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**Opinion**

**LIVES IN THE BALANCE**

*By Mary Lawlor, Executive Director, Front Line Defenders*

(Geneva, 4 February 2015) – Front Line Defenders is increasingly concerned at the growing threat to human rights defenders (HRDs) as authoritarian governments invest huge efforts and resources to silence, restrict and discredit independent civil society and HRDs, especially those critical of government policies. There has been a sustained effort by repressive governments to target HRDs within their borders through legal and extra-legal means, as well as internationally, through travel restrictions, reprisals and attacks on civil society space in international fora. In his report to the Human Rights Council, Secretary General Ban Ki-moon raised the

issue of retaliation against persons who have cooperated with the United Nations, describing these attacks as 'only the tip of the iceberg'.

The Front Line Defenders Annual Report 2015, [Human Rights Defenders in the Balance](#), documents a growing global backlash against HRDs which has now reached crisis point. The repression included restrictive legislation but also killings, torture, fabricated prosecutions and death threats. 136 human rights defenders were killed in 2014, as reported to Front Line Defenders, of whom 47 were killed in Colombia alone. Overall, the Americas accounted for 101 of that number.

In the Russian Federation, the cumulative effect of the restrictive Foreign Agent Law, the Anti-Homosexual Propaganda Law, and a series of regulations designed to control the media and restrict access to the internet, has created a situation in which HRDs are operating in a state of siege. By the end of 2014, 28 NGOs had been registered as 'foreign agents', while some NGOs have ceased operations due to the burden of legal and bureaucratic harassment.

Sadly this scenario is not limited to the Russian Federation. We have seen an almost viral spread of repressive NGO legislation across the region. Azerbaijan unleashed a major crackdown on civil society, ironically at exactly the same time as it assumed the chairmanship of the Committee of Ministers of the Council of Europe.

In Ethiopia, the government, which had used the 2009 Charities and Societies Proclamation to silence civil society, continued its obsessive attempts to monitor and control information with the arrest of bloggers and journalists on fabricated charges of treason. In Egypt, 2014 was marked by an assault on civil society unseen even under the Mubarak government. In Kenya, the government is increasingly veering towards authoritarianism, while in Uganda and Nigeria the LGBTI communities have been the targets of public hostility and government oppression.

Since the May 2014 army takeover in Thailand, the climate for HRDs has deteriorated significantly. Several HRDs and activists have been summoned for questioning and have had to sign a bond not to participate in any activity of a 'political nature'. Martial law allows the army to detain anyone for up to seven days without providing evidence of wrongdoing or bringing formal charges. Protesters and HRDs have been arrested and held at irregular places of detention, including military bases. HRDs opposing the adverse impact of mining or other development projects remain most at risk because of links between such businesses and the military.

Increasingly, the struggle to protect the right to freedom of expression is being pursued online. Human rights defenders are exposed to digital attacks virtually everywhere. Digital targeting of HRDs has included interception of emails, hacking of websites or social network accounts, the installation of spyware, and the banning of websites.

In the United Arab Emirates, HRDs had their Twitter accounts hacked. In Serbia, independent media and human rights groups had their websites targeted through DDoS attacks. In Somaliland, the authorities blocked access to the websites of two independent media outlets which reported critically on the regional administration. Less sophisticated tactics were equally effective. In Vietnam, where the state-controlled media environment made Facebook an essential tool for debate and access to information, the profiles of HRDs and human rights groups were the subject of a number of complaints by pro-government individuals, which led to their suspension by Facebook.

*'We must give the same priority and resources to creating an enabling environment for human rights defenders as autocrats give to closing it down.'*

Against this backdrop, international human rights institutions, as well as governments traditionally supportive of human rights defender's seem incapable of effectively opposing the shutting down of civil society space. Governments must recognise the vital role of HRDs in building more equal and just societies. In eastern Congo women HRDs are targeted with impunity despite the presence of a substantial UN peacekeeping operation, while in Afghanistan, with the withdrawal of foreign forces and the reduction in commitment from the international community, women HRDs fear losing the limited gains they have made to date.

This is a crucial political moment. We need a more consistent and credible political response from governments active in the defence of democracy and human rights. We must give the same priority and resources to creating an enabling space for human rights defenders that autocrats give to closing it down. The people who will play the most effective role in countering this new authoritarianism will be human rights defenders and civil society working at the national and international levels, and there must be a new and reinvigorated political priority to protect them. This requires more high profile political leadership, a consistent strategy that integrates a serious priority for the protection of human rights defenders across a number of policy areas, and sustained support for those under attack on the front line.

## **TACKLING THE DEMOCRATIC RECESSION, BY MAINA KIAI, UN SPECIAL RAPPORTEUR ON THE RIGHT TO FREEDOM OF PEACEFUL ASSEMBLY AND OF ASSOCIATION**

*By Maina Kiai, UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association.*

(Nairobi, Kenya, 12 January 2015) – It is still too early to tell just how 2014 will be remembered from the perspective of assembly and association rights: The year of the protest; the year of the revolution; the year of shrinking space. But one thing is certain: It will be a year that we remember.

Hong Kong, Ukraine, Taiwan, Egypt, Thailand, Venezuela, Burkina Faso, Mexico and Cambodia and other countries saw massive protests, with at least three movements leading to the downfall of governments. Draconian laws affecting the assembly and association rights of LGBTI individuals went into effect in Nigeria and Uganda. Leading human rights defenders from Bahrain, Azerbaijan, China, Burundi, Ethiopia, Sudan, Malaysia, and elsewhere experienced a wave of harassment, threats and violence. The Hungarian prime minister famously said that he wanted to turn his country into an 'illiberal state'. And Egypt used mass trials to sentence over a 1,000 people to death for on charges related to events leading up to President Mohammed Morsi's ouster.

Our grandchildren and their children will read about the events of 2014 in school one day. It remains to be seen what they learn.

We are at a decisive moment in history, a period which Larry Diamond has described as being marked by a 'democratic recession'. Governments are growing more repressive. Space to exercise the rights to freedom of peaceful assembly and of association is shrinking. This is not a phenomenon specifically linked to one country or region; it is a worldwide trend.

But the fact that we are in a democratic recession does not mean that ordinary people's appetite for democracy has receded. In fact, I believe that it has been growing.

People today are more connected, more informed of their rights, and probably more emboldened to seize those rights than at any time in history. They have a vision for the world that they live in, and they want to take control of it. Assembly and association rights offer people the promise of this kind of control, and they offer it in a peaceful manner. The lure of this promise is what has inspired the courage, commitment and creativity of countless human rights defenders throughout the world today.

But this promise has also caused regression. The democratic recession is happening because some governments fear the prospect of an empowered, informed populace.

They react with repression, whether through the imprisonment of human rights defenders, the passage of restrictive laws or the suppression of peaceful protests. This type of repression is nothing new, but what disturbs me most is the language that its proponents use to rationalize it. There is a growing consensus among these States, it seems, that assembly and association rights are dangerous – that they cause chaos.

I would argue precisely the opposite: That the suppression of these rights is what is dangerous. Taking them away brings chaos. The elimination of space for peaceful civic engagement inevitably stunts the growth of any political system. It criminalizes legitimate dissent and pushes it underground, where it can mutate, fester and turn violent. It also leaves a power vacuum if and when a government is deposed.

It is not a coincidence that shrinking space for peaceful civil society has been accompanied by a rise in extremism and violence across the world. Islamic State militants have taken over large swaths of Iraq and Syria. Chaos reigns in the parts of eastern Ukraine that are gripped by a separatist movement. Libya is now essentially a failed state.

We must not buy into this rhetoric of fear. The rights to peaceful assembly and of association do not inherently encourage extremism, chaos, or violence. They are, in fact, the best antidotes we have against all of these ills.

This is the principle that should guide us in the coming year, and ultimately dissipate our fear. And this is the overarching lesson of 2014 that I hope my grandchildren, and theirs as well, will read about far into the future.

*This piece was first published in a major report by the Special Rapporteur entitled '[2014: The Year in Assembly and Association Rights](#)'.*

## Directors Update

### **MARYAM AL-KHAWAJA AND PIERRE AVANZO APPOINTED TO ISHR BOARD**

(Geneva, 23 January 2015) – The International Service for Human Rights is delighted to announce the appointment of Maryam Al-Khawaja and Pierre Avanzo to its global Board. The appointments further strengthen ISHR's commitment and connection to human rights defenders at risk and the organisation's strategic planning and governance expertise.

