring cases to the European Court of Human Rights. And Azerbaijan routinely flouts verdicts from the court.

**Therefore, it is key that lawyers have the skills and knowledge to keep track of violations, in order to be prepared when cracks begin to appear in the regime’s facade.**

**THE TRAINING** was led by Dmitry Utukin, a lawyer for Transparency International Russia and recognised expert

in public investigation strategies, and Stanislav Dmitrievsky, a veteran human rights activist with years of experience documenting human rights abuses in the North Caucasus. The latter produced a book of evidence of human rights abuses during the second Chechen War, which so worried the Russian state that he was (unsuccessfully) prosecuted for publishing “extremist material”. The goal of their sessions was to provide the lawyers with the skills needed to collect and preserve evidence admissible in international or future domestic courts that are impartial and subject to the rule of law.

“In general, it seems to me that the

training was quite successful”, said Dmitrievsky. “We reached an agreement on cooperation and consultation on specific issues, and there’s also the fact that our classes lasted longer than the scheduled time for the second and third days.”

**AS RELATIONS** between both states and the European Union warm up – despite neither President Lukashenko of Belarus nor President Aliyev of Azerbaijan making any serious concessions or reforms – human rights lawyers in both countries will need all tools at their disposal to continue their work. Civil Rights Defenders is dedicated to supporting them. 📌

# CAUTIOUS HOPE AS MOLDOVA AGREES TO CHANGE

*Stepping up our lobbying efforts in Moldova, Civil Rights Defenders initiated a coalition of eleven partner organisations to advocate change during the country’s second Universal Periodic Review. And with great success: about half of our 92 recommendations were more or less fully repeated to Moldova, and most of them have already been accepted.*

**ALTHOUGH MOLDOVA** HAS taken steps to fulfil its international human rights obligations, poor implementation has hampered necessary reforms and new legislation. In 2016, Civil Rights Defenders made it our core focus to empower Moldovan partners to use international mechanisms to bring about change. Taking a leading role in the process, we provided a coalition of eleven partners with expert human rights advice and opportunities to attend lobbying meetings in Chisinau and Geneva. We also coordinated the preparations for a comprehensive joint civil society UPR report to be submitted to the UN Human Rights Council.

“Together, we produced a comprehensive report, covering everything from the situation for human rights defenders, freedom of expression, and media freedoms to discrimination, hate speech, hate crime, justice reform, torture, and access to information. We worked broadly to share our assessment of the human rights situation and held meetings with representatives from different states in order to propose effective steps for improvement.

**We worked together with journalists to make our expert opinion public and to bring both the successes and failures of the Moldovan government’s human rights work to people’s attention”, says Alesia Vidruk, Programme Officer for Moldova at Civil Rights Defenders.**

As a great example of cooperation and partnership for empowerment, the coalition offered the opportunity to raise important human rights issues affecting Moldovan society today.



Alesia Vidruk (second from left) together with Moldovan partners showing the report of their recommendations.

“We are so pleased to see that the issues we advocated were translated into recommendations to Moldova from other countries.

**This process has been a big challenge for us, and I am therefore extra glad to see that the UPR campaign was a success and that it can lead to real improvements for human rights in Moldova.**

Now, the next step for us will be to monitor the implementation of the recommendations that Moldova has accepted”, says Tatiana Puiu, who took part in the UPR campaign. So far, Moldova has accepted 175 recommendations for implementation. Forty nine of these are similar to recommendations we proposed; another ten of our proposals are still under consideration by the government. We will have access to the full list of accepted recommendations by March 2017. 📌

## THE UNIVERSAL PERIODIC REVIEW [UPR]

is a process in which the human rights records of all UN Member States undergo revision. Each state has the opportunity to provide information regarding its actions to improve the human rights situation in the country, and other states submit recommendations to the state under review. Civil society also has the opportunity to share recommendations to complement the state and UN reports.

Moot Court 2016 (Team Schjødt).



## Moot Court: REAL EXPERIENCE, FICTIONAL CASES

**THERE IS NOTHING** like a little friendly competition. It can work not only to inspire motivation, but also as a means to strengthen the capacities of up-and-coming human rights lawyers. Each year, Civil Rights Defenders organises a Regional Moot Court for students from law faculties across the Balkan region. Through training in a practical setting, they advance their knowledge of how to use the European Convention for the Protection of Human Rights and Fundamental Freedoms.

**IN A SECOND PHASE**, the winning team from the Balkans meets the winning team from the Nordic region in the Trans-European Moot Court Competition. During the finals, we move the classroom to the European Court of Human Rights in Strasbourg. Through simulation of fictional cases, yet in a real-life setting with a distinguished panel of judges from the highest courts, the students go through procedures with a pivotal sense of authenticity.

