

AMNESTY
INTERNATIONAL



AMNESTY INTERNATIONAL REPORT 2011

THE STATE OF THE WORLD'S HUMAN RIGHTS

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AMNESTY INTERNATIONAL

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Amnesty International's mission is to conduct research and take action to prevent and end grave abuses of all human rights – civil, political, social, cultural and economic. From freedom of expression and association to physical and mental integrity, from protection from discrimination to the right to housing – these rights are indivisible.

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United against injustice, we work together for human rights.

A camp for displaced people near Port au Prince airport following a massive earthquake, Haiti, January 2010. By year's end more than a million people remained displaced because of the disaster, living in makeshift camps where violence against women and girls was increasing.



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First published in 2011 by
Amnesty International Ltd
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom

© Amnesty International 2011
Index: POL 10/002/2011

A catalogue record for this book
is available from the British
Library.

Original language: English

Printed on 100 per cent recycled
post-consumer waste paper by
Pureprint Group
East Sussex
United Kingdom

Pureprint is a CarbonNeutral®
company, and uses only
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BROTHER

70
boys

40



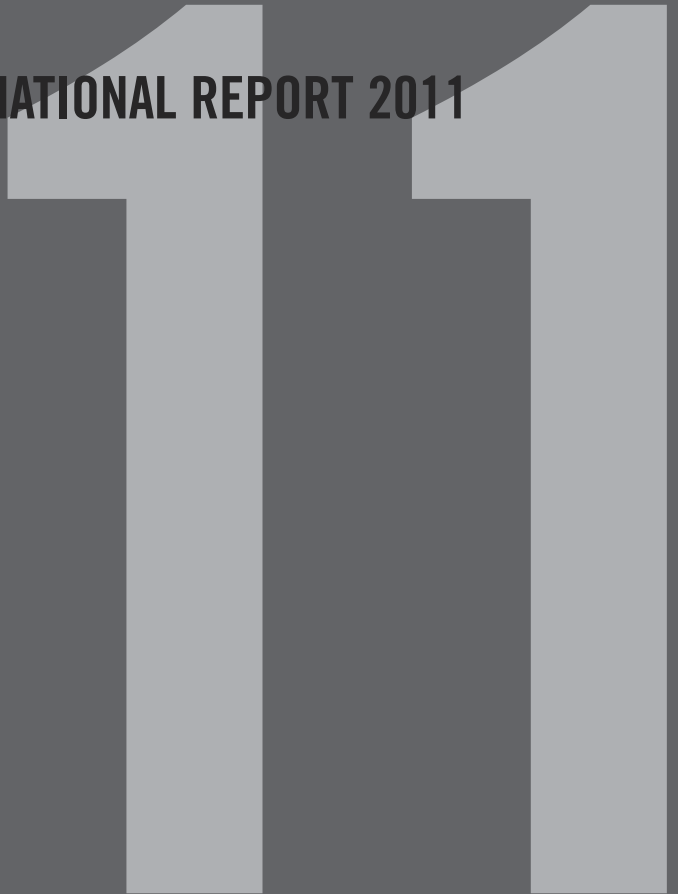
A girl living in a Roma camp in Orly, near Paris, France, September 2010, where homes were spray-painted by local authorities. Roma faced forced evictions and continued to struggle to access housing, health services and education throughout Europe.





AMNESTY INTERNATIONAL REPORT 2011

FOREWORD



Salil Shetty, Secretary General of Amnesty International, speaking about human rights in China at a seminar hosted by Amnesty International Norway, Oslo, December 2010.



ACTIVISTS USE NEW TOOLS TO CHALLENGE REPRESSION

Salil Shetty, Secretary General

The year 2010 may well be remembered as a watershed year when activists and journalists used new technology to speak truth to power and, in so doing, pushed for greater respect for human rights. It is also the year when repressive governments faced the real possibility that their days were numbered.

Information is a source of power, and for those challenging the abuse of power by states and other institutions, it is an exciting time. Since Amnesty International's inception half a century ago, we have seen and shaped similar major shifts in the power struggle between those perpetrating abuses and the courageous and inventive individuals who expose their wrongdoing. As a movement dedicated to focusing global outrage in defence of beleaguered individuals, we are committed to supporting activists who imagine a world in which information is truly free and in which they can exercise their right to express dissent peacefully, beyond the control of the authorities.

For 50 years, Amnesty International has explored frontier technologies that can give voice to the powerless and abused. From teleprinters, photocopiers and fax machines through to radio, television, satellite communications, phones, emails and the internet, we have harnessed them all in support of mass mobilization. They have been tools that have aided the struggle for human rights, despite sophisticated government efforts to restrict the flow of information and censor communication.