Maryam Al-Khawaja is Co-Director of the Gulf Centre for Human Rights and former Acting President of the Bahrain Centre for Human Rights. A dual national of Bahrain and Denmark, where she lives in exile, she is a leading human rights defender and activist working across the Middle East and Gulf regions. On 1 December 2014, she was tried and sentenced to prison in absentia in Bahrain in connection with her peaceful exercise of the rights to freedom of expression, association and assembly.

Her struggle for democracy and accountability in Bahrain, together with that of other human rights defenders working in Libya and Syria, was recently portrayed in award-winning film 'We are the Giant'.

Pierre Avanzo is a management consultant and a former Partner with McKinsey & Co, where he worked for 18 years across Asia, Europe and the United States. A French national, Pierre has a degree in engineering and an MBA, together with more than 20 years' experience advising companies, governments, foundations and non-profits on issues of strategy, governance and development.

Welcoming the appointments, ISHR Director Phil Lynch said, 'We are delighted to have Maryam Al-Khawaja and Pierre Avanzo join the organisation in non-executive leadership roles.'

'Maryam Al-Khawaja brings to the organisation first-hand, frontline experience defending human rights and knowledge of the substantial risks that implies. Combining a deep commitment to the principles and practice of human rights, a well deserved reputation as an outstanding communicator and collaborator, and recent personal experience of harassment and detention, Maryam will help to ensure that ISHR's work remains relevant and responsive to human rights defenders at risk,' Mr Lynch said.

'Pierre Avanzo brings substantial experience advising corporations, governments and non-profits on issues of strategy and governance at the highest level. He is renowned for his disruptive thinking and his commitment to organisational development and innovation, an approach which we are excited he will bring to ISHR's expert board.'

The recent appointments further strengthen ISHR after former US Assistant Secretary of State Michael H. Posner was appointed to the Board in March 2014 and leading international human rights advocates Hina Jilani and Sir Nicolas Bratza joined the Board in 2013.

## Human Rights Defenders Profile

### NAWAF AL HENDAL: HUMAN RIGHTS DEFENDER FROM KUWAIT

*The Universal Periodic Review of Kuwait took place at the Human Rights Council in Geneva on 28 January 2015. Prominent human rights defender, Nawaf Al Hendal, who travelled to Geneva for the review of Kuwait's human rights record, was advised that an [arrest warrant awaits him on return to Kuwait](#) in connection with allegations of damaging foreign relations and using Twitter to insult late Saudi King Abdullah. Nawaf discussed the situation for human rights defenders in Kuwait and the on-going threat of reprisals with ISHR.*

Nawaf Al Hendal, the founder of Kuwait Watch, has been an active human rights defender in Kuwait since 2004. Nawaf's drive to become a human rights defender initially arose when he witnessed his colleagues being subject to unfair work standards imposed by his employer at the time. Nawaf could not allow his colleagues' rights to be eroded without any resistance. For this reason, when his colleagues felt unable to do so, Nawaf decided to fight for the protection of their rights.

***'I love my country and its people. I believe that every person in Kuwait should have access to fundamental and equal rights.'***

When Nawaf realised he was able to have an impact in the protection of his colleagues' rights, his focus extended to the protection of people's rights more generally in Kuwait.

Nawaf is well known for his work defending the rights of stateless persons, including the Bedouin community who are deprived of the right to employment, education and healthcare in Kuwait. Nawaf, now through Kuwait Watch, is active in engaging with the UN human rights system, including making submissions to the UPR, various treaty bodies and States active in the human rights system, as well as international NGOs. Kuwait Watch also actively engages in grass roots advocacy, including organising peaceful protests and consulting with employers and medical practitioners to gain employment and medical care for Bedouin people.

Nawaf is adamant about the importance of social media in the work of human rights defenders.

***'We use social media to demonstrate the restrictions on fundamental freedoms placed on people in Kuwait to the rest of the world. We also use social media to make it clear to the Kuwaiti authorities that we will continue to defend the rights of all people in Kuwait.'***

Overall, Nawaf considers that his work thus far has not gone unnoticed by the Kuwaiti authorities. Despite the troubling implications for Nawaf as an individual, he considers that the fact that a warrant for his arrest was issued simultaneously with his travel to Geneva for the periodic review of Kuwait is indicative of the Kuwaiti Government's concern in relation to the increasing influence of Kuwaiti human rights defenders.

Nawaf explains that his advocacy is not politically driven, it is rights driven. He emphasised that Kuwait Watch is not seeking a political transformation in government but simply the development of legal protections for people in Kuwait.

***'We [Kuwait Watch] commended the Kuwaiti Government's decision to make primary and intermediate education free and compulsory for children and prohibit children under the age of 15 years from working.'***

The prosecution of human rights defenders, opposition activists and bloggers for allegedly undermining the status of the emir of Kuwait is widespread in the country. Lese-majeste, national security and 'national unity' laws have recently been used to prosecute activists who are critical of the human rights records of heads of state with which Kuwait has diplomatic relations, including Saudi Arabia and Egypt. According to Nawaf, the Public Gatherings Law, the Penal Code, national security legislation, press regulations, and Lese-majeste and blasphemy laws, are all used and abused to criminalise free speech in the country.

***'As a human rights defender in Kuwait you are always at risk. In an attempt to silence dissenting voices, human rights defenders are often imprisoned for unrelated, and often fabricated, offences.'***

Nawaf tells the story of his arrest in 2013 on his return to Bahrain, where he had been studying at Delmon University for Science & Technology since 2008. Nawaf was advised that he could no longer enter Bahrain as the Kuwaiti authorities intended to arrest him in connection with terrorist activities.

***'Since my arrest in 2013, I have not been able to return to Bahrain and my five years of study in Bahrain have not been recognised.'***

Nawaf explained that in an additional attempt to silence dissenting voices, national newspapers and television channels have been known to print articles in an attempt to invalidate the work of human rights defenders.

***'In addition to legislation restricting fundamental rights of people living in Kuwait and the independence of human rights institutions, the legislative framework limits the number of human rights organisations to one'***

Given the restriction on the number of human rights organisations in Kuwait, Kuwait Watch is registered in the United Kingdom.

***'We engage with the UN human rights system in the hope that the UN will require the Kuwait Government to enact and reform legislation to protect human rights defenders as well of the rights of all people in Kuwait.'***

Nawaf emphasises the importance he places on ensuring that the next generation will have the fundamental rights they are entitled to.

***'I recognise that I may never be granted these fundamental rights in my life time, but I want more for our children. We should promise them that.'***

## Our Work to Support Human Rights Defenders

### MINING AND RESOURCE SECTOR: RESPECT RIGHTS TO FREEDOM OF ASSOCIATION, ASSEMBLY AND PROTEST

(Geneva, 30 January 2015) - Human rights defenders, civil society actors and affected communities who work to prevent, expose or seek remedy for human rights violations by mining and resource companies are themselves coming under increasing attack, according to a [new submission by the International Service for Human Rights](#).

The submission makes concrete recommendations to end such attacks and ensure that corporate accountability activists are able to exercise their rights to freedom of association, assembly and peaceful protest without restriction.

The submission, which is intended to inform a major [forthcoming report by the UN Special Rapporteur on the Rights to Freedom of Association and Assembly](#), documents over ten emblematic case studies which demonstrate the ways in which the rights to freedom of association, assembly and peaceful protest are being violated by and on behalf of the extractive industries through physical attacks on human rights defenders, the passage of restrictive anti-assembly laws, and the pursuit of vexatious legal suits.

'From the passage of regressive anti-protest legislation in [Australia](#) and [Myanmar](#), to physical attacks against human rights defenders and communities protesting major development projects in [Mexico](#) and Sierra Leone, to the arbitrary detention of corporate accountability activists in [Niger](#) and [Russia](#), the rights to freedom of assembly and association in the context of natural resource exploitation are under attack,' said ISHR's Michael Ineichen.

The ISHR submission builds on a [previous report](#) by the former UN Special Rapporteur on Human Rights Defenders, Margaret Sekaggya, which identified 'defenders working on land and environmental issues in connection with extractive industries and construction and development projects' as facing particularly 'high risk of violations' and expressed deep 'concern about the increased criminalization of social protest often in connection with the peaceful expression of opposition to public or private development projects'.

The submission makes a range of concrete recommendations to ensure that human rights defenders and other civil society actors working and advocating in the context of the extractive industries are able to operate in a safe and enabling environment, and to freely exercise their rights to freedom of association, assembly and peaceful protest without restriction or attack.