**ON 4 NOVEMBER 2016**, team Henrik Stenska from Ljubljana narrowly won the trophy back for Slovenia. Team Schjødt from Norway were runners-up. 🗣️

**IN 2016**, CIVIL RIGHTS DEFENDERS welcomed another 50 participants to take part in the second-generation Human Rights Defenders School in Belgrade and Nis in Serbia. During ten months of training, the participants attended lectures and workshops about contemporary human rights issues that are prevalent in Serbian society, such as human rights for LGBT people, the Roma community, transparency and accountability, transnational justice, freedom of the media, and other related topics. The classroom experience was also complemented with several field trips, so that students were provided with first-hand knowledge of the issues affecting their society.

**“WE HAVE ESTABLISHED** the Human Rights School because we want to look to the future. What we are aiming for is to create a new generation of well-trained, skilled human rights defenders, who will protect and promote human rights in the long run”, says Goran Miletić, Programme Director for the Western Balkans at Civil Rights Defenders. 🗣️

## Second-Generation HUMAN RIGHTS SCHOOL



Serbia: Human Rights Defenders School 2016.

## ATTACKS ON FREE SPEECH Drive the Trend of Self-Censorship

**IN A SHRINKING DEMOCRATIC** world where free speech is under attack, Civil Rights Defenders is witnessing the media climate grow harsher in almost every country where we operate, including the Western Balkan region. In Bosnia and Herzegovina, threats and abuse against journalists have increased rapidly over the last few years. Self-censorship has become a serious issue as a result of low transparency on media ownership and the increasing number of journalists who have been harassed or persecuted for criticising the government.

2016 marked 250 years since the adoption of the Swedish Freedom of Expression Act. To draw attention to its principles also in Bosnia and Herzegovina, Civil Rights Defenders partnered up with the Swedish International Development

Cooperation Agency (Sida) to organise a debate about access to information. Ena Bavčić, Programme Officer for Bosnia and Herzegovina, was there to oversee the event. We had the opportunity to ask her about Civil Rights Defenders’ work to improve the freedom of the media in the country.

### HOW DOES CIVIL RIGHTS DEFENDERS RESPOND TO THESE ISSUES?

First of all, we are offering support to independent media outlets and media organisations. In 2016, our support led to the creation and launch of two new media portals managed by two of our partner organisations: Association for Youth “Kvart”, and Transnational Justice Accountability and Remembrance. We are also supporting our partner Transpar-

ency International, which is a leading advocate for positive changes to freedom of information law, monitoring judiciary reforms, and providing recommendations for better implementation of the law. In 2016, another one of our partners, Media Centar Sarajevo, started a study on media transparency that explores the funding flows of the media in Bosnia and Herzegovina. Civil Rights Defenders supported the monitoring project with articles that highlight breaches of media ethics.

In addition to this, our support empowers our partners BH Journalists, which provides legal aid to journalists who are subjected to treats or attacks, and the Press Council, which raises awareness of media ethics and freedoms through educational programmes and supports journalists and self-regulation. 🗣️

## ROMA HUMAN RIGHTS DEFENDERS CALL FOR RESPECT AND PROTECTION

**THE ROMA COMMUNITY** remains one of the most vulnerable groups in the Western Balkan region. Segregation, threats and violence, and misrepresentation in the media are only a few examples of the systemic, structural, and often institutional discrimination against Roma individuals. Initiatives to improve respect for and protection of the Roma community are often met with resistance. That is why it is particularly important that these initiatives continue.

Civil Rights Defenders has established the Regional Roma Summit as a platform to raise awareness about the situation for Roma individuals in Western Balkan countries. At the annual event, we gather Roma activists and representatives from civil

society and Roma organisations based in Kosovo, the Western Balkan region, and Europe. In November 2016, we welcomed 80 distinguished Roma human rights de-

fenders and activists to three days of capacity-building training and activities focused on documenting and reporting human rights violations, media and communication skills, the empowerment of women, and several other skills and issues.

**FOR ADVOCACY** purposes, we also included an exercise of country-by-country analysis in the programme. After critically analysing and assessing human rights violations directed against the Roma community in the respective countries, Civil Rights Defenders and participants now have explicit material to use when advocating governments to fully implement international human rights standards that include all Roma individuals. 🗣️



Photo: Majlinda Hoxha

Regional Roma Summit 2016.

Boban Stojanovic and Adam Puskar leading Belgrade Pride.



# SERBIAN LAWS END WHERE HOMOPHOBIA BEGINS

*Although a relatively good legislative framework exists, discrimination against the LGBT community continues to be a major issue in Serbia. Exposure to violence is common, and responses from relevant state bodies remain inadequate.*

Photo: Vesna Lalic

**HATE SPEECH, HARASSMENT,** intimidation. The daily fear of reprisals. The LGBT activists and leading figures of the Belgrade Pride Organisation, Boban Stojanovic and Adam Puskar, are two of many people who have experienced firsthand the failure of legislation designed to protect them.

When their lack of safety in Serbia became unmanageable, they were forced into exile in Canada, where they continue their struggle for equal rights.

Civil Rights Defenders had the opportunity to speak to Boban and his partner Adam, now residing in Calgary, to find out more about the reality for LGBT people in Serbia.

*Can you give a brief background to what caused you both to have to leave Serbia for Canada?*

Insecurity. And moreover, the lack of respect for our lives, the lives of the LGBT community, and our dedicated work when it comes to building a human rights culture in Serbia.

