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Ten years on: the EU must reinforce action on Human Rights Defenders

Saturday 14 June is the ten year anniversary of the adoption of the European Union (EU) Guidelines on Human Rights Defenders (HRDs)¹, committing the EU and its member states to support and assist HRDs within the framework of the Union's external relations policy. On this anniversary, Amnesty International calls on the EU and its member states to take stock of the effectiveness of the Guidelines, and to renew their commitment to translate them into meaningful action in support of HRDs.

Human Rights Defenders are individuals, groups of people or organisations who promote and protect human rights through peaceful and non-violent means. This is often at great personal risk.

Amnesty International has been working with and for HRDs since its inception, and believes that supporting their work is one of the most important ways to ensure human rights for all.

Human Rights Defenders may uncover human rights violations, subject violations to public scrutiny, press for those responsible to be accountable, and empower individuals and communities to claim their basic entitlements as human beings. Often they are victims of human rights abuses themselves. As a result of their work, HRDs face a range of challenges. In many countries, they are subjected to harassment, death threats and torture, are silenced by restrictive laws, and are at risk of arbitrary detention, abduction, enforced disappearance and murder.

In line with the 2012 EU Strategic Framework and Action Plan on Human Rights and Democracy, the EU and its member states have committed to intensify political and financial support for HRDs, and to strengthen EU efforts against all forms of reprisal. While important progress has been made over the past decade, the implementation of the Guidelines remains inconsistent and lacks transparency.

On this landmark ten year anniversary, it is time to take measures to systematically and consistently implement the Guidelines, and to strive for higher standards and greater depth of action to support HRDs.

Some concrete steps include:

- Defining clearer roles and responsibilities for key officials in EU delegations and member states' representations in third countries
- Ensuring EU and member states' personnel have clear political backing, resources and time to work on supporting HRDs, and to work with them on protecting human rights
- Setting strategic objectives for action on HRDs with identifiable outcomes and measurable indicators, enabling systematic data collection and transparent reporting

Concrete action like trial monitoring and public statements is essential to provide support and visibility to HRDs. This must be reinforced by adopting a systematic and sustained approach that seeks more transparency and accountability for how the Guidelines are implemented in practice.

At the same time, the EU and its member states must strengthen coordination and collaboration to ensure strategic and impactful support to HRDs.

¹ "Ensuring protection: European Union Guidelines on Human Rights Defenders," http://eeas.europa.eu/human_rights/guidelines/defenders/docs/16332-re02_08_en.pdf

The EU and its member states should mark the tenth anniversary of the Guidelines by publicly reiterating their commitment to act in support of the crucial role HRDs play to promote and protect human rights worldwide. They should also:

- Proactively and in close contact with HRDs, make full and strategic use of all EU and member states' tools to support HRDs, taking concrete steps such as trial monitoring and providing visibility for their work through public action or statements
- Reinforce practical and action-oriented training for EU and member state personnel on the EU Guidelines on HRDs, and complement this by ensuring that civil society in third countries is familiar with the Guidelines and consulted in EU and member states' strategies on HRDs
- Regularly engage with a wide range of HRDs working on civil, cultural, economic, social and political rights in different areas of countries including rural and remote areas, with appropriate attention to women HRDs
- Use political and human rights dialogues as well as other channels of communication to remind third countries of their duty to protect HRDs, and ensure involvement of HRDs in these processes
- Provide systematic and public feedback to HRDs, civil society and the public on EU and member states' actions on HRDs, encouraging meaningful public debate on how to reinforce these vital efforts

Human Rights Defenders: A call for EU action around the world

A prisoner of conscience, **Azam Farmonov** is a member of the independent *Human Rights Society of Uzbekistan* (HRSU). He is the head of the HRSU Sirdaria regional branch and the son-in-law of Talib Yakubov, the head of HRSU; Talib had to leave Uzbekistan in August 2006 due to constant threats to his life and is now living in France. Azam was detained on 29 April 2006 as he defended the rights of local farmers who had accused some district farming officials of malpractice, extortion and corruption. He was allegedly tortured, charged with extortion, subjected to an unfair trial where he had neither a defence lawyer nor any other legal representative. He was subsequently sentenced to nine years imprisonment. Azam Farmonov is serving his sentence in the remote Jaslik prison camp, over 1000 kilometres from his family home in Gulistan. The United Nations Special Rapporteur on Torture's February 2003 report on Uzbekistan included the recommendation to "... give urgent consideration to closing the Jaslyk colony, which by its very location creates conditions of detention amounting to cruel, inhuman and degrading treatment or punishment for both its inmates and their relatives..."