This year Wikileaks, a website dedicated to posting documents received from a wide variety of sources, began publishing the first of hundreds of thousands of documents which were allegedly downloaded by a 22-year-old US Army intelligence analyst, Bradley Manning, who is currently in pre-trial detention and faces the possibility of more than 50 years in prison if convicted of espionage and other charges.

Wikileaks created an easily accessible dumping ground for whistleblowers around the world and showed the power of this platform by disseminating and publishing classified and confidential government documents. Early on, Amnesty International recognized Wikileaks' contribution to human rights activism when Wikileaks posted information related to violations in Kenya in 2009.

But it took old-fashioned newspaper reporters and political analysts to trawl through the raw data, analyze it, and identify evidence of crimes and violations contained in those documents. Leveraging this information, political activists used other new communications tools now easily available on mobile phones and on social networking sites to bring people to the streets to demand accountability.

A compelling and tragic example of the power of individual action when amplified through the new tools of the virtual world is the story of Mohamed Bouazizi. In December 2010, Mohamed Bouazizi, a street vendor living in Sidi Bouzid, Tunisia, set himself on fire outside the City Hall to protest police harassment, humiliation, economic hardship and the sense of powerlessness felt by young people like himself in Tunisia.

As word of his act of despair and defiance spread around Tunisia via mobile phones and the internet, it galvanized the long-simmering dissent against the country's oppressive government with unforeseen ramifications. Mohamed Bouazizi died from his burns, but his anger lived on in the form of street protests throughout the country. Activists in Tunisia – a group comprised of trade unionists, members of the political opposition, and youth – some of whom did their organizing via social networking sites – took to the streets to demonstrate their support for Mohamed Bouazizi's grievances. Experienced hands joined with young protesters in using new tools to challenge a repressive government.

The Tunisian government sought to enforce a tight media blackout and shut down individual access to the internet but news quickly spread thanks to new technologies. The protesters made it clear that their anger was about both the government's brutal repression of those who dared to challenge its authoritarianism as well as the lack of economic opportunity caused in part by government corruption.

In January, less than a month after Mohamed Bouazizi's desperate act, the government of President Zine El 'Abidine Ben 'Ali collapsed and he fled the country, seeking refuge in Jeddah, Saudi Arabia. The people of Tunisia celebrated the end of 20 plus years of unaccountable rule, setting the stage for the restoration of a participatory and rights-respecting government to be elected.

The fall of Ben 'Ali's government reverberated throughout the region and the world. Governments which rely on torture and repression to suppress dissent and which grow rich through corruption and economic exploitation were looking over their shoulders. The local elite and foreign governments which propped up these illegitimate regimes while pontificating on democracy and human rights, were also nervous.

In no time the upheaval in Tunisia triggered tremors in other countries. People took to the streets in Algeria, Bahrain, Egypt, Jordan, Libya and Yemen.

The tools in 2010 were new but the grievances were the same: the quest for a life lived with dignity, with the full range of civil, cultural, economic, political and social rights. Activists around the world who have too long endured the threat and reality of imprisonment, torture and other brutality because of their political opinion and beliefs or identity, imagined a world of possibilities including freedom from fear and meaningful political participation. What was clearly shown by the postings is that the lack of economic opportunity experienced by many in the region resonated deeply with those who were supporting the activists in Tunisia.

The frustration of people living under repressive governments is never far beneath the surface. For example, in Egypt, Khaled Said died following an assault by two police officers in an internet cafe in Alexandria in June 2010. His death provoked a public outcry – what in hindsight appears to be an early harbinger of the massive demonstrations in 2011. The police officers were charged with unlawfully arresting and torturing him, but not charged with direct responsibility for his death. In Iran, government officials restricted access to outside sources of information such as the internet as the discontent following the disputed election in 2009 continued and the wounds created by a brutal crackdown on protesters festered.

In China, the government attempted to bury the story of a young man who, when stopped by police after killing one woman and injuring another while driving drunk, dismissed them by proclaiming his relationship to a senior police official. The cry, “My father is Li Gang” became shorthand for lack of accountability and the story behind the line was posted and reposted on the internet throughout China even as the authorities struggled for control.

For those politicians who argue the primacy of civil and political rights over economic, social and cultural rights – or vice versa – the clarity with which activists have defined their frustration as related to the lack of political and economic opportunities demonstrates that this is a false dichotomy that ignores the experiences of millions, if not billions, of people throughout the world living without both.