This, also coupled with the numerous unresolved cases of hate speech and attacks against us taken before the Serbian Courts and the arrogant attitude of Serbian decision makers. For example, the attack on our flat in 2013 is still under investigation while two of the perpetrators, who were successfully identified back in August 2016, still walk free.

*How do you feel about having to leave your country because you are in danger simply for being LGBT activists?*

This was a very hard decision for us to make. Not because we want to be pathetic or present ourselves as victims, but for us as human rights defenders who deeply believe in social change and accept all these negative experiences as the price we have to pay for our freedom.

While human rights activists are at risk, even in states more liberal than Serbia, in our country it is the complete lack of institutional interest to protect human rights defenders that is glaring. In order to survive, we had to move.

*How prevalent is hate speech and attacks against the LGBT community in Serbia? Can you give a specific example, either from your experience or what you have seen?*

Every time I publish a story about some hate attacks against us on Facebook, my

inbox becomes full with accounts of similar experiences from other LGBT people. But most of us are still forced to live in shame and fear of social exclusion and, in the majority of cases, exposed to violence and discrimination against the LGBT community. These incidents still largely go unreported and unregistered. We are invisible in mainstream Serbian society.

*What is the future for LGBT people in Serbia in your opinion? Do you hold out any hope?*

As with everything, some things may change with the passing of time. Once the issue comes into the open, then in some ways it becomes unstoppable. I am not overtly afraid about the format of this change – there will be some change, that I am sure of – but what I do worry about is the content, the dedication of law makers and authorities, and, above all, its continued sustainability or momentum. Trivialisation of society has also led to a deep reflection on the LGBT movement and community, so I cannot recognise any foundations for a wider promotion of LGBT rights in Serbia, certainly over the next ten years.

*Do you have a message to those people and groups who have forced you into this situation?*

As activists, we feel it is our duty to speak out about the homophobic violence we have faced. But, after every attack I felt portrayed as a liar. My story was there for everyone to see; but in front of the Serbian justice system there were no perpetrator(s). My fears went totally unrecognised and trivialised. And, of course, none of the cases provided any answers. No punitive sanctions were ordered by the courts against the attackers, which further strips away the notion of safety and justice. When I read comments on the internet or listened to what people around me had to say, there was always a tone of accusation: that I do what I do because I need the money and the media attention. Instead of strengthening cooperation between human rights defenders and state institutions, Serbian leaders have decided to be neutral and have permitted homophobic hooligans to become stronger than the law.

*What, in your opinion, does the government need to do before LGBT people can begin to feel comfortable in Serbian society?* For more than two decades, Serbian socie-

*“As activists, we feel it is our duty to speak out about the homophobic violence we have faced.”*

– Boban Stojanovic

ty has lived in a culture of lies. And this is the principal issue that completely demolishes a culture that supports mechanisms so that citizens can live without fear. It is this breakdown in culture that leads to the misery we see in Serbia today. If they want to change something,

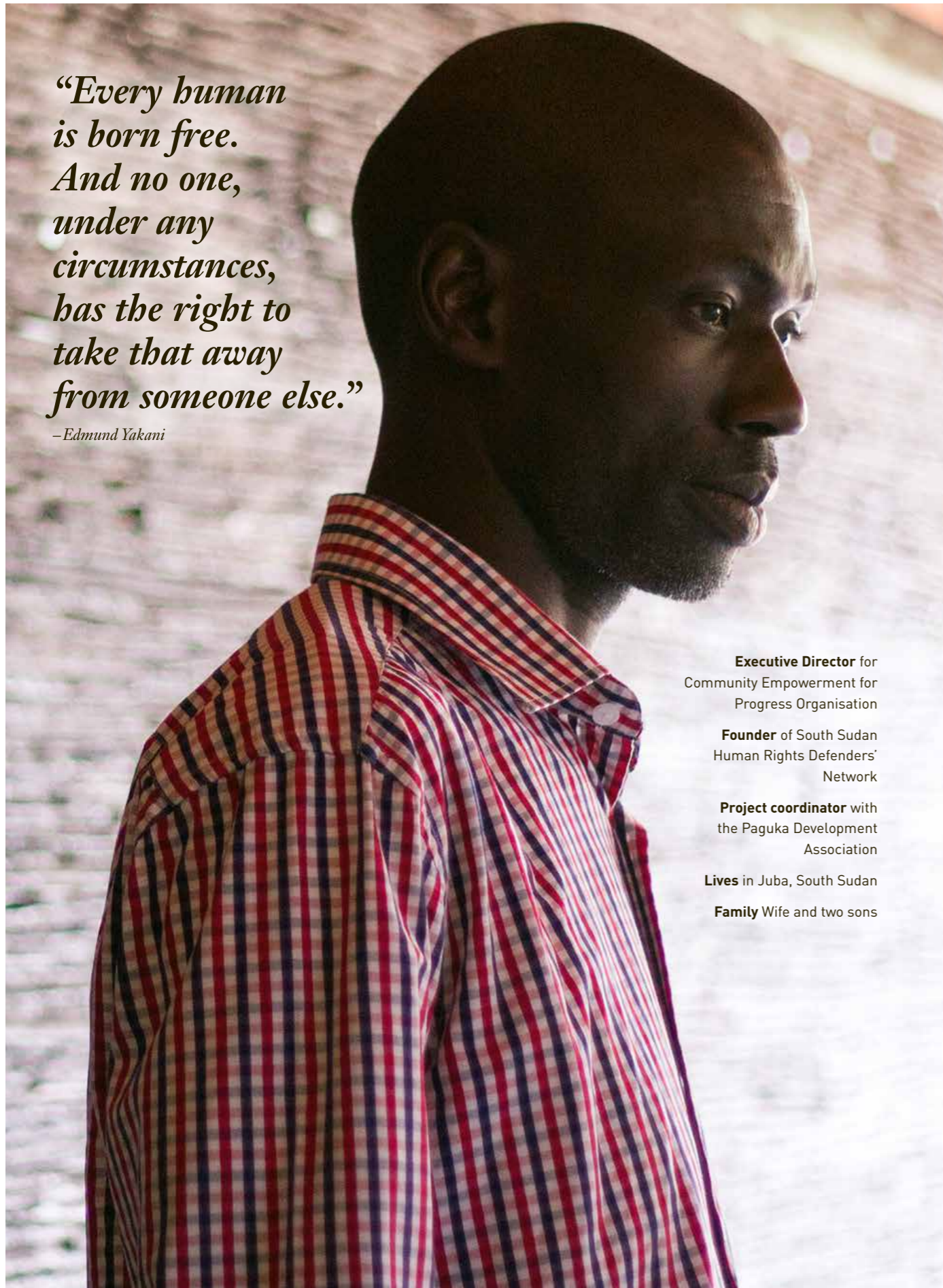
Serbian decision makers must focus on diversifying the current culture into one of human rights. Human rights are an idea. And like with every idea, people have to give it meaning.