The Committee of Relatives of the Detained and Disappeared in Honduras (Comité de Familiares de Detenidos Desaparecidos en Honduras - **COFADEH**) is one of the main human rights organisations in Honduras. COFADEH was originally set up to work on the issue of enforced disappearance in the early 1980s. Today, COFADEH works on a wide range of human rights issues, including impunity for past human rights abuses; threats and harassment of human rights defenders; excessive use of force by police and security forces; land rights issues; and prison conditions. COFADEH also works with international organisations to raise awareness of human rights violations in Honduras, and plays an active role in taking human rights cases to the Inter-American System. As a result of this advocacy work, the Inter-American Commission on Human Rights has ordered the Honduran state to provide protection to a large number of Honduran human rights defenders. COFADEH staff members have been the target of threats and harassment in the past, but since 2011 the number and severity of threats and incidents against COFADEH staff have intensified. COFADEH staff members have been subjected to intimidation, surveillance and threats in the context of a generalised increase in attacks on human rights defenders and journalists since the beginning of 2012.

Gao Zhisheng is one of China's most respected human rights lawyers. In 2005, the Beijing Municipal Justice Bureau revoked his lawyer's license, and suspended the operations of his law firm Shengzhi Law Office. This was as a direct result of Gao Zhisheng's open letters to the government calling on them to stop religious persecution. He has been subjected to enforced disappearance, torture, illegal house arrest and detention since 2006 when he was charged with the vaguely-defined offence of "inciting subversion" due to his human rights activities. He is currently imprisoned in Shaya county prison in northwest China, after being sent to prison in December 2011 for apparently violating the conditions of his suspended three-year sentence. He is due to be released in August 2014. Prior to his imprisonment, Gao Zhisheng's whereabouts had been unknown for almost 20 months. He has been repeatedly tortured since 2006, and has been subjected to beatings, repeated electric shocks to his genitals, and has had lit cigarettes held close to his eyes. He continues to be at high risk of further torture. His family fled China following constant harassment by the authorities.

Dr Mohammad al-Qahtani is a prominent Saudi Arabian human rights defender who co-founded the Saudi Association for Civil and Political Rights (ACPRA) in 2009, and was sentenced to ten years in prison in March 2013. According to journalists and activists who were present, even though the trial sessions were public, the large presence of security officials dressed in civilian clothes effectively prevented some human rights activists from attending. Amnesty International considers Dr Mohammad al-Qahtani to be a prisoner of conscience. ACPRA is one of the few independent human rights organisations in Saudi Arabia, and one of the most active. As well as documenting and reporting human rights violations, it has helped many families of detainees held without charge or trial to bring cases against the Ministry of Interior before the Board of Grievances, an administrative court with jurisdiction to consider complaints against the state and its public services. Dr Mohammad al-Qahtani was charged with offences including: breaking allegiance with the ruler, questioning the integrity of officials,

disseminating false information to foreign groups, and forming an unlicensed organisation. The charge of questioning the integrity of officials is believed to refer to his accusing the judiciary of accepting confessions made under duress. Disseminating false information to foreign groups seems to refer to nothing more than expressing opinions on human rights violations in Saudi Arabia to international human rights organisations and media. Dr Mohammad al-Qahtani submitted appeals against this verdict on 28 May 2013, but his sentence was upheld in early 2014. He is serving his sentence in al-Ha'ir prison in the capital Riyadh and has raised complaints about his prison conditions.

The **Treatment Action Campaign (TAC)** is a leading civil society organisation advocating for comprehensive health care services for people living with HIV in South Africa. TAC members, both male and female, have been the targets of threats and intimidation in several different provinces in South Africa. The frequency and severity of threats and incidents against TAC members differs from area to area but a number of serious incidents have been reported in recent months. In March 2014, a TAC leader in KwaZulu-Natal Province was severely assaulted, whilst another TAC leader in Free State Province has received multiple death threats since late 2013. Founded on 10 December 1998 in Cape Town, TAC advocates for increased access to treatment, care and support services for people living with HIV and campaigns to reduce new HIV infections. It has more than 16,000 members, 267 branches, and 72 full time staff members. Their efforts, including through litigation, have resulted in many life-saving interventions, such as the implementation of national programmes to prevent mother-to-child HIV transmission, and the roll-out of country-wide antiretroviral (ARV) treatment programmes. TAC has received world-wide acclaim and numerous international accolades, including a nomination for a Nobel Peace Prize in 2004. South Africa now has the largest public ARV treatment programme in the world.