The recommendations include the following:

- States should take specific measures to protect and support the work of human rights defenders who work on issues of corporate accountability, who claim and seek to exercise their right to participate in decision-making processes, or who voice their opposition to business activities or development projects, including by guaranteeing their right to peaceful protest and to freedom of expression, association and assembly.
- States should enact specific laws and policies to effectively implement the Declaration on Human Rights Defenders at the national level and should review and, where necessary, amend relevant legislation and its implementation in order to ensure compliance with international human rights law.

- States should also develop, implement and monitor National Action Plans on Business and Human Rights in close consultation with human rights defenders. Such National Action Plans should include concrete steps and measures to ensure that human rights defenders and others who advocate or protest in relation to corporate accountability issues, particularly in relation to the extractive sector, are protected and supported.
- States should repeal requirements of authorisation (as opposed to notification) in order to convene a peaceful assembly, and establish and safeguard the ability to convene public, peaceful assemblies without notice in exceptional circumstances.
- States should prohibit the excessive use of force against protesters and prohibit the use of any force merely because a protest is ‘unauthorised’ or has not complied with notification requirements where they exist.
- Corporations should protect human rights defenders, including by consulting and engaging with them so as to identify, mitigate and remedy the adverse human rights impacts of their operations.
- Corporations must respect the right of human rights defenders and other civil society actors to protest against business activities and refrain from obstructing or interfering with their legitimate activities in this regard. This extends to ensuring that private security firms acting for or on behalf of the corporation are not involved in attacks against human rights defenders or other human rights abuses and, in the case of investors, should include due diligence to ensure they are not indirectly financing any such attacks or abuses.
- Corporations must comply with the UN Guiding Principles on Business and Human Rights and, in the case of corporations working in the extractive and resource sectors, fully implement the Voluntary Principles on Security and Human Rights, a multi-stakeholder initiative to address the risk of human rights abuses arising from security arrangements in the oil, gas and mining industries.
- Corporations must also engage in meaningful consultations with ‘potentially affected groups and other relevant stakeholders’ to identify the human rights impacts of their work, including by recognising their right to freedom of association.
- Investors should, as part of their human rights impact assessment, consult with human rights defenders, and ensure that they do not invest in projects that result in violations of human rights, or undermine the rights of human rights defenders and affected communities, including their rights to freedom of assembly and of association.
- All relevant stakeholders, including States, corporations, investors, and civil society, with expert input and leadership from the two UN Special Rapporteur’s on human rights defenders and on freedom of association and assembly as well as their regional counterparts should initiate a process towards the development of best practice guidelines on extractive industry engagement with human rights defenders. These should include, but not be limited to, project conceptualisation and approval, human rights impact assessments and human rights due diligence, monitoring and remediation.

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## **GUATEMALA: PROTECT HUMAN RIGHTS DEFENDERS WORKING ON CORPORATE ACCOUNTABILITY AND LAND RIGHTS**

(Guatemala City, 29 January 2015) – The Guatemalan government must prioritise the protection of human rights defenders, and particularly those working on corporate accountability issues and land rights, said the International Service for Human Rights today. The call came after ISHR's Ben Leather met with defenders in Guatemala City for a series of consultations on the situation and protection needs of human rights defenders in the country and the region.

'It is clear that activists working on business and human rights issues face particular and heightened risks,' said Mr Leather, noting that 'the widespread judicial harassment and stigmatisation of these defenders has made the criminalisation of their work a lamentably common phenomenon'.

Mr Leather met with several internationally respected Guatemalan defenders, including Rafael Maldonado, Director and Lawyer with the [Centro de Acción Legal-Ambiental y Social de Guatemala](#) (CALAS), Antonio Reyes of [La Puya](#), Lorena Cabnal of [AMISMAXA](#) and Omar Jeronimo of [Chortí Nuevo Día](#). The meetings were facilitated by [Peace Brigades International Guatemala](#).

The activists testified that judicial harassment and physical attacks by public and private security forces are tools frequently used to silence and criminalise those advocating in relation to large-scale development projects. They also expressed grave concern at the lack of genuine and informed consultation on the impact of major business and development projects prior to the commencement of such projects. The threats affecting these defenders have an even greater impact on indigenous communities and women human rights defenders. Mr Leather also heard how the so called '[Ley de Tumulos](#)' and 'states of siege' and 'states of emergency' have been invoked to justify legal and physical attacks against communities which protest or resist the adverse human rights impacts of large-scale development.

'It is very clear that more needs to be done by the Guatemalan authorities to protect human rights defenders and provide safe spaces in which local communities can be properly consulted regarding the impact of business interests,' said Mr Leather.

In October last year, the Inter-American Commission of Human Rights found the Guatemalan State guilty of failing to adequately investigate the death of human rights defender [Florentín Gudiel Ramos](#), as well in failing to protect his activist daughter. The sentence obliged the Guatemalan State to implement public policies of legislative, institutional and judicial character to guarantee the protection of defenders, yet all of the defenders interviewed by ISHR complained of a lack of implementation of protective measures. In 2013, [Udefegua](#) documented 657 aggressions against human rights defenders in Guatemala.

Mr Leather, who was in Guatemala to facilitate a regional consultation of activists by the UN Special Rapporteur on Human Rights Defenders, concluding by committing to closely follow the security situation of the defenders interviewed and announced that ISHR will publish a briefing paper and recommendation on the situation facing defenders working on business and human rights, later this year.

## **KUWAIT: RESPECT FREE SPEECH AND END HARASSMENT OF HUMAN RIGHTS DEFENDERS**

(Geneva, 27 January 2015) – Authorities in Kuwait should immediately cease misusing laws on national security and the status of the emir to criminalise human rights defenders and others exercising the fundamental right to freedom of expression, the International Service for Human Rights said today.

ISHR also called on authorities in Kuwait to desist from any form of intimidation or reprisal against civil society activists who have submitted information in advance of the [Universal Periodic Review \(UPR\) of Kuwait](#), scheduled at the Human Rights Council in Geneva this Wednesday, 28 January.

The call comes as prominent human rights defender, [Nawaf Al Hendal](#), who is currently in Geneva for the periodic review of Kuwait's human rights record, was advised that an arrest warrant awaits him on return to Kuwait in connection with allegations of damaging foreign relations and using Twitter to insult late Saudi King Abdullah.

The prosecution of bloggers, opposition activists and human rights defenders under the pretext of 'undermining the status of the emir of Kuwait' is widespread in the country. Lese-majeste, national security and 'national unity' laws have recently been used to [prosecute activists](#) who are critical of the human rights records of heads of state with which Kuwait has diplomatic relations, including Saudi Arabia and Egypt.

Al Hendal is well known in Kuwait for his work defending the rights of stateless persons and organising peaceful protests to highlight their plight. In Kuwait, public assemblies of more than twenty people are considered unlawful without a permit, which is frequently denied, and assemblies on the rights of stateless persons have been met with excessive force.

'I love my country and I love its people. It is for that reason that I am in Geneva to stand up for our fundamental rights and freedoms. We deserve and have a right to free speech, to gather peacefully, and to advocate for the human rights of others,' Mr Al Hendal said from Geneva.

'Rather than seeking to prosecute me for my advocacy at the UPR, Kuwait should use the opportunity of the UPR to commit to substantially reforming the Public Gatherings Law, the Penal Code, national security legislation, press regulations, and lese-majeste and blasphemy laws, all of which are used and abused to criminalise free speech in my country,' Mr Al Hendal said.

According to ISHR Director Phil Lynch, Kuwait has an obligation under the International Covenant on Civil and Political Rights to respect and protect the rights to freedom of expression, association and peaceful assembly. 'The prosecution of human rights defenders and others for allegedly insulting a head of state – and in the case of Nawaf Al Hendal a former head of state – is manifestly incompatible with these rights, which can only be limited on the narrowest and strictest of grounds,' Mr Lynch said.

'This prosecution, or even the threat thereof, at a time when Nawaf is in Geneva to shine a spotlight on Kuwait's human rights record appears intended to intimidate and silence him. Such acts of reprisal are forbidden under international law, which enshrines the right of all persons to safe and unhindered communication with the UN and the duty of States to respect and not interfere with the exercise of this right,' Mr Lynch said.

'If Kuwait is serious about its obligations under the ICCPR, it should use the opportunity of the Universal Periodic Review on Wednesday to withdraw all charges against human rights defenders and others in association with their exercise of the right to freedom of expression, repeal the offence of insulting or undermining the status of the emir, and refrain from any act of intimidation or reprisal associated with a person's cooperation or attempted cooperation with the UN,' Mr Lynch said.

'ISHR and others will be closely watching how Kuwait treats human rights defenders and implements its commitments under international law, together with recommendations accepted through the UPR, in the weeks and months ahead,' Mr Lynch said.

