



IN DANGER FOR SPEAKING OUT

SILENCING HUMAN
RIGHTS DEFENDERS IN
EUROPE AND CENTRAL
ASIA

HUMAN RIGHTS
DEFENDERS

AMNESTY
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HUMAN RIGHTS DEFENDERS ACROSS THE REGION OF EUROPE AND CENTRAL ASIA ARE TARGETS OF INTIMIDATION, SYSTEMATIC HARASSMENT AND SERIOUS HUMAN RIGHTS VIOLATIONS. AS THEY STRUGGLE TO CAMPAIGN FOR THE RIGHTS OF OTHERS, THEIR OWN FREEDOMS AND SAFETY COME UNDER ATTACK. IN SOME CASES, THE AUTHORITIES TRY TO SILENCE THEM THROUGH TORTURE, UNFAIR TRIALS AND LONG PRISON TERMS. IN THE MOST EXTREME CASES, THEY PAY WITH THEIR LIVES.

LAWYERS AND JOURNALISTS UNDER ATTACK

Orhan Kemal Cengiz, a Turkish journalist and founder member of Amnesty International Turkey, has been working as a lawyer and human rights defender for 15 years. In 2007, he began legal work on behalf of three men who were killed at the offices of a small publishing house in April that year. Prior to the murder, the Zirve Christian publishing house in Malatya province had been accused of missionary activities and its staff had received death threats. After the murder, Orhan Kemal Cengiz himself became a target of intimidation. The authorities provided protection but no investigation was conducted into the threats. In November 2007, the local media published confidential details about him and the three murdered victims. These details, Orhan

Kemal Cengiz claims, could only have been obtained by someone who intercepted his telephone calls and emails. Hrank Dink, a Turkish journalist of Armenian descent who championed freedom of expression, was shot dead in January that same year. Journalists are being attacked in other countries too: in Russia, the killing of journalist and human rights defender Anna Politkovskaya, who was shot dead in the lift of her Moscow apartment block on 7 October 2006, proved how dangerous it was to speak out against human rights violations in that country.

INDIVIDUALS AND ORGANIZATIONS PERSECUTED

Prisoners of conscience Azam Farmonov and Alisher Karamatov are members of the independent Human Rights Society of Uzbekistan (HRSU). They were detained on 29 April 2006 after defending local farmers who had accused farming officials of corruption and who had been pressurized into withdrawing their allegations. The two men were detained incommunicado for at least a week. They were reportedly beaten on their legs and heels with batons, forced to wear gas masks with the air supply stopped and forced to sign a confession. The two men were charged with extortion on 16 May 2006. Without legal representation during the trial, they were sentenced to nine years' imprisonment on 15 June 2006.

Ten years after the adoption of the UN Declaration on **Human Rights Defenders**, they continue to face restrictions on their work, harassment, intimidation and abuse. Yet despite the risks and challenges, human rights defenders continue to make a real difference to the lives of individuals around the world.

Human rights defenders strive to close the gap between the promise of justice and equality in dignity and rights set out in the Universal Declaration of Human Rights and the reality of continuing human rights abuses today. Their work is vital for the realization of human rights for all.



Many other human rights activists and independent journalists have been imprisoned, physically assaulted, harassed or ill-treated by the Uzbekistani authorities in connection with the 13 May 2005 events, when security forces opened fire on a largely peaceful demonstration in Andizhan. Activists were sentenced on reportedly false charges to long prison terms after grossly unfair trials and without legal defence. Although the sentences of a number of human rights defenders were suspended in 2008, there is concern that some of them were forced to plead guilty on appeal and denounce other human rights defenders and organizations in order to secure their freedom. Those released still endure restrictions on their movement and are not allowed to leave Uzbekistan.

Human rights defenders and organizations are facing serious difficulties in many other parts of Europe and Central Asia. In Turkmenistan, it is virtually impossible for human rights defenders to operate openly and many have been forced into exile. The Turkmenistani authorities have also been targeting relatives of exiled human rights



The Declaration on Human Rights

Defenders was adopted by the UN General Assembly on 9 December 1998. The term “human rights defender” is used to describe people who act in many different ways and in different capacities to protect and promote human rights.

Some defenders work against particular abuses, such as torture or forced eviction. Others work for the rights of specific groups or sectors of the population facing discrimination and disadvantage, such as Indigenous People, ethnic or religious minorities, rural women, street children, or lesbian, gay, bisexual and transgender people.