Amnesty International, which began as an organization dedicated to the rights of prisoners of conscience, has long understood that it is just as important to point out the underlying violations that spur activists to write and to take to the streets as it is to ensure an end to detention and abuse of the activists. Social networking sites may be new, but they are important because they are a powerful tool that can facilitate camaraderie and support between disaffected critics living under similarly abusive governments around the world.

LEAKS AND REVELATIONS

In July, Wikileaks and several major newspapers began publishing nearly 100,000 documents related to the war in Afghanistan. Controversy regarding the content, the legality and the consequences of the leak erupted. The documents provided valuable corroboration of human rights violations documented by human rights activists and journalists – violations that the Afghan and NATO governments had denied. But human rights organizations were also alarmed when the Taliban announced that they were

going through the documents on Wikileaks and would punish Afghans who had co-operated with the Afghan government or its international supporters. New technology, like all tools, presents risks as well as benefits; Wikileaks took steps to ensure that future document releases would incorporate the long-standing principle of "do no harm", a bedrock of Amnesty International's work over the past 50 years.

In response, the governments implicated in the abuses invoked the age-old excuse of claiming that the leaked documents highlighting government violations and failures were a threat to national security and therefore illegal. By and large they simply ignored the revelation of evidence of crimes under international law and their failure to investigate these crimes and prosecute those responsible.

In October, Wikileaks released nearly 400,000 documents related to the war in Iraq. Again, Amnesty International and other human rights organizations pointed out that even as the implicated governments cried national security, they were failing to meet their responsibility to investigate and prosecute those responsible for war crimes and other crimes under international law. The documents also confirmed that even as these governments were dismissing the reports of these violations by Amnesty International and other human rights organizations, they were in possession of documents that clearly verified the accuracy of these reports.

But these leaks were dwarfed by the final chapter in 2010 when Wikileaks and five major newspapers started to simultaneously publish the first 220 of 251,287 leaked confidential – but not top secret – diplomatic cables from 274 US embassies, consulates and diplomatic missions around the world, dated from 28 December 1966 to 28 February 2010. The newly available information, analysed by veteran newspaper reporters as well as new but passionate bloggers, fed into existing movements and inspired new actors.

TREMORS AROUND THE WORLD

There are differing perspectives on the Wikileaks drama, with some commentators describing it as operating in "a moral void" while others see it as the modern equivalent of the release of the Pentagon Papers. What is clear, however, is the impact that the leaks have had.

While the "Jasmine Revolution" in Tunisia would not have happened without the long struggle of brave human rights defenders over the last two decades, support for activists from outside the country may have been strengthened as people scrutinized the Wikileaks documents on Tunisia and understood the roots of the anger. In particular, some of the documents made clear that countries around the world were aware of both the political repression and the lack of economic opportunity, but for the most part were not taking action to urge change. One leaked cable showed that the then Canadian envoy, the US ambassador and the UK ambassador all acknowledged that the Tunisian security forces torture detainees; that diplomatic assurances that the government will not torture detainees sent back to Tunisia are "of value" but unreliable; and that the ICRC does not have access to detention facilities run by the Ministry of Interior.

In another leaked cable, the US ambassador detailed how the Tunisian economy was in shreds due to the pervasiveness of corruption, ranging from shakedown by the police

to the long arm of “the Family” – that is members of President Ben ‘Ali’s immediate and extended family who used their power to amass wealth.

Which brings us back to Mohamed Bouazizi and so many other Tunisians who appear to have felt that all hope was lost in the face of torture, economic deprivation, government corruption, police brutality and the unrelenting repression of political opposition and any others who voiced dissent. He had no political avenue for demanding economic opportunities and when he tried to create his own by selling fruits and vegetables from a cart on the street, the police confiscated his goods. When he went to the political authorities to complain of police abuse, they declined to accept or investigate his complaint.

Mohamed Bouazizi’s complaints were hardly unique. But his act of self-immolation happened around the same time as Wikileaks published documents showing that Western governments which had allied themselves with Ben ‘Ali’s government were aware of all these issues but apparently unwilling to exert external pressure on the government to respect human rights. The combination of these two events seems to have triggered widespread support for protesters in Tunisia. People from neighbouring countries were particularly supportive – some of whom face the same obstacles to enjoying their civil, cultural, economic, political and social rights.