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## **MYANMAR: END RESTRICTIONS, REPRISALS AND USE OF FORCE AGAINST PROTESTERS AND HUMAN RIGHTS DEFENDERS**

(Geneva, 20 January 2015) – The Government of Myanmar should urgently amend laws which unreasonably restrict the right to freedom of expression and assembly and which appear to be increasingly used to criminalise human rights defenders and censor journalists, the International Service for Human Rights said today. Officials should also end reprisals and the use of force against those who promote corporate respect for human rights and protest major development projects and associated land grabs.

The call came as the United Nations Special Rapporteur on Human Rights in Myanmar, Professor Yanghee Lee, concluded her [second official visit to the country](#), saying 'if Myanmar is truly serious about transitioning to democracy, it must allow persons aggrieved by its actions to express their frustrations without being punished'.

'ISHR is deeply concerned at reports of an increase in the arrest, prosecution and imprisonment of people exercising their fundamental rights to freedom of expression, association and assembly, particularly those protesting against land grabs and major development projects,' said ISHR's Pooja Patel.

'We join the Special Rapporteur in calling for the amendment of Burma's Peaceful Assembly and Peaceful Procession Act to bring it into line with international human rights standards, including by repealing the requirement under article 4 for organisers of a protest to seek permission from police and article 18, which criminalises participation in an unauthorised protest,' Ms Patel said.

'ISHR is also gravely concerned at excessive use of force against protesters, including the use of lethal force against those protesting land confiscations associated with the Letpadaung copper mine project led by [China's Wanbao Mining](#) company,' Ms Patel said.

Last week, Myanmar's National Human Rights Commission issued a [statement on the death of Daw Khin Win](#), a 53 year old villager killed by a gunshot allegedly fired by police during a protest against the copper mine on 22 December 2014. The Commission found that police and security forces did not take adequate steps to de-escalate or disperse the protest before resorting to force. Eleven other villagers were also injured, including two others who received gunshot wounds.

'The Government of Myanmar should ensure a prompt, independent and impartial investigation into the use of excessive force against protesters, and prosecute those responsible. It is also incumbent on companies and international investors and donors to ensure that they are not involved, whether directly or indirectly, in human rights abuses and that they respect and restrain from interfering with the work of human rights defenders and others who work to promote corporate accountability,' said Ms Patel.

ISHR also called on the Government of Myanmar to refrain from intimidation and reprisals against those who seek to cooperate or submit information to the United Nations or to national human rights authorities, and to investigate and ensure accountability for any such acts.

'The arrest of U Sein Than while en route to the UN office in Burma to submit information on land grabbing, together with the prosecution of U Brawn Shawng in connection with allegedly 'false information' he submitted to the Myanmar National Human Rights Commission, are flagrant examples of reprisals against those who seek to expose injustice and seek accountability,' said Ms Patel.

'We are also deeply disturbed by the sexist and insulting personal slurs directed at Professor Lee herself by a prominent monk during the Special Rapporteur's country visit. Myanmar's [duty to cooperate fully](#) with the UN's independent experts extends to unequivocally condemning such attacks and we join the [High Commissioner's recent call](#) in that regard.'

'We also join with the Special Rapporteur herself in calling for the Government of Myanmar to "eliminate legal avenues that punish the expression of opinions contrary to state policy" as a matter of the utmost priority,' Ms Patel said.

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## **Our Work to Strengthen Human Rights Systems**

### **AUSTRALIA: REMOVE EXCESSIVE RESTRICTIONS ON THE RIGHTS TO FREEDOM OF EXPRESSION, ASSOCIATION AND PEACEFUL ASSEMBLY**

(Geneva, 2 February 2015) – Australia should repeal excessive restrictions on the fundamental rights to freedom of expression, association and peaceful assembly, according to a new report to be considered by the UN Human Rights Council in Geneva.

The [report prepared by the International Service for Human Rights](#), with input from Australia's Human Rights Law Centre, documents a worsening trend of laws, policies and funding arrangements being used by federal and state governments to restrict free speech and peaceful protest, censor and criminalise the work of journalists, and impede the independence and effectiveness of non-governmental organisations and the national human rights institution.

'There is a growing disconnect between Australia's support on the world stage for vibrant civil society, strong national human rights institutions, and the protection of journalists, and its apparent disdain for the vital work of these actors at home,' said ISHR Director Phil Lynch.

According to ISHR, Australia's inadequate legal protection of human rights has enabled the enactment of regressive laws restricting the right to peaceful protest and to freedom of the press, contrary to international human rights law. As examples, the report cites the [Tasmanian Workplaces \(Protection from Protesters\) Act](#), which criminalises protests which 'hinder or obstruct' business

operations, and 2014 amendments to the *Australian Security Intelligence Organisation Act*, which criminalise the disclosure of information on so-called ‘special intelligence operations’, including by journalists, even where those operations violate fundamental rights.

‘There is a disturbing trend in Australia of governments eroding basic democratic freedoms – such as freedom of expression, association and access to information – which are the basic ingredients of good government and accountability,’ said Emily Howie of the Human Rights Law Centre.

In addition to calling for repeal of restrictive legislation, the submission recommends that Australia strengthen the legal protection of rights, such as by amending the *Public Interest Disclosure Act* to provide protection to whistleblowers where the disclosure reveals or promotes accountability for alleged human rights abuses.

‘Recent [revelations in the Guardian newspaper](#) that the Australian Government has asked the Australian Federal Police to investigate journalists to uncover their confidential sources for reports on asylum seekers are yet another illustration of the need for stronger laws to protect freedom of expression and access to information in this country,’ Ms Howie said.

The report highlights that Australia has failed to incorporate the International Covenant on Civil and Political Rights into national law, despite the expert recommendations of United Nations treaty bodies and Special Rapporteurs, together with a major public consultation undertaken in Australia in 2009.

‘Building on the positive experiences of the *Charter of Human Rights* in the state of Victoria and the *Human Rights Act* in the Australian Capital Territory, the Australian Government and other state and territory governments should enact laws giving full domestic force and effect to the International Covenant on Civil and Political Rights,’ Ms Howie said.

The [ISHR report](#) also documents policies and arrangements that Australian governments are increasingly putting in place to restrict advocacy and silence dissent, including by defunding organisations and through contractual requirements which prohibit or restrict advocacy and law reform work. Organisations working in areas such as indigenous and refugee rights, like the Refugee Council and the National Congress of Australia’s First Peoples, have been hit particularly hard.

‘A vibrant and critical civil society is essential to democracy and development. In accordance with its obligations under the Declaration on Human Rights Defenders, Australia should reinstate funding to these vital civil society organisations. It should also repudiate contractual provisions which purport to restrict the right and ability of non-governmental organisations to advocate for progress and reform,’ Mr Lynch said.

ISHR is particularly concerned at [government steps to defund and delegitimise the Australian Human Rights Commission](#), contrary pledges Australia has made on the international stage.

‘Substantial funding cuts, the appointment of commissioners without proper processes, and persistent political attacks on the President of the Australian Human Rights Commission are all flagrantly incompatible with Australia’s international position and promises,’ Mr Lynch said.

Australia leads a [bi-annual resolution on strengthening national human rights institutions](#) at the UN Human Rights Council which calls on all States to safeguard the independence of human rights commissions, ensure that they are not subjected to unreasonable budgetary limitations, and are protected from all forms of pressure or reprisal in connection with their work on individual cases, inquiries and reports.

'Australia should heed the advice it frequently dispenses to other nations at the UN by restoring funding to the Commission and by defending the independence and integrity of the Commission's highly qualified President,' Mr Lynch said.

The ISHR report will be formally considered by the UN Human Rights Council when it meets to review Australia's human rights record again through the Universal Periodic Review in Geneva in November.

A major [coalition of Australian NGOs](#), coordinated by the Human Rights Law Centre, the National Association of Community Legal Centres and Kingsford Legal Centre, is also expected to submit a report to the UN in the coming weeks.

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## **UN COMMITTEE ON NGOS: DON'T REDUCE TRANSPARENCY AND ACCOUNTABILITY**

(New York, 30 January 2015) – The Committee on Non-Governmental Organisations, which is responsible for assessing NGO applications for accreditation and access to the United Nations, must resist moves by some Member States of the Committee to censor reporting of the Committee's work, the International Service for Human Rights said in an open letter today.