For all their diversity, human rights defenders whoever they are and whatever they do have several characteristics in common. They all uphold the fundamental principle of universality – that all human beings are equal in dignity and rights, regardless of gender, race, ethnicity, or any other status. All are committed to respecting the rights and freedoms of others in their own actions.

defenders in an attempt to pressurize activists into giving up their work. In Russia, the authorities frequently fail to guarantee the rights to freedom of expression, association and assembly of human rights defenders and organizations. Activists and human rights defenders in the North Caucasus, working against impunity for human rights violations, are themselves at risk of such violations. In Turkey, Article 301 of the Turkish Penal Code (in effect since 1 June 2005) is frequently used to prosecute human rights defenders and political critics. Although recent amendments introduced some positive changes, the Code still imposes unnecessary restrictions on freedom of expression.

In the Balkans, human rights defenders who challenge impunity for war crimes have come under frequent attacks. Serbian activist Nataša Kandić has received numerous awards for her work since founding the human rights organization Humanitarian Law Center in 1992. However, her high-profile struggle on behalf of national minorities and against impunity for

war crimes has made her a target of intimidation and threats. In June 2007, a coalition of NGOs called on the Serbian parliament to apply the UN Declaration on Human Rights Defenders, noting the physical violence, prosecutions and public stigmatization of women human rights defenders in Serbia and the impunity enjoyed by the perpetrators of such attacks.

OUTLAWING NGOS

In Belarus, dozens of civil society activists and members of the opposition, particularly youth activists, have been warned, fined and imprisoned under Article 193-1 of the Criminal Code. Since coming into effect in December 2005, Article 193-1 has enabled the authorities to penalize members of unregistered civil society organizations for their activities. Organizing or participating in an activity of an unregistered NGO has become a criminal offence which carries a prison sentence of up to two years. As the authorities have closed down most human rights organizations, many activists are increasingly susceptible to prosecution.

Cover image: Russian journalist and human rights defender Anna Politkovskaya was shot dead in the lift of her Moscow apartment block on 7 October 2006. © Katja Tähjä



9 DECEMBER 2008 MARKS THE 10TH ANNIVERSARY OF THE UN DECLARATION ON HUMAN RIGHTS DEFENDERS. IT IS AN OPPORTUNITY TO PUBLICLY ACKNOWLEDGE THE LEGITIMATE WORK OF HUMAN RIGHTS DEFENDERS AND TAKE ACTION TO SUPPORT AND PROTECT THEM.

In Russia, the 2006 law on NGOs, with its burdensome reporting requirements, is used for targeting organizations that are perceived to be a threat to state authority. For example, the Russian-Chechen Friendship Society, which collected and distributed information about the human rights situation in Chechnya and other parts of the Russian Federation, was closed down in 2006. In another case, the Russian law on NGOs has helped to prevent the registration of Rainbow House (Raduzhnyi Dom), an NGO of lesbian, gay, bisexual and transgender rights activists in Tiumen, in 2006 and in 2007. The Russian authorities stated in December 2006 that the organization propagandized non-traditional sexual orientation, and that this amounted to "extremist activities". The authorities also allegedly argued that Rainbow House's aims were in conflict with the spiritual values of Russian society and were directed towards reducing the

population and were therefore considered a threat to state security. In Turkey, provincial governorships have targeted organizations working to promote the rights of persons of diverse sexual orientations and gender identities. On 29 May 2008 a Turkish court ruled that the objectives of the lesbian, gay, bisexual and transgender local solidarity organization Lambda Istanbul were against Turkish "moral values and family structure". An appeal challenging this ruling is currently pending.

ATTACKING CAMPAIGNERS

Amnesty International has recorded attacks on activists campaigning for the rights of lesbian, gay, bisexual and transgender people in various countries across Europe and Central Asia. Although police protection during "Pride" marches has increased in some countries, there are still concerns that police officers have refused to protect



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activists or investigate cases of violence against activists by non-state actors including organized groups.

Lesbian, gay, bisexual and transgender activists have been denied their right to freedom of assembly by the authorities in various cities, including Warsaw, Chisinau, Budapest, Bucharest, Sofia, Brno and Moscow.

In the last three years, several "Pride" marches have been banned by the Moscow authorities, without providing an alternative date or location as required by Russian law. On 11 May 2008 in Moldova, activists from the organization Gender-DOC were assaulted by counter-demonstrators and were prevented from exercising their rights to freedom of expression and peaceful assembly.

RECOMMENDATIONS

Amnesty International is calling on the governments of Europe and Central Asia to:

- immediately stop the persecution of human rights defenders;
- review laws and practices relating to NGOs to ensure that they comply with international human rights law; and

- refrain from passing – or, where already in place, abolish – any legislation which exceeds the permissible restrictions on the right to freedom of expression under international law and leaves the way open for the criminalization of non-violent dissenting opinion.

Amnesty International is calling on the EU, the Council of Europe and the OSCE to:

- ensure fast and reactive support and protection to human rights defenders at risk; and
- ensure that effective action is taken by the international community in support of those who courageously stand up for human rights.

HUMAN RIGHTS
DEFENDERS
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Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.

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