A TELLING RESPONSE

Confronted with the situation in Tunisia and Egypt, the response of Western governments is instructive. The USA severed their long relationship with President Ben ‘Ali of Tunisia. The French Minister of Foreign Affairs initially proposed helping the Ben ‘Ali government to handle the protest, but outrage at such a position erupted in France and after Ben ‘Ali fled Tunisia the French finally came out in support of the protesters. Faced with similar protests in Egypt, the USA and many European governments appeared caught off guard and unwilling to support the protesters’ initial call for President Mohammad Hosni Mubarak to leave power.

The USA in particular has invested heavily in the stability of the Mubarak government despite ample evidence of its brutality over the last 30 years. In fact throughout the world, many governments that proclaim to value human rights and democracy explicitly supported political leaders, such as Hosni Mubarak in Egypt and Ben ‘Ali in Tunisia, whom they knew were corrupt, repressive and indifferent to the rights of their own citizens. In fact, the first extraordinary renditions (outsourcing of torture) happened under the Bill Clinton administration which sent detainees to Egypt – a place well known for its systematic use of torture. The evidence of this hypocrisy – reinforced by the many diplomatic cables available through Wikileaks – exposes these governments and casts doubt on their commitments to human rights. In the end, the courage of peaceful protestors risking their lives on the streets of Cairo and other cities proved too much for President Mubarak and his allies.

In the wake of the leaked diplomatic cables, governments have been scrambling to figure out what crimes may have been committed by Wikileaks (and Bradley Manning). There are troubling aspects to this response. The US government, which has been most vehement in attacking Wikileaks, had a different view when it was supporting new

advances in disseminating information about other countries. In January 2010, US Secretary of State Hillary Clinton gave a speech aimed at encouraging governments around the world to ensure that their residents had access to the internet, comparing internet censorship to the Berlin Wall. “Information has never been so free”, declared Hillary Clinton. “Even in authoritarian countries, information networks are helping people discover new facts and making governments more accountable.”

She went on to relate how, during his visit to China in November 2009, President Barack Obama had “defended the right of people to freely access information, and said that the more freely information flows the stronger societies become. He spoke about how access to information helps citizens to hold their governments accountable, generates new ideas, and encourages creativity.”

But the USA is not alone in wanting a well-behaved internet or in its willingness to use cyber technology to violate the right to privacy. The internet further exposes governments’ desire to control access to information, as they seek to censor those using the internet when the content is perceived by those in power to be a threat even as they add hacking and surveillance to their own arsenals.

It is, however, clear that governments are not necessarily in the driver’s seat, however much they might wish to be. In China, the so-called “Great Firewall” has played an important and damaging role in seeking to smother free discussion on the internet. Those who have overstepped the rules have been harassed or jailed. For example, in July 2010, Hairat Niyaz, a Uighur journalist and web editor, was sentenced to 15 years’ imprisonment for “endangering state security”. As evidence, the court cited interviews he had given to overseas media as well as his online translation of an overseas Uighur organization calling for protests against the government’s handling of an incident in which at least two Uighur were killed when Han Chinese workers attacked Uighur workers in Shaoguan, Guangdong province, southern China. Again and again, however, despite the most sophisticated technology, the Chinese authorities have found themselves unsettled or outwitted by internet users – a wild colt that cannot be tamed, in the words of Cuban blogger Yoani Sánchez.

Take Liu Xiaobo, the scholar and co-author of the dissident document Charter ‘08. He was inspired by the activity of Eastern European intellectuals fighting against Communist authoritarianism in the 1970s and 1980s. They too benefited from new technologies – copying machines and faxes – to disseminate their ideas and challenge, and ultimately topple, abusive governments.

Liu Xiaobo was little known to most ordinary Chinese even after he was sentenced to 11 years imprisonment on Christmas Day 2009. And yet, when he was awarded the Nobel peace prize in October 2010 online activists around the world went into overdrive in seeking to acknowledge his role.

Chinese authorities were eager to shut the discussion down. Caught off balance by widespread support for the man they had officially described as a “traitor”, they blocked searches for the phrase “empty chair” – a term many Chinese had begun to use in reference to the way that Liu Xiaobo was honoured at the prize-giving ceremony in Oslo, Norway.

Until Wikileaks, it appeared that governments believed they retained the upper hand. But when the companies that were necessary for Wikileaks to function withdrew their support – and it remains unclear whether this was as a result of direct government pressure – the companies and the governments that were condemning Wikileaks came under attack from hackers around the world.

This increased action by hackers and the continued dissemination of documents despite threats and outrage by various governments show how Wikileaks has changed the nature of the game with regard to who controls information. It also demonstrated a “take no prisoners” attitude among some hackers that threatened the privacy and security of individuals.