If we just look at the public topics in Serbia today – if we simply analyse the behaviour of our Prime Minister and other leading figures – what stands out is the high level of arrogance coupled with a low level of sympathy, with no appetite for sustainable change in what I see as this ruined country. The first major step is to create an environment where people's dignity can be empowered. To achieve this, you must change the culture.

**CIVIL RIGHTS DEFENDERS** remains a key partner to Belgrade Pride, organising numerous events during the Pride Week and participating in the Pride March. In 2016, the Belgrade Pride Week included a variety of cultural, debating and community-oriented events, which took place at several locations throughout the Serbian capital. In addition, we continue to strengthen the LGBT community in the Western Balkan region at large through support for our partner organisations. ♣

*“Every human is born free. And no one, under any circumstances, has the right to take that away from someone else.”*

*–Edmund Yakani*



**Executive Director** for Community Empowerment for Progress Organisation

**Founder** of South Sudan Human Rights Defenders' Network

**Project coordinator** with the Paguka Development Association

**Lives** in Juba, South Sudan

**Family** Wife and two sons

EDMUND YAKANI

# CIVIL RIGHTS DEFENDER OF THE YEAR AWARD 2017



*He is a tireless advocate for peaceful reconciliation, a tenacious voice for civil society, and a role model for human rights defenders. For his dedication, courage, and hard work, Edmund Yakani receives the Civil Rights Defender of the Year Award 2017.*

**“I SEE THIS AWARD AS PROOF THAT THE WORLD IS WATCHING, THAT OUR STRUGGLE FOR HUMAN RIGHTS IN SOUTH SUDAN IS NOT HIDDEN FROM THE EYES OF OTHERS.** I also see the award as a challenge. A challenge to directly and effectively take on the responsibility of a role model. And, perhaps most of all, I see the award as encouragement and motivation to share my skills and experience with others and to mobilise more human rights defenders. I strongly believe that the benefits of this award will go beyond myself. That is why I would like to dedicate a part of the Civil Rights Defender of the Year Award 2017 to the human rights defenders of South Sudan”, says Edmund Yakani.

**DESCRIBED AS A CIVIL SOCIETY LEADER AND A MENTOR,** Edmund Yakani is one of the most vocal human rights defenders

in South Sudan today. He has dedicated more than 20 years of his life to the cause of human rights, regularly fending off death threats in his struggle for a better society.

In the eyes of the government, armed rebels, and other armed groups in South Sudan, Edmund Yakani is an obstruction. He is someone who stands in the way and makes it harder to commit human rights violations in a society that otherwise runs on impunity. That is also what makes him a target.

**WE MEET EDMUND YAKANI IN KAMPALA IN UGANDA.** He travels there regularly to visit his two sons who were forced into exile when their safety could no longer be guaranteed in Juba, South Sudan. As we enter their guarded safe house somewhere in the capital of Uganda, Edmund Yaka-

ni explains that they are kept in complete hiding for now.