For over twenty years, the UN Department of Public Information has reported publicly on the work of the Committee on NGOs, including by identifying which States asked particular questions or made particular comments about NGO applicants for consultative status. Such reportage is crucial to transparency and accountability in the Committee's work and helps to ensure that States cannot hide behind anonymity in asking irrelevant or repetitive questions which have the purpose or effect of denying or deferring NGO accreditation.

ISHR is deeply concerned, therefore, by moves by some Member States of the Committee to censor UN DPI reporting of the Committee so as not to identify which State asked a particular question, made a particular comment or raised a particular objection.

'Access to accurate and relevant information about the work of the Committee is essential to promote transparency and accountability in the Committee's work and to facilitate informed NGO engagement and input to the Committee,' said Eleanor Openshaw of the International Service for Human Rights.

In a recent report to the UN General Assembly, the Special Rapporteur on the Rights to Freedom of Association and Assembly, Maina Kiai, called on Member States of the Committee on NGOs to desist from 'blocking accreditation applications with perpetual questioning and unilaterally vetoing applications'.

'Access to information about the work of the Committee, including as to which country asked which question, is a basic principle of good governance. It is also necessary to ensure that the Committee complies with its obligations in relation to the right to freedom of expression and association and under ECOSOC resolution E/1996/31, which calls on the Secretary-General to ensure "wide and timely dissemination of information on meetings" and "distribution of documentation" in order to facilitate the broad-based participation of civil society,' said ISHR's Michelle Evans.

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## **AUSTRALIA: END REPRISALS AGAINST HUMAN RIGHTS COMMISSION**

(Geneva, 28 January 2015) – The Australian Government should immediately cease efforts to discredit and undermine the Australian Human Rights Commission and must defend the independence and integrity of its President in the face of unprecedented personal attacks, the International Service for Human Rights said today.

Over the course of the last year, the Australian Government has slashed more than 30 per cent from the Commission’s budget, appointed commissioners without proper process and, most recently, mounted a sustained personal attack on the judgment and qualifications of the Commission’s President, Professor Gillian Triggs. Members of the government are also publicly foreshadowing a parliamentary no-confidence motion in Professor Triggs and an inquiry into the possible abolition of the Commission itself.

The escalation of the attack on Professor Triggs comes just weeks before the Government is required, by law, to publicly release a Commission report on a national inquiry into the impact of mandatory, indefinite immigration detention on children, which she chaired.

It also comes just months after the Australian Government tabled a [resolution at the UN Human Rights Council](#) in Geneva calling on all States to safeguard the independence of national human rights institutions, ensure that they are not subjected to unreasonable budgetary limitations, and are protected from all forms of pressure or reprisal in connection with their work to promote and protect human rights.

‘Australia’s rhetoric on the international stage is a stark contrast to the regrettable reality of its conduct at home,’ said ISHR Director Phil Lynch.

‘It’s difficult to see how Australia can retain legitimate and credible leadership on the strengthening of national human rights institutions – one of the Australian delegation’s signature initiatives at the UN Human Rights Council in Geneva and the UN General Assembly in New York – when its domestic actions are so flagrantly in violation of its own resolution.’

‘The Australian-led resolution calls on States to ensure the financial independence and stability of national human rights institutions, yet the Australian Government has just slashed 30 per cent from the Commission’s budget,’ Mr Lynch said.

‘The Australian-led resolution also calls on States to protect national human rights institutions and their staff from political pressure and harassment and to investigate and ensure accountability for any such reprisals, yet the Australian Government has both led and failed to defend Professor Triggs from personal attacks on her motivations and judgment.’

The Australian Government attack on the Commission comes just months after [members of the Maldives Human Rights Commission were subject to similar reprisals](#), being summonsed before the country’s Supreme Court in connection with a report of the Commission on the independence of the judiciary.

‘Reprisals against national human rights institutions and their members and staff, whether perpetrated by the judiciary, as in the Maldives, or by the government and government-fed media, as in Australia, are unacceptable,’ Mr Lynch said.

‘ISHR calls on the Australian Government to immediately cease and desist from attacks on the Commission, to denounce any such attacks by others, and to act in accordance with its own international resolution.’

ISHR is also concerned that the Australian Government has weakened the Human Rights Commission and its own international credentials through the recent unilateral government appointment of commissioners without any public process, transparency or consultation. The Paris Principles on the independence and effectiveness of national institutions, which Australia purports to support, requires that appointment processes be transparent, broadly consultative and subject to parliamentary input.

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### **Background:**

Professor Gillian Triggs was appointed President of the Australian Human Rights Commission in 2012. She was previously Dean of the Faculty of Law and Challis Professor of International Law at the University of Sydney and Director of the British Institute of International and Comparative Law. Last week, a group of 24 eminent international legal scholars published an [open letter](#) defending her qualifications, independence and judgment.

Human Rights Council resolution 27/18, led by Australia and adopted by consensus, relevantly provides that the Human Rights Council:

*“9. Recognizes that national human rights institutions and their respective members and staff should not face any form of reprisal or intimidation, including political pressure, physical intimidation, harassment or unjustifiable budgetary limitations, as a result of activities undertaken in accordance with their respective mandates, including when taking up individual cases or when reporting on serious or systematic violations in their countries;*

...

*11. Emphasizes that any cases of alleged reprisal or intimidation against national human rights institutions and their respective members and staff or against individuals who cooperate or seek to cooperate with national human rights institutions should be promptly and thoroughly investigated, with the perpetrators brought to justice.”*

### **CHINA: REVISE DRAFT ANTI-TERROR LAW TO PROTECT FREEDOM OF EXPRESSION, ASSOCIATION AND DISSENT**

(Geneva, 21 January 2015) – Chinese authorities should withdraw or substantially revise a proposed counter-terrorism law which could be used to further monitor, censor and criminalise the work of human rights defenders and pro-democracy activists, the International Service for Human Rights and [Chinese Human Rights Defenders](#) said in a joint statement today.

‘China’s draft Anti-Terrorism Act contains a range of vague and overbroad provisions the interpretation and application of which could be used to further restrict and criminalise the work of human rights defenders,’ said ISHR Director Phil Lynch.

Article 104 of the [draft law](#) defines ‘terrorism’ in broad terms to include ‘thought, speech or behavior’ that is ‘subversive’ or even that which seeks to ‘influence national policy making’. The draft law also contains provisions which enable the designation of organisations engaged in such activities as ‘terrorist organisations’ (Articles 68-72), membership of which is a criminal offence. Additionally,

the draft law prohibits ‘extremism’, defined in very broad terms to include ‘distorting or slandering national laws, policies and regulations’ or interfering with their implementation (Article 24).

‘This legislation has the potential to be interpreted and applied to criminalise much or all of the work of human rights defenders and their organisations, both in the Uighur and Tibetan Autonomous Regions and beyond,’ said Renee Xia, International Director of Chinese Human Rights Defenders.

China’s draft Anti-Terrorism Law also contains a series of concerning articles providing for large-scale monitoring and surveillance, both online and offline, together with provisions which would enable the imposition of substantial restrictions on the activities, movement and ability to associate of any ‘terror suspect’.

‘The draft law is manifestly inconsistent with the Universal Declaration of Human Rights and the Declaration on Human Rights Defenders, together with pronouncements of both the UN Security Council and the UN Human Rights Council. It should be withdrawn or substantially rewritten,’ Ms Xia said.

The UDHR protects the rights to freedom of expression, association and peaceful assembly while, among other things, the Declaration on Human Rights Defenders enshrines the rights to critique national laws and institutions (Article 8), to complain about the policies and practices of governmental officials and bodies (Article 9), and to advocate the acceptance of human rights ideas and principles (Article 7).

Security Council Resolution 1456 (2003) and Human Rights Council Resolution 22/6 (2013) both call on States to ensure that laws and policies to combat terrorism and promote national security comply with international human rights law, with the HRC resolution going further to express ‘grave concern’ at the use of counter-terrorism laws ‘to target human rights defenders’ and calling on States to ensure that ‘measures to combat terrorism... do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights’.

‘Like all States, China has the right and the duty to combat terrorism and promote national security. This draft legislation goes far beyond that legitimate purpose, however, to provide for the potential surveillance, harassment, criminalisation and imprisonment of human rights defenders, journalists, lawyers and other civil society actors peacefully exercising their rights to freedom of expression, association and assembly,’ said Mr Lynch.

‘Human rights defenders, pro-democracy activists, dissidents, and those who work to oppose oppressive practices or expose corruption may challenge State power, but that should not make them enemies of the State. Indeed, such work is crucial to development, good governance and the rule of law,’ Mr Lynch said.