GETTING THE RIGHT BALANCE – A WORD OF CAUTION

As we have seen before, the desire to publicize information, if not balanced against individual rights, can lead to problems of its own. In August, two women filed criminal complaints against Julian Assange, the founder of Wikileaks, under the Swedish sexual offences act. Hackers published the names and identities of the women who had been vilified in the media as stooges of the US and Swedish governments. This demonstrates that in the new virtual universe women continue to be treated as pawns – or even worse – as acceptable collateral damage. To be clear, the women deserve to have their complaints fully investigated and if there is sufficient evidence, to see the alleged perpetrator prosecuted. Julian Assange must be accorded the presumption of innocence and given due process protections and a fair trial.

Human rights law is clear on this issue. Governments must be transparent and may only curtail freedom of expression (and the right to receive and impart information) to promote respect for the rights or reputations of others and to protect national security, public order and public health or morals. The claims by governments that national security is a carte blanche to restrict information is never justified – especially when the restriction appears to be covering up human rights and humanitarian law violations. But government hypocrisy and deception equally does not justify hacking into the prosecutor’s office and violating the privacy of the women plaintiffs.

A DIGITAL FUTURE FOR HUMAN RIGHTS

There is nothing magical or deterministic about the internet and other communications technologies. Technology neither respects nor undermines human rights. It is and will continue to be a tool used by both those who want to challenge injustices around the world and those who want to control access to information and suppress dissenting voices. Arguably, FM Radio and mobile phones have done more to promote and protect human rights in Africa than most other conventional methods. Innovative use of crowdsourcing by the Ushahidi.com website in Kenya has opened up a whole new set of possibilities for conflict prevention.

Technology will serve the purposes of those who control it – whether their goal is the promotion of rights or the undermining of rights. We must be mindful that in a world of asymmetric power, the ability of governments and other institutional actors to abuse and

exploit technology will always be superior to the grass-roots activists, the beleaguered human rights advocate, the intrepid whistleblower and the individual whose sense of justice demands that they be able to seek information or describe and document an injustice through these technologies.

In the debate surrounding Wikileaks, the dissemination of documents with apparent insufficient concern regarding the security of those exposed and the controversy surrounding the sexual offences case against Julian Assange made moral clarity difficult. It is not a case that allows for the moral clarity that – at least in retrospect – we associate with the publication of the Pentagon Papers. For those who find Wikileaks amoral, it is important to note that when those who should be speaking truth to power fail, those who live with the daily abuses of power may understandably celebrate Wikileaks. Their last hope for accountability is disclosure – however messy, embarrassing and apparently counter-productive it may be.

Nonetheless, these are amazing times for Amnesty International and other human rights activists who see the possibilities offered by technology for revealing the truth and holding debates that may evade state censorship and connect us across borders. We imagine the promise of living in a truly flat world in which all people have access to information in a meaningful way, in which all people can participate fully in decisions affecting their lives and in which no injustice goes unchallenged.

In 2011, Amnesty International celebrates its 50th anniversary. Described by a contemporary critic as “one of the larger lunacies of our time”, the movement was ignited by a simple call to action from British lawyer Peter Benenson, asking society to remember “The Forgotten Prisoner”. His passion was inspired when he learned of two Portuguese youths who had been imprisoned for raising their glasses in a toast to freedom.

Fortunately, for thousands of forgotten prisoners since, such “lunacy” not only prevailed, but continues, and we and our allies remain determined to promote the right to information and freedom of expression. Together we have successfully campaigned for the release of thousands of prisoners of conscience – some of whom, such as Ellen Johnson-Sirleaf – are today heads of states. Together we helped bring about the November 2010 release of Daw Aung San Suu Kyi, demonstrating yet again how unrelenting persistence can bring positive change. Together we have saved countless lives – most recently two activists challenging security forces of a mining operation who were about to stage a confrontation in order to rid themselves of activists who were willing to risk their lives by speaking truth to power.

Fifty years on the world has changed dramatically, but the imperative for individuals to stand together to fight injustice and protect the rights of human beings, wherever they may be, has not.

This anniversary is a moment to imagine how much individuals working together can achieve. If each of Amnesty International’s members, more than 3 million people, reached out to just one more person to join our work for justice, we would double our impact. As we have seen in the Middle East and North Africa, the collective actions of individuals united in their quest for fundamental fairness can have the power to bring down repressive governments.

The need for individuals who value rights and freedoms to work in concert within and across borders remains great as governments persist in persecuting those who challenge abuse of power. While brave and determined individuals claim their rights and freedoms, governments, armed groups, corporations, and international institutions seek to evade scrutiny and accountability.