**“BUT I CANNOT SAY** that they are a hundred percent safe. It is more or less a matter of time before the authorities figure out their location. But it is better than the alternative; they simply cannot be in Juba. If they were there, my space of vulnerability would be too large. While if I am alone I can manage that space. It is difficult, traumatising even, that my family has become victims of my work. But for now, while human rights atrocities are committed on a daily basis in South Sudan, I see no other option than to stay there while they are here. Someone has to motivate colleagues, mobilise human rights defenders, and continue on documenting human rights violations. To stand at the very frontline, and try to act as a role model”, says Edmund Yakani.



*“After arresting me, they put a gun to my head and took me to their office where I was beaten up badly. I understood that the intention was to execute me there.”*

—Edmund Yakani

**AS THE EXECUTIVE DIRECTOR** of Community Empowerment for Progress Organisation, Edmund Yakani takes the lead in providing protection for human rights defenders at risk, lobbying authorities to ratify international human rights treaties, and documenting human rights violations to be used as evidence in court procedures and future justice processes.

**“TO DOCUMENT AND COLLECT** evidence is a large part of our work. Then again, there is no point in simply documenting violations and keeping quiet. So we do not keep quiet. We produce reports as means for advocacy. Our regional space for this is within the African Commission on Human and Peoples’ Rights, to which we highlight the South Sudanese government’s responsibilities to observe human rights provision. Internationally, we provide shadow reports to the UN Human Rights Council whenever they are to make decisions regarding South Sudan. We go for oversight, like an intervention, of the government’s position”, says Edmund Yakani.

**THE VOCAL STRUGGLE COMES WITH REPRISALS.** Edmund Yakani and his fellow human rights defenders are often primary targets in a society that has seen violence come and go in systemic waves since South Sudan gained independence in 2011.

**“ONLY IN THE LAST FEW MONTHS,** records tell us that there were 25-30 incidents where human rights defenders were explicitly targeted as a consequence for documenting evidence of human rights violations. Armed groups, be it the government, armed rebels, or other groups, target us because they do not want any documentation or profiling of these incidents that can be used in a future call for justice and accountability. So we are facing a challenging situation where we can see human rights violations being committed, but at

the same time we struggle to document them. This is something that is becoming harder every day”, says Edmund Yakani.

**AS A CONSEQUENCE OF HIS FRONT-LINE POSITION,** Edmund Yakani stands out as a subject for abuse. He has been arrested, tortured, and left to die on numerous occasions. One of the more serious incidents occurred when he was advocating for citizens to send him evidence and images of killings, or attempted killings, that could be used in future justice processes.

**“I WAS ADVOCATING FOR CITIZEN** journalism and, of course, the National Security came to know about it. After arresting me, they put a gun to my head and took me to their office where I was beaten up badly. I understood that the intention was to execute me there, but then the person in charge said that there are better ways of dealing with activists. The last thing I remember is that they sprayed something in my face and I lost consciousness. They later dumped me in the water, but luckily it was not streaming fast so my body did not float away, which is likely to have been their plan. Also, one can easily come in contact with harmful diseases in the water, so it is a way of letting ‘something else’ kill you. Fortunately, some people walked past and recognised my face and brought me out of the water to a medical clinic, where I woke up and received medical attention”, says Edmund Yakani.

**DESPITE THE HORRORS OF TORTURE AND ATTEMPTED EXECUTIONS,** Edmund Yakani stands his ground and continues his work to promote and ensure respect for human rights.

**“I AM NOT INTERESTED** in getting a job for my personal gain. It is better that I give something to my society. I have committed myself to it and I do not think that I could ever divert. It is an overwhelming



Photo: Robert Fogarty/Dear World

job, but the way I think about it is that there is no way that I can step aside and look the other way. My hundred-percent focus is human rights protection and the protection of human rights defenders. To live like this might be dangerous, but not enough to make me give up. I have to keep hoping that tomorrow, or the next morning, maybe the situation will change for the better”, says Edmund Yakani.

**ALTHOUGH THE HOPE FOR PEACE AND JUSTICE** is present in our conversation, Edmund Yakani does not believe that there is any quick fix for the deteriorating situation in South Sudan.

**“IF I SAID THAT I BELIEVE THAT THE SITUATION WILL IMPROVE SUBSTANTIALLY IN THE COMING TWO OR THREE YEARS, I WOULD BE LYING.** In South Sudan, there are signals that suggest that ethnicity is becoming increasingly politicised and militarised. The national identity is sort of dying off. This means that we will likely face a situation in which each community, each ethnic group, will arm themselves for the sake of their political motives. And then they will fight. They will fight whomever they believe is the enemy”, says Edmund Yakani.

**FOR PEACE TO COME,** a great responsibil-

ity lies with the government, other armed groups, and the South Sudanese people. However, a key responsibility also lies with the international community. Edmund Yakani wishes to use the international attention that comes with receiving this award to advocate for the international community to step up their efforts to demand respect for human rights in South Sudan.