ISHR and CHRD call on the Chinese government to withdraw or substantially rewrite the draft legislation, ensuring that all laws and policies to counter-terrorism and promote national security are compatible with international human rights laws and standards.

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## Key Developments in the Promotion and Protection of Human Rights

### END IMPUNITY FOR ATTACKS AGAINST HUMAN RIGHTS DEFENDERS AND ENACT LAWS FOR THEIR PROTECTION

(Geneva, 5 February 2015) – The need to end impunity for attacks against human rights defenders, together with the need to enact specific laws and policies for their protection, have been identified as key priorities for States by the UN Special Rapporteur on Human Rights Defenders, Michel Forst, in his [first report to the Human Rights Council](#).

The report, which will be discussed by the Council in March, provides an overview of the Special Rapporteur's activities since his appointment in June 2014 – including the conduct of regional consultations with over 150 human rights defenders across Asia, Central Asia, Eastern Europe, the Middle East and North Africa – and sets out his vision and proposed activities for the mandate for the year ahead.

#### Ending impunity

The report makes clear that combatting impunity for threats and attacks against human rights defenders will be a key priority for the Special Rapporteur, with a thematic study on the topic foreshadowed in the coming years.

According to the report, the fact that so many attacks and violations against human rights defenders 'are not investigated or are shelved' contributes to an environment where attacks are perceived as being licensed or at least tolerated.

'Ending impunity is an essential condition for ensuring the protection and safety of human rights defenders,' the report says. According to the Rapporteur, this requires that States discharge their duty to 'ensure the prompt and independent investigation of all violations against defenders', the 'prosecution of alleged perpetrators', and 'access to just and effective remedies', including compensation, for victims.

#### A conducive legal environment and effective protection mechanisms

The report emphasises the importance of a [conducive legal environment](#) for the work of human rights defenders, condemning the use of national security and counter-terrorism laws to target and criminalise them, and calling on all States to enact specific laws to protect and support their work.

'In some instances, national security and counter-terrorism legislation and other measures, such as laws regulating civil society organisations, have been misused to target human rights defenders or have hindered their work and endangered their safety in a manner contrary to international law,' the report says.

In addition to calling on States to review and repeal restrictive legislation, the Special Rapporteur notes that he 'intends to redouble efforts to convince governments to introduce specific national measures, as Brazil, Colombia, [Cote d'Ivoire](#) and Mexico have done', while also emphasising that much remains to be done to improve the effectiveness and efficiency of protection mechanisms in these jurisdictions. In this regard, the report notes the Special Rapporteur's availability and willingness to provide technical assistance to States to guide them in the implementation of the Declaration on Human Rights Defenders at the national level. Such efforts should include the

establishment and adequate resourcing of a national human rights institution in accordance with the Paris Principles, with a mandate to support human rights defenders and to follow up on the implementation of recommendations for their protection from international and regional human rights mechanisms.

### **Focusing on defenders most at risk**

Through the report, the Special Rapporteur recognises that certain groups of defenders face heightened and particular risks because of their identities or the nature of their work. Without limitation, this includes ‘those working on economic, social and cultural rights and minority rights; environmental defenders; defenders of [LGBTI](#) rights; women defenders and those who work for [women’s rights](#); defenders who work in the area of [business and human rights](#); those who work in an area exposed to internal conflict or a national disaster; defenders living in isolated regions; and those working on past abuses, such as the families of victims of enforced disappearance’.

In addition to the groups above, the Special Rapporteur notes that he has received numerous cases regarding whistleblowers, bloggers and ‘journalists who have reported on or written articles about human rights violations’, all of whom he ‘considers to be human rights defenders, in that they meet the criteria set out in the Declaration on Human Rights Defenders’.

The Special Rapporteur notes his intention to focus much of his work on those human rights defenders who are ‘most exposed’, with a view to providing them more ‘effective’ and ‘personal’ protection, and calls on States to similarly ‘pay particular attention’ to these groups.

### **Combating and promoting accountability for reprisals**

Through the report, the Special Rapporteur notes his grave concern at the [worsening incidence and severity of reprisals](#) against those who communicate or cooperate, or who seek to communicate or cooperate, with the United Nations.

The report discloses that, since his appointment, the Special Rapporteur has sent more than 30 communications to States regarding alleged reprisals against human rights defenders for their cooperation with the UN, with violations including ‘personal threats or threats against family members, smear campaigns, death threats, physical attacks, kidnapping, judicial harassment, murder and other forms of police harassment or intimidation’.

In the Special Rapporteur’s view, the obligation to combat reprisals engages the responsibility of both States and the UN itself.

For their part, States have a duty to ‘ensure that human rights defenders can participate without hindrance in the mechanisms of the United Nations and regional intergovernmental organisations’. This duty extends to that ensuring that ‘acts of intimidation and reprisals ... are firmly and unequivocally condemned’, and that ‘any legislation criminalising activities in defence of human rights through cooperation with international mechanisms is repealed’. The Special Rapporteur also urges States to support the designation of a high-level UN focal point on reprisals as envisaged by Human Rights Council resolution 24/24.

The UN itself also bears a duty to combat reprisals, with the Special Rapporteur expressing concern at the reported failure of some senior UN staff in the field to ‘show their commitment to human rights defenders or to support requests for protection from some witnesses’. It is incumbent on the UN to ensure that ‘all agencies and programmes of the Organisation are made more aware of the

question of human rights defenders’, that ‘specific measures relating to human rights defenders are included in its programmes and activities’ and that senior staff ‘provide human rights defenders who are subjected to threats with systematic support and protection’, the Special Rapporteur says.

### **Strengthening follow up**

In terms of activities, the report discloses that the Special Rapporteur intends to strengthen the mandate’s focus on follow up, including by systematically pursuing individual cases to ensure a response from the State and for the alleged victim. Each case involves ‘an individual story that requires a specific response; silence is the worst possible response,’ the report says.

The Special Rapporteur also emphasises the importance of follow up to country missions, offering to provide advice and technical assistance to States in relation to the implementation of recommendations and indicating that he would be pleased to receive invitations from NGOs, universities and other stakeholders which may provide informal opportunities to assess and follow up on the situation of human rights defenders in the country concerned.

### **New methods of work**

Finally, the report outlines the Special Rapporteur’s intention to ‘interpret his mandate as widely as possible’ and ‘to explore new avenues and innovative working techniques’.

Possible activities identified in this regard include intervening as *amicus curiae* in national and regional courts and tribunals in cases concerning the situation and protection of human rights defenders, and undertaking joint projects and missions with other UN Special Rapporteurs (such as the mandate holders on freedom of expression and on freedom of association and assembly) and with his counterpart Special Rapporteurs on Human Rights Defenders of the [African Commission](#) and the Inter-American Commission.

The report also foreshadows closer engagement with the media, both in the sense of using the media (including social media) to promote the Declaration and the vital role of defenders, and in the sense of seeking to support and protect media workers who are themselves human rights defenders.

### **Presentation of the report and high-level side event**

At this stage, the draft program of work for the [28th session of the Human Rights Council](#) provides for the Special Rapporteur to present and engage in dialogue about the report on 9 and 10 March 2015 at the Palais des Nations in Geneva.

The presentation of the report will be followed by a high-level side event on 10 March focused on ‘Human rights defenders and national security’, with both the Special Rapporteur on Human Rights Defenders and the Special Rapporteur on Human Rights and Counter-Terrorism as confirmed panelists. This event will be presented jointly by ISHR, [FIDH](#), [ICJ](#), [Article 19](#) and [OMCT](#).