We draw inspiration from the release of Aung San Suu Kyi, the courage of Liu Xiaobo, the resilience of thousands of prisoners of conscience, the courage of countless human rights defenders and the tenacity, against all the odds, of hundreds of thousands of ordinary Tunisians who, confronted with the tragic story of Mohamed Bouazizi, determined to ensure his legacy through organizing against the abuse of power that led to his death. At Amnesty International, we commit ourselves to redouble our efforts to strengthen the global human rights movement and struggle to make sure no one else ever feels so alone in his or her despair as to see no way out.

A torchlight parade in Oslo, Norway, for Chinese political activist and Nobel peace prize winner, Liu Xiaobo, who is serving an 11-year prison sentence for “inciting subversion”, December 2010. The Chinese government continued to persecute people for peacefully expressing their political and religious views.



ND HOTEL








AMNESTY INTERNATIONAL REPORT 2011

REGIONAL OVERVIEWS



A close-up photograph of a man's legs and feet standing in a creek. The water is dark and heavily polluted with a thick, greenish-brown oil slick. The man is wearing a white and brown checkered short-sleeved shirt and dark shorts. The background shows a dense thicket of mangrove trees and branches, some of which are partially submerged in the water. The overall scene depicts environmental degradation and the impact of oil pollution on a local community.

A man stands in an oil slick covering a creek near Bodo City in Nigeria's Niger Delta, June 2010. Pollution and environmental damage caused by the oil industry continued to have a serious impact on people living in the region.

AFRICA

REGIONAL OVERVIEWS AFRICA

“Everybody knows the circumstances of my son’s death but nobody will throw any light on his disappearance. We think they buried the problem along with the body. The state does not want to talk about it.”

Mother of Dominique Lopy, who died after torture in custody in Senegal in 2007, talking to Amnesty International in 2010

A number of countries in Africa celebrated the 50th anniversary of their independence during the year while others prepared to do so soon. Despite the celebrations, the hopes and aspirations of many people in Africa remained unfulfilled, because their human rights were not respected and protected. The devastation caused can be seen in the hardship, repression and violence endured by people across the continent, such as those living in informal settlements in Port Harcourt, Nigeria, those languishing unfairly in prison in Angola despite the repeal of the law under which they were charged, the women and girls denied access to sexual and reproductive rights in Burkina Faso, and the millions of people who are still fleeing from armed conflict and poverty.

Conflict

During the past decade a number of long-standing civil wars have ended but other conflicts still continue to wreak havoc.


The armed conflict in Darfur, Sudan, intensified throughout the year, resulting in tens of thousands of newly displaced people, some of whom crossed into neighbouring Chad. Civilians were directly targeted in some attacks by armed groups and by government forces. Parts of Darfur remained inaccessible to humanitarian organizations and the joint UN-African Union (AU) mission in Darfur (UNAMID). Humanitarian workers and UNAMID staff were frequently abducted in Darfur, following a pattern similar to that seen in eastern Chad in recent years. Various mediation efforts during the year produced no tangible results. Repression by the Sudanese authorities continued in Darfur, with people being arbitrarily arrested, ill-treated and kept in detention without charge, primarily by the National Intelligence and Security Service (NISS). On a more positive note, preparations for the referendum on the secession of south Sudan did not lead to an increase in violence.

The relationship between Chad and Sudan improved, easing tensions between the two countries. A joint border patrol was set up, both countries promised not to support armed opposition groups in each other's country and there were reciprocal visits by the Heads of State. Even though Chad is a party to the Rome Statute of the International Criminal Court (ICC), it failed to arrest President Omar Al Bashir during his visit to Chad in July, despite the ICC arrest warrant against him on charges of war crimes, crimes against humanity and genocide. Kenya also failed to arrest President Al Bashir during his visit in August. Sudan continued to refuse to collaborate with the ICC over other outstanding arrest warrants. In July the AU Assembly reiterated its decision not to co-operate with the ICC over the arrest and surrender of President Al Bashir.


Chad called for the withdrawal of the UN Mission in the Central African Republic and Chad (MINURCAT) and the UN Security Council meekly complied, despite the potential negative impact on the protection of hundreds of thousands of refugees and displaced in eastern Chad. The displaced and refugees in eastern Chad remained at risk of human rights abuses, including violence against women and the recruitment and use of children by the Chadian armed forces and armed groups.