**“MY APPEAL TO THE INTERNATIONAL** community is to use human rights as a bench-mark in their engagement with the government of South Sudan. By bench-mark I mean: let them use it as a condi-

tion anytime the question of possible support comes up, whether it is financial, diplomatic, or moral. They should simply not offer support if the government does not observe human rights and make sure that they are respected and fulfilled in South Sudan. I believe that international bodies such as the UN Human Rights Council must double their efforts. They should translate all those resolutions that they have adopted into action. Because, the more we talk without action, the more we normalise the lack of practice”, says Edmund Yakani. 📌

*“I have to keep hoping that tomorrow, or the next morning, maybe the situation will change for the better.”*

–Edmund Yakani

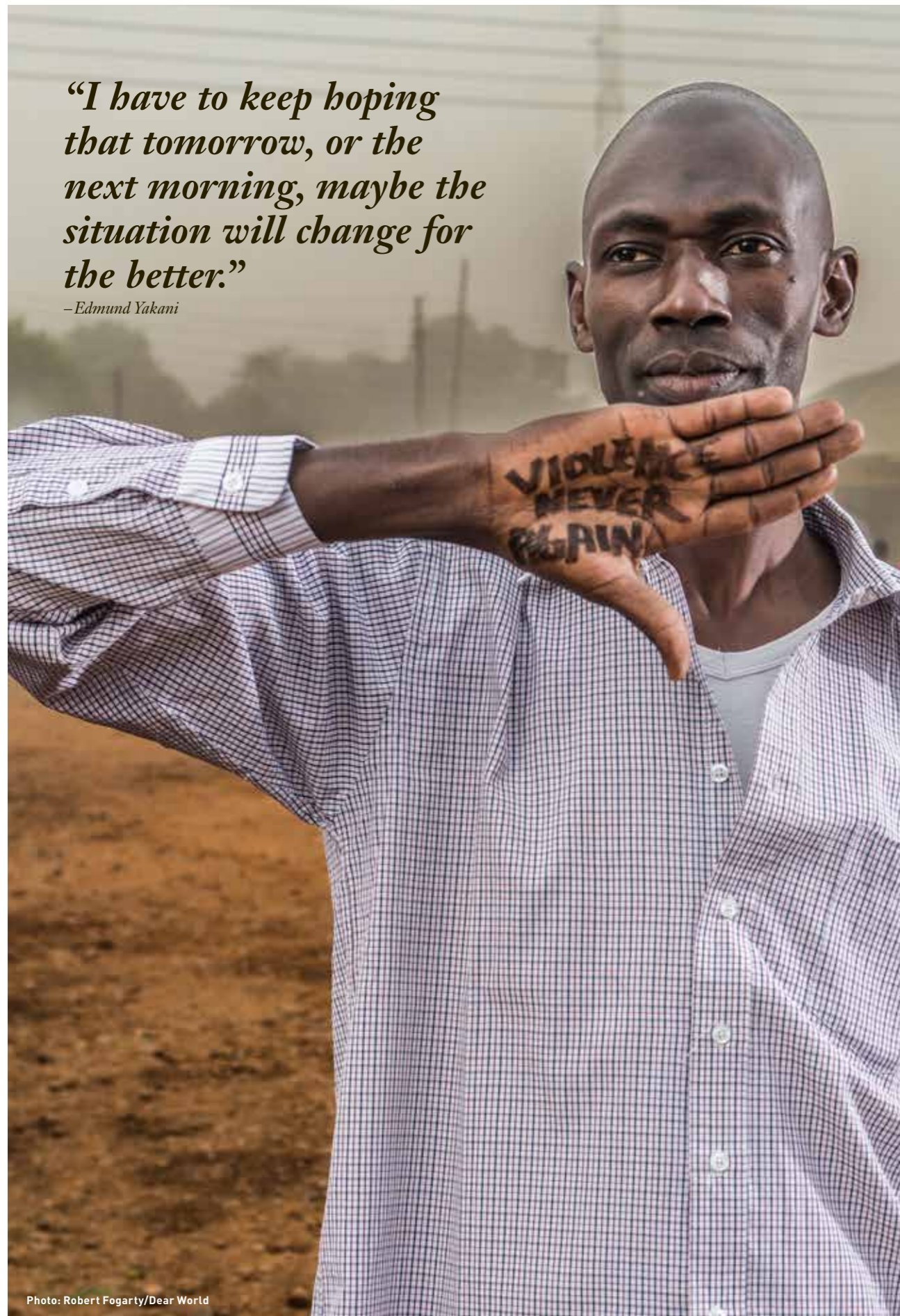


Photo: Robert Fogarty/Dear World

## HASSAN SHIRE: “EDMUND YAKANI RAISES A VERY ACTIVE VOICE”

“WHEN I LOOK AT SOUTH SUDAN, I see a nearly-collapsed country, a society divided by clans, and an ongoing conflict with small and heavy arms in the hands of civilians, rebels, and basically anyone. I see widespread humanitarian challenges, starvation, deliberate militia targeting, hospitals and schools in ruins ... Almost every challenge in the book of human kind is present in the country.”