## **OMAN: UN EXPERTS CALL FOR THE IMMEDIATE RELEASE OF PROMINENT RIGHTS ACTIVIST AS REPRISALS CONTINUE UNCHECKED**

Prominent human rights defender who has been repeatedly detained, Said Ali Said Jadad, was arrested again without a warrant on 21 January. A group of UN experts have urged the Government of Oman to release Mr Jadad... [more](#)

## **JOURNALISTS REPORTING ON ASYLUM SEEKERS REFERRED TO AUSTRALIAN POLICE**

In a bid to uncover confidential sources and whistle blowers, federal government agencies have repeatedly referred journalists reporting on the Australian government's asylum seekers policies to the Australian Federal Police. Active investigations continue on a number of these referrals for 'unauthorised disclosure of commonwealth information'. Paul Murphy, chief executive of the media trade union, believes these attempts to prosecute sources undermine legitimate reporting... [more](#)

## **MYANMAR BACKTRACKS ON GAINS MADE IN FREEDOM OF EXPRESSION AND ASSEMBLY**

Following a visit to Myanmar, the Special Rapporteur has expressed concern for the ongoing harassment, intimidation and prosecution of journalists, civil rights activists and protesters opposed to government projects. In meetings with government officials, Ms. Lee raised concerns about currently proposed bills that, if passed, will signal backwards movement on Myanmar's political reform process... [more](#)

## **SAUDI ARABIA'S ACADEMICS REQUESTED TO CONDEMN FLOGGING OF BLOGGER**

18 Nobel Laureates have written to the King Abdullah University of Science and Technology, which aims to enable Saudi Arabia to compete internationally in science and technology, urging academics to 'be heard arguing for the freedom for dissent' by standing up for Raif Badawi who was sentenced to 10 years imprisonment and 1,000 lashes for criticizing Saudi Arabia's clerics on his online blog... [more](#)

## **PROMINENT BAHRAINIAN HUMAN RIGHTS ACTIVISTS SENTENCED FOR TWEET**

Nabeel Rajab has been sentenced to six months in prison for 'insulting a public institution and the army' by suggesting, via twitter, that security institutions in Bahrain served as an 'ideological incubator' for jihadists. Nabeel Rajab believes that laws and judiciary in Bahrain are being used as tools of oppression... [more](#)

## **AMNESTY INTERNATIONAL URGES CAMBODIAN AUTHORITIES TO RELEASE 11 ACTIVISTS**

Amnesty International calls for the release of 10 women and one monk that were arrested after two peaceful protests in Phnom Penh. Amnesty International considers that these activists, ranging in age from 28 and 75 and some suffering serious health problems, should never have been and are victims of the Cambodian authorities' crackdown on peaceful protests... [more](#)

## **NEXT STEPS FOR IMPROVING HUMAN RIGHTS COMPLIANCE AND PROTECTION**

The 11th annual conference in the Wilton Park's series of UN related human rights meetings resulted in the development of a strong list of ideas for next steps in strengthening the UN human rights treaty body system... [more](#)

## Opportunities for NGO Engagement

### UNIVERSAL PERIODIC REVIEW

NGOs' written submissions regarding the States to be reviewed during the 23rd session of UPR (2 - 13 November TBC) must be submitted to the UPR system by [23 March](#) (tentative).

The States under review include: Micronesia, Lebanon, Mauritania, Nauru, Rwanda, Nepal, Saint Lucia, Oman, Austria, Myanmar, Australia, Georgia, Saint Kitts and Nevis, Sao Tome and Principe.

### HUMAN RIGHTS COUNCIL ADVISORY COMMITTEE

The 14th session of the Advisory Committee of the Human Rights Council will take place from **23 to 27 February** in Room XX at Palais des Nations. NGOs are able to intervene under all substantive items of the agenda during the session. The programme of work will be published [here](#). More information on NGO participation is available [here](#).

### HUMAN RIGHTS COUNCIL

The 28th session of the Human Rights Council will be held from [2 to 27 March](#) in Room XX at Palais des Nations. NGOs wishing to submit [written statements](#) to the 28th session of the Human Rights Council must do so [online](#) by 16 February. The online sign-up system for oral statements will open on 26 February at 2pm Geneva time, and the link will be made available [here](#) (see Quick links section No. 4). NGOs can also participate by submitting a [video message](#). More information on NGO participation is available [here](#).

The Secretariat of the Human Rights Council invites representatives of civil society to a briefing on the complaints procedure of the Human Rights Council on [18 February](#), from 16:00 to 17:00 in room XXI at Palais des Nations.

The Human Rights Council Bureau and President will meet with NGOs on 23 February at 3pm in Room IX at Palais des Nations.

An organisational meeting for the Council's 29th session, where States will announce planned initiatives for the session, will take place on [26 May](#).

### HUMAN RIGHTS COMMITTEE

The 113th session of the Human Rights Committee will take place from [16 March to 2 April](#) in Room XII at Palais des Nations. The Committee will examine the reports of the Russian Federation, Cambodia, Ivory Coast, Cyprus, Monaco, and Croatia. The Committee will adopt lists of issues on the reports of Austria, Benin, Greece, Iraq, Republic of Korea, Suriname and South Africa in the absence of a report.

The deadline for information on States to be examined by the Committee is [20 February](#). The programme of work and other information related to the session can be found [here](#).

### WORKING GROUP ON THE RIGHT TO DEVELOPMENT

The 16th annual session of the Working Group on the Right to Development will be held from [27 April to 1 May](#) in Room XVI at Palais des Nations. All relevant documents of the 16th session will soon be made available [here](#).

Inter-governmental organisations and non-governmental organisations with ECOSOC consultative status may attend public meetings of the Working Group by registering to [R2D@ohchr.org](mailto:R2D@ohchr.org).

### **WEBCASTS OF THE TREATY BODY MEETINGS**

If you are unable to attend relevant treaty body meetings, you can watch them live online. A group of Geneva-based NGOs, including ISHR, has coordinated to make this possible. The webcasts can be viewed at [www.treatybodywebcast.org](http://www.treatybodywebcast.org).

### **COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES**

The 13th session of the Committee on the Rights of Persons with Disabilities will be held on [25 March to 17 April](#) on the Ground Floor of Palais Wilson. The Committee will examine the reports of Cook Islands, Croatia, Czech Republic, Dominican Republic, Germany, Mongolia, and Turkmenistan.

The deadline for information on States to be examined by the Committee is [4 March](#). The programme of work and other information related to the session can be found [here](#).

The 3rd session of the Pre-sessional Working Group for the Committee on the Rights of Persons with Disabilities will be held from [20 to 24 April](#) on the ground floor at Palais des Nations. The Working Group will examine the reports of Brazil, Gabon, Kenya, Mauritius, Qatar and Ukraine. The programme of work and other information related to the session can be found [here](#).

### **WORKING GROUP OF EXPERTS ON PEOPLE OF AFRICAN DESCENT**

The 16th session of the Working Group of Experts on People of African Descent will be held from [30 March to 2 April](#) in Room XXI at Palais des Nations.

NGO's can submit information to the Working Group [here](#). More information about NGO involvement can be found [here](#).

### **OPEN-ENDED INTERGOVERNMENTAL WORKING GROUP ON THE DRAFT UNITED NATIONS DECLARATION OF THE RIGHT TO PEACE**

The 3rd session of the Open-ended Intergovernmental Working Group on the Draft United Nations Declaration of the Right to Peace will be held from [20 to 24 April](#) in Room XIX at Palais des Nations.

This Working Group is open ended. This means that all stakeholders, including NGOs, can attend its sessions. NGOs are able to intervene during the sessions. More information on the Working Group is available [here](#).

## **WORKING GROUP ON ARBITRARY DETENTION**

The 72nd session of the Working Group on Arbitrary Detention will be held from [20 to 29 April](#) in Room IX at Palais des Nations. The Working Group acts on information provided to it on alleged cases of arbitrary detention by sending urgent appeals to concerned governments. More information on how NGO's can send information for an individual case is found [here](#).

## **WORKING GROUP ON THE RIGHT TO DEVELOPMENT**

The 16th session of the Working Group on the Right to Development is taking place from [27 April to 1 May](#) in Conference Room XVI at Palais des Nations. The Working Group will continue to accomplish its mandate including, by considering, revising and refining the draft right to development criteria.

NGOs with ECOSOC consultative status may attend public meetings of the Working Group. To register for the Working Group session please contact [R2D@ohchr.org](mailto:R2D@ohchr.org). More information on the Working Group is found [here](#).

## **COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION**

The 86th session of the Committee on the Elimination of Racial Discrimination will be held from [27 April to 15 May](#) in the ground floor conference room at Palais Wilson. The Committee will examine the reports of Bosnia and Herzegovina, Denmark, France, Germany, Guatemala, and Sudan.

The deadline for information on States to be examined by the Committee is [10 April](#). The programme of work and other information related to the session can be found [here](#).

To register to attend the informal meeting, contact the CERD Secretariat at [cerd@ohchr.org](mailto:cerd@ohchr.org) before [10 April](#).

## **WORKING GROUP ON THE ISSUE OF DISCRIMINATION AGAINST WOMEN IN LAW AND PRACTICE**

The 13th session of the Working Group will take place from [4 to 8 May](#) in Room IX at Palais des Nations. The Committee will continue to accomplish its mandate including, preparing best practices related to the elimination of laws that discriminate against women and undertaking a study on the cooperation between the Working Group and States to eliminate discrimination against women in law and in practice.

The Working Group welcomes any information in relation to its mandate. NGOs can submit information to the Working Group [here](#).