Large parts of the Central African Republic remained under the control of armed groups and were affected by violence, including attacks against civilians by the Uganda-based Lord's Resistance Army. Tens of thousands of people remained displaced and sexual violence remained prevalent.

In Somalia, the armed conflict between the Transitional Federal Government (TFG), supported by the African Union Mission in Somalia (AMISOM), and armed Islamist groups continued unabated, especially in Mogadishu. Hundreds of thousands of people were newly displaced and access for emergency humanitarian assistance was severely restricted because of insecurity, restrictions on humanitarian aid and because humanitarian workers were targeted by armed Islamist groups. The parties to the conflict did not take the necessary precautions to avoid civilian casualties during military confrontations and in some instances civilians were directly targeted. Children were forcibly recruited and used by the parties to the conflict. The international community remained more preoccupied with the problem of piracy off the Somali coast than with the plight of the civilian population. Military assistance to the TFG by various states, including the USA, without adequate safeguards may even have exacerbated the human rights and humanitarian situation. There was no strong impetus from the international community to hold those responsible for war crimes to account.



Limited progress was made to ensure accountability for crimes under international law, primarily due to lack of political will.



The conflict in the eastern Democratic Republic of the Congo (DRC) resulted in numerous violations of international human rights and humanitarian law. In Walikale, North Kivu, more than 300 people were raped in just four days by members of armed groups during a series of attacks against villages. Neither the Congolese armed forces (FARDC) nor the UN peace-keeping mission in the DRC (MONUC) intervened, even though they were stationed close by. The Congolese armed forces were also responsible for numerous human rights violations in the area. Hardly anyone was held to account for serious human rights violations, including rape and other forms of sexual violence. The Congolese authorities continued to refuse to hand over Bosco Ntaganda, a senior officer in the FARDC, to the ICC in spite of an arrest warrant against him for recruiting and using child soldiers.

In October, the UN released a report mapping gross violations of international human rights and humanitarian law in the DRC between 1993 and 2003. The report contains a wide range of recommendations to strengthen the Congolese justice system and address impunity which will require follow-up and political support. Criticism of the report by countries including Rwanda and Uganda, named in the report as perpetrators of human rights violations, was disappointing and reflects unwillingness to hold those responsible to account.

Limited progress was made in other countries to ensure accountability for crimes under international law, primarily due to lack of political will. In Burundi, the agreed Truth and Reconciliation Commission and the Special Tribunal had not yet been put in place by the end of the year. In Liberia, most recommendations of the Truth and Reconciliation Commission were not implemented, including the call for an extraordinary criminal tribunal to investigate and prosecute crimes under international law committed during the civil war. In Senegal, President Abdoulaye Wade said in December that he was no longer interested in pursuing the investigation and prosecution of former President Hissène Habré from Chad, even though funding for the judicial process seemed to have been secured. This in blatant disregard of Senegal's obligations under international law and the request of the AU. In another setback, the Kenyan parliament passed in December a motion to request the government to withdraw from the Rome Statute after the Prosecutor of the ICC presented an application for six Kenyan citizens to appear before the Court.

Public security concerns

Human rights violations by security and law enforcement forces continued to plague the region. Extrajudicial executions, torture and

Elections in various countries were marred by violence and an increase in human rights violations. In nearly all cases, the human rights violations were committed with total impunity.

other ill-treatment, and excessive use of force, sometimes resulting in unlawful killings, were among the human rights violations documented.

The situation in the Niger Delta deteriorated during the year with armed groups and gangs kidnapping oil workers and their relatives and attacking oil installations. The reaction from the Nigerian security forces often led to human rights violations, including extrajudicial executions and torture. Human rights violations also remained the norm while enforcing the law in other parts of Nigeria with numerous cases of unlawful killings, including extrajudicial executions, enforced disappearances, arbitrary arrests, torture and other ill-treatment. Communal violence continued in Plateau State in Nigeria and led to hundreds of people being killed and thousands displaced.

Towards the end of the year a number of extrajudicial executions were reported in Burundi. The victims included people linked to the National Liberation Forces (FNL) opposition party. Although a judicial commission was established to investigate, no progress was made by the end of 2010.

In South Africa, numerous cases of torture and ill-treatment by police were reported, many of which were investigated by the Independent Complaints Directorate. Among the methods reported were beatings, electric shocks, suffocation and death threats. Human rights violations also occurred in Uganda after bomb attacks in July when at least 76 people were killed. Some people were arrested and kept in incommunicado detention; others were unlawfully transferred from Kenya to Uganda where they were detained.