“IT IS IN THIS CONTEXT that Edmund Yakani raises a very active voice. He captures the human rights violations and draws national and international attention to them. Speaking from within the country, his is a vital voice coming from an otherwise chaotic and unpleasant place. Activism starts with raising the voices of those who are otherwise silenced, and if anyone does that in this context, Edmund Yakani is at the top of that list.”

“EDMUND YAKANI IS DEFINITELY one of the most decisive and effective civil rights leaders in South Sudan. As a result of his work, he is situated in what we call persistent danger to his life. And so is his family. On many occasions, he has been removed from the point of death with little time to spare. The thing that is remarkable is that he goes out again the same day, and continues to advocate on behalf of his people. To me, that is incredibly important – and we should encourage it.”



Hassan Shire is the Executive Director for the Ugandan human rights organisation DefendDefenders, one of Civil Rights Defenders’ long-term partners in the region.

## SINCE 2013

the Civil Rights Defender of the Year Award has been given to five human rights defenders who, despite risks to their own safety, strive to ensure that people’s civil and political rights are recognised and protected.

### 2013 NATAŠA KANDIĆ



Founder of the Humanitarian Law Center, Serbia

### 2014 ALES BIALIATSKI



Head of the human rights organisation Viasna, Belarus

### 2015 NGUYỄN NGỌC NHƯ QUỲNH



Coordinator of the Vietnamese Bloggers’ Network, Vietnam

### 2016 INTIGAM ALIYEV



Human Rights Lawyer and Executive Director, Legal Education Society, Azerbaijan

### 2017 EDMUND YAKANI



Executive Director, Community Empowerment for Progress Organisation, South Sudan

Photo: Jacob Zocherman

South Sudan:

# A FALSE START TO UPHOLDING HUMAN RIGHTS?

*“Together, we welcome the Republic of South Sudan to the community of nations.” On 9 July 2011, former UN Secretary General Ban Ki-moon stood to read a joyful but sober welcoming note in Juba, South Sudan. He was welcoming the only new member state that came into being during his tenure. He spelled out the significance of the occasion in both historical and visionary terms.*

Photo: Robert Fogarty/Dear World



Ludia Mukhtar / Bury Our Differences, Not Our People. The conflict in South Sudan has been characterised by intentional attacks on civilians. More than 50 000 people have been killed and around 2.3 million have been displaced.

**“TODAY, WE OPEN A NEW CHAPTER:** a day when the people of South Sudan claim the freedom and dignity that are their birthright [...] We gather in celebration, but we are mindful of the enormous challenges ahead: deep poverty, lack of basic infrastructure and institutions of government, political insecurity [...] South Sudan’s success will be measured by how well it serves its citizens. The basic rights of a modern, democratic state must be guaranteed: free expression, full political rights for all, including women and young people, inclusive institutions of government that can provide stability and opportunity” – Ban Ki-moon.

The declaration of “a new chapter” fitted the occasion. The birth of an independent South Sudan came after decades of civil war, the death and displacement of millions, and complex international efforts. The protracted civil war between the government of Sudan and the former rebels had deep security implications for the region. The birth of South Sudan was therefore considered a positive change in the regional dynamics.

**Six years later, the country is still not able to address the ideals outlined in**

**the celebratory declaration in Juba. Instead, it is immersed in a new internal conflict since December 2013.**

#### THE CONFLICT TRAP

It was obvious that the task of (re)building the new nation of South Sudan would be a tall order, by any standards. Neither the physical nor the socio-political preconditions were in place to kick-start a smooth state-building process. Despite these circumstances, the South Sudanese people hoped that the spirit of a new beginning would at least put the country on the right track, towards transition. Their hopes were magnified by laudable support from the international community. But to the dismay of all, the most consequential political crisis started within the very organisation that led the struggle for independence: The Sudan People’s Liberation Movement/Army (SPLM/A).

A power struggle between President Salva Kiir and former First Vice President Riek Machar triggered the conflict. It was reported that “soldiers from Kiir’s Dinka ethnic group disarmed and targeted troops of Machar’s Nuer ethnic group”, and set the new round of conflict in motion. At times, the political conflict turned

into clashes between ethnic groups.

More than 50 000 people have been killed, around 2.3 million have been displaced, and 70% of schools have closed since the conflict started in late 2013. It has been characterised by intentional attacks on civilians, including children, widespread rape of women, arson attacks on villages, and orchestrated attacks against UN compounds where internally displaced people are sheltered.

A peace agreement was signed by warring factions in August 2015. But neither did the political crisis begin to heal, nor did the scale and spread of human rights violations abate. In November 2016, a three-member UN Commission on Human Rights in South Sudan warned that “the stage is being set for a repeat of what happened in [the] Rwanda [genocide] and the international community is under an obligation to prevent it.” The increased ethnicisation of politics and armed groups are posing fundamental threats to peace and stability in the country.

#### HUMAN RIGHTS AND THEIR DEFENDERS

The prevailing socio-political conditions in South Sudan are hostile to the promotion and protection of human rights. The

continued violence worsens the already appalling human rights record. The absence of strong state institutions to protect the rights of citizens, in a country where the government is implicated in a number of gross human rights violations, amounting to genocide and war crimes, makes the work of human rights defenders daunting and dangerous. The situation is further exacerbated by non-state armed and militia groups that hold a reign of terror over civilians, including human rights defenders.