## **WORKING GROUP ON THE ISSUE OF HUMAN RIGHTS AND TRANSNATIONAL CORPORATIONS AND OTHER BUSINESS ENTERPRISES**

The 11th session of the Working Group on the Issue of Human Rights and Transnational Corporations and other Business Enterprises will be held from [4 to 8 May](#) in Room XII at Palais des Nations.

Submissions can be made at all times to the Secretariat by email at [wg-business@ohchr.org](mailto:wg-business@ohchr.org).

The Working Group may also issue separate calls for submissions on specific subjects, and will publish such calls for inputs on this [website](#).

## **WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES**

The 106th session of the Working Group on Enforced or Involuntary Disappearances will be held from [6 to 15 May](#) in Room XXVII at Palais des Nations. The sessions are held in private, unless it decides otherwise. The Working Group will consider information brought to its attention since its previous session. Information can be submitted in writing [here](#).

### **COMMITTEE ON THE RIGHTS OF THE CHILD**

The 69th session of the Committee on the Rights of the Child will be held from [18 May to 5 June](#) in Palais Wilson.

The Committee will examine the reports of [Ethiopia, Ghana, Honduras, Latvia, Mexico, Nepal, Netherlands](#) under the Convention on the Rights of the Child. [Honduras, Lao People's Democratic Republic and Latvia](#) will be reviewed under the optional protocol on the sale of children ([CRC-OP-SC](#)) and [Honduras, Lao People's Democratic Republic, Latvia, Nepal and Netherlands](#) will be reviewed under the optional protocol on children in armed conflicts ([CRC-OP-AC](#)).

NGOs can send their submissions to [paolazzi@childrightsconnect.org](mailto:paolazzi@childrightsconnect.org) by [10 April](#).

NGOs are also encouraged to send their submissions for the 71st pre-session Working Group (8-12 June 2015) to the same e-mail address by [1 March](#). The Working Group will consider reports the reports of [Benin, Brunei Darussalam, France, Gabon, Haiti, Iran \(Islamic Republic of\), Ireland, Kenya, Maldives, Oman, Peru, Senegal, Sierra Leone, Zambia, Zimbabwe](#) under the CRC. Peru will also be reviewed under the [OPSC](#) and [OPAC](#).

NGOs that work with children and would like to support children's participation in the Committee's work should check the Committee's [new standards and working methods](#) on child participation in the CRC Reporting Cycle.

For more information, please consult Child Rights Connect's Guide on the CRC Reporting Cycle or contact Ilaria Paolazzi ([paolazzi@childrightsconnect.org](mailto:paolazzi@childrightsconnect.org)).

### **FORTHCOMING COUNTRY VISITS BY SPECIAL PROCEDURES**

Belgium	Special Rapporteur on contemporary forms of slavery, 19 – 26 February 2015
Central African Republic	Special Rapporteur on the human rights of internally displaced persons, 23 – 27 February 2015
Haiti	Independent Expert on the situation of human rights in Haiti 23 February – 3 March 2015
South Africa	Special Rapporteur on violence against women, 25 February – 7 March 2015
Kazakhstan	Special Rapporteur on human rights implications of environmentally sound management, 26 March – 8 April 2015
Mauritius	Independent Expert on the enjoyment of human rights by older persons, 14 – 24 April 2015

Armenia

Special Rapporteur on the sale of children, child prostitution and pornography, 27 April – 4 May 2015

Find more information on these visits [here](#). To find out how you can support the visits, please contact respective mandate-holders via their email address, as listed in the [directory](#).

## Conferences and events

### UPCOMING SIDE EVENT: HUMAN RIGHTS DEFENDERS AND NATIONAL SECURITY

Human Rights Council Side Event ‘Human Rights Defenders and National Security’ featuring the Special Rapporteur on Human Rights Defenders, Michel Forst, and other panelists to be confirmed.

Tentatively scheduled for 3pm on 10 March. Room to be confirmed.

### CAMPAIGN BOOTCAMP

Campaign Academy India, set up by 350.org, Haiyya and Change.org, are running a campaign training course involving expert campaigners designed to provide the skills, network and confidence to strategise and win powerful and positive social change campaigns. The training starts with an intensive six day residential training, followed by one year of support, including four follow up training days. The intensive training is from [April 26 to May 1](#) in Whitefield, Bangalore, Karnataka.

This training is for you if you are enthusiastic, motivated and committed to creating positive social change; demonstrate a desire to build a better world by running campaigns; and interested in using technology to win campaigns.

Apply online [here](#).

## New Resources

### ISHR LAUNCHES REPORT ‘FROM RESTRICTION TO PROTECTION’ IN SPANISH

From Restriction to Protection examines how the laws of 40 jurisdictions covering all regions, protect, or unduly restrict, the activities of human rights defenders. The report represents the first phase of an ISHR project to develop a Model Law for the protection of human rights defenders. The Spanish language version of the report was recently launched in Bogota during consultation with 33 human rights defenders from Latin American countries.

Available here in [Spanish](#) and [English](#).

### AN ANALYSIS OF LINKS BETWEEN 1ST AND 2ND UPR CYCLES

An analysis by UPR-Info ‘[Starting all over again?](#)’ indicates that only 1/5<sup>th</sup> of recommendations from the first UPR cycle are linked to a recommendation in the 2nd cycle. The analysis details practices to ensure recommending States improve at creating these links.

### FRONT LINE DEFENDERS ANNUAL REPORT 2015

Front Line Defenders has launched ‘Human Rights Defenders, Lives in the Balance’ examining the deteriorating situation for human rights defenders around the world in 2014... [more](#)

## **WORLD REPORT 2015**

Human Rights Watch's [25th annual World Report](#) summarises key human rights issues in more than 90 countries and territories worldwide in 2014.

## **CIVIL SOCIETY SPACE AND THE UNITED NATIONS HUMAN RIGHTS SYSTEM**

The sixth in OHCHR's series of [practical guides for civil society](#) aims to assist civil society actors who are not yet familiar with the UN human rights system. It highlights issues related to the work of civil society actors and provides an overview of the conditions needed for a free and independent civil society.

## **REPORT ON VIOLATIONS OF MEDIA FREEDOMS IN ETHIOPIA**

Human Rights Watch has prepared a report entitled '[Journalism is not a crime](#)' detailing how the Ethiopian Government has curtailed independent reporting since 2010. Human Rights Watch interviewed more than 70 current and exiled journalists, identifying patterns of government abuses that resulted in 19 being imprisoned for exercising their right to free expression and forcing at least 60 others into exile since 2010.

## **REPORT ON THREATS TO MEDIA FREEDOM IN AFGHANISTAN**

Human Rights Watch has prepared a report '[Stop reporting or we'll kill your family](#)' documenting harassment, intimidation and attacks on journalists, and the Afghan government's failure to investigate and prosecute those responsible. The report recommends that government should act decisively to end the violence and intimidation, and the Taliban should end its attacks on civilian organisations, including the media.

## **FOCUS 2014 REPORT**

Protection International [Focus 2014 Report](#) provides monitoring of developments in the field of national public policy associated with the protection of human rights defenders internationally, highlighting the renewed interest in adopting legal instruments for the protection of activists in Latin America and Sub-Saharan Africa.

## **THIRD ANNUAL BRIEFING ON CORPORATE LEGAL ACCOUNTABILITY**

An [analysis by the Business & Human Rights Resource Centre](#) of more than 200 lawsuits against companies over the last decade found that legal harassment of human rights defenders working to hold businesses accountable for human rights abuse is on the rise. While existing venues for extraterritorial claims in US and UK courts are narrowing, other national courts are emerging as potential venues for extraterritorial claims.

Several recommendations were made including to governments where companies where multinational companies are headquartered to pass, enforce and defend laws that ensure that victims of abuses have access to legal remedy.

## **BRIEFING PAPERS ON THE SITUATION OF HUMAN RIGHTS DEFENDERS FOR 22ND SESSION OF UPR**

ISHR has published a series of briefing papers on the situation of human rights defenders, which are intended to assist States and other stakeholders to formulate questions and recommendations regarding the protection of human rights defenders during the UPR.

For the 22nd session of the UPR (4 to 15 May), briefing papers are available on [Honduras](#), [Jamaica](#), [Liberia](#), [Libya](#), [the Maldives](#) and [USA](#).

 **ISHR** | SUPPORTING HUMAN RIGHTS  
DEFENDERS FOR **30 YEARS**

For more information about our work, or any of the issues covered in this publication, please visit our website:

**[www.ishr.ch](http://www.ishr.ch)**

or contact us:

**[information@ishr.ch](mailto:information@ishr.ch)**



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