In Mozambique, the police used live ammunition against people protesting against the high cost of living and killed at least 14 people. In Guinea, security forces shot with live ammunition at peaceful demonstrators. In Kenya, police killed seven men during a police operation in an informal settlement in Nairobi.

Deaths in custody, often after torture or other ill-treatment, occurred in a number of countries, such as in Burkina Faso, Cameroon, Republic of Congo, DRC, Eritrea, Ghana, Mauritania, South Africa and Swaziland. Prison conditions remained grim in many countries, including in Angola, Benin, Burundi, Liberia, Malawi, Sierra Leone and Tanzania.

In spite of a trend towards the abolition of the death penalty in Africa, Equatorial Guinea, Sudan and Somalia executed people sentenced to death, often after unfair trials. There was also one reported execution in Botswana. Gabon abolished the death penalty in law in 2010.

Repression of dissent

Elections in various countries were marred by violence and an increase in human rights violations. In nearly all cases, the human rights violations were committed with total impunity.

Presidential and parliamentary elections in Sudan in April led to a clampdown on freedom of expression. Media outlets were closed down, pre-print censorship was temporarily re-instated and journalists were arrested, some of whom were tortured. Many of the human rights violations were committed by the NISS but the National Security Act, which came into force in February, ensured that agents of the NISS enjoyed immunity from prosecution for human rights violations.

Elections in May in Ethiopia also led to restrictions on freedom of expression and assembly. Opposition parties stated that numerous members and activists were harassed, beaten and arrested prior to the elections, including in the Oromia region.

In Burundi, several people arrested during investigations into a series of grenade attacks before the elections were tortured by the National Intelligence Service. Although the Burundian government publicly stated it would initiate an investigation, no progress was made by the end of the year in holding those responsible to account. The government temporarily banned meetings of political opposition parties.

Rwanda also clamped down on freedom of expression and association before elections in August. Opposition political parties were not allowed to register, political opponents were arrested and a number of media outlets were closed. Journalists fled the country. Broad and ill-defined laws on “genocide ideology” and “sectarianism” were used to unduly restrict freedom of expression. The killings of a prominent politician and a journalist, as well as grenade attacks in which a number of people were killed, contributed to tension and insecurity in the run-up to the elections.

Presidential elections in Guinea led to increased violence and human rights violations. The security forces used excessive force, including by firing indiscriminately at protesters with live ammunition. Dozens of people were arbitrarily arrested during the electoral period and often denied access to their relatives, medical care or legal representation.

In Côte d’Ivoire, the results of the presidential elections in December were not accepted by incumbent President Laurent Gbagbo. Security forces loyal to him were responsible for a number of extrajudicial executions, enforced disappearances and arbitrary arrests. In spite of political pressure from the UN, the AU and the Economic Community of West African States (ECOWAS), Laurent Gbagbo refused to leave office, leading to a political stalemate and fears of rising violence.

Millions of people in Africa living in slums and informal settlements were deprived of basic services, such as clean water, health care, education and effective policing.

In numerous other countries the rights to freedom of expression, association and peaceful assembly were not respected. Human rights defenders, journalists and members of the political opposition were at risk of harassment and intimidation, arbitrary arrest, torture or other ill-treatment, or unlawful killing.

Human rights defenders and activists were arbitrarily arrested and detained in Angola, the Central African Republic, Gambia, Niger and Zimbabwe, where in November the Supreme Court ruled that the 2008 arrest and detention of two members of Women of Zimbabwe Arise (WOZA) was wrongful and that their rights had been violated. The Court also ruled that the state had failed to protect the two human rights defenders from abuse. Human rights defenders received threats in Burundi and prominent human rights defender Floribert Chebeya was killed in the DRC. No progress was made in the investigation in Kenya into the killings of two human rights defenders in 2009, Oscar Kingara and Paul Oulu. In Ethiopia, the Charities and Societies Proclamation came into effect, imposing strict controls on civil society and severely hampering human rights work.

Peaceful demonstrations were banned – or participants arrested – in Angola, Benin, Cameroon, Swaziland and Togo.

Journalists were intimidated, threatened or arbitrarily arrested in Burundi, Chad, Côte d'Ivoire, the DRC, Equatorial Guinea, Ethiopia, Gambia, Ghana, Madagascar, Namibia, Nigeria, Rwanda, South Africa, Swaziland, Tanzania, Togo, Uganda and Zimbabwe.

Political opponents were unlawfully or arbitrarily arrested in Burundi, Equatorial Guinea, Madagascar, Niger and Togo. In Uganda, police officers and armed men disrupted an opposition rally and beat