The country is yet to ratify several international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR). The institutions that protect and respect human rights are not built or capacitated to fulfil their responsibility. The difficult task of promoting and defending human rights seems to fall to fledgling civil society organisations (CSOs), which have not been given time or space to mature and are forced to operate in a hostile environment.

**Human rights defenders are routinely targeted by both state and non-state actors. A number of media outlets have been forced to close down operations, and many journalists have been detained and attacked.**

CSO leaders and activists face harassment from the warring parties. Some of them are barred from leaving the country to attend international events and meetings, such as the UN Human Rights Council.

Despite this, civil society actors played a constructive role in peace negotiations following the outbreak of conflict in 2013. Human rights defenders continue to amplify the voices of victims and marginalised groups. They document ongoing human rights violations perpetrated by different actors, lobby policy makers to adapt laws that respect the rights of citizens, and advocate for better treatment of fellow defenders. Human rights defenders in South Sudan often risk their safety and lives to pursue the cause that the world shares with them: human rights.

#### A RESET BUTTON?

The six-year-old nation is shouldering a great burden, starting the complete transformation of the state-building process. The key factor missing is a political arrangement that ensures stability and



Flora / Time to Forgive. In South Sudan, one of the key steps to resetting for transition is to bring human rights to the centre of negotiations and peace processes.

upholds the promises made at the time of independence: freedom and dignity for all citizens. The signing of the 2015 Peace Agreement was a promising step towards ending the conflict. But it was not enough. Neither armed conflict nor widespread human rights violations have ceased.

**THE FIRST AND GREATEST RESPONSIBILITY** in order to hit the reset button for genuine political transition is that of the South Sudanese people, government, and groups. However, regional and international actors also have a responsibility to honour their promise to support the new country and its people. One of the key steps to resetting for transition is to bring human rights to the centre of negotiations and peace processes. It is thus high time to support South Sudanese human rights defenders, so that they can become active parties to the transition.

#### CIVIL RIGHTS DEFENDERS IN SOUTH SUDAN

With a keen awareness of the need to support local human rights defenders, Civil Rights Defenders has been working in the region since 2012. Under increasingly deteriorating circumstances, we have made a strategic decision to include South Sudan as one of the principal countries where we work. Human rights defenders in South Sudan will be among the primary partners to benefit from our regional programmes.

The selection of Edmund Yakani as the winner of the 2017 Civil Rights Defender of the Year Award will be a springboard for solidifying our partnership with South Sudanese human rights defenders and civil society organisations.

# WHEN THE TIME TO ACT IS NOW



*To stand at the very frontline to protect people’s civil and political rights is neither easy nor safe. In many parts of the world, the pressure on human rights defenders is growing more intense than ever. In this climate, situations can deteriorate so quickly that the difference between life and death is a matter of hours. That is why we have an Emergency Fund.*

**IN 2016 ALONE**, Civil Rights Defenders performed 31 security actions and supported 134 human rights defenders and their families through the Emergency Fund. In addition, our Human Rights Defenders at Risk Programme provided security training to 160 human rights defenders globally.

“When a human rights defender is subjected to threats or abuse, the need for immediate action is often essential. The Emergency Fund enables us to quickly mobilise resources to provide security and support to the targeted defender”, says Marie Månson, Programme Director for the Human Rights Defenders at Risk Programme.

The Emergency Fund creates a window of opportunity to help human rights defenders in urgent and particularly vulnerable situations. About half of the security actions in 2016 included relocating human rights defenders at risk to safety. The Emergency Fund was also used to provide necessary legal

aid and preventive security measures in offices and homes of defenders who had been targeted.

**“Throughout the world, draconian laws targeting civil society are adopted, and the pressure on human rights defenders grows stronger. This means that the support from the Emergency Fund grows with it.**

We meet these needs through providing training and coming up with creative and preventive solutions. However, more funding is essential in order for us to continue the support”, says Marie Månson.

Today, the Emergency Fund supports human rights defenders in Eurasia, Southeast Asia, East Africa, and Latin America.



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CIVIL RIGHTS DEFENDERS IS AN INDEPENDENT EXPERT ORGANISATION THAT DEFENDS PEOPLE'S CIVIL AND POLITICAL RIGHTS AND EMPOWERS HUMAN RIGHTS DEFENDERS AT RISK. WE HAVE SWEDISH 90-ACCOUNTS AND ARE A MEMBER OF THE SWEDISH FUNDRAISING COUNCIL (FRII). OUR ACCOUNTING IS SUPERVISED BY SVENSK INSAMLINGSKONTROLL (THE SWEDISH FOUNDATION FOR FUNDRAISING CONTROL). THESE MEASURES GUARANTEE THAT YOUR DONATION IS HANDLED CORRECTLY, AND USED FOR ITS INTENDED PURPOSE. **THANK YOU FOR YOUR SUPPORT! YOU MAKE A DIFFERENCE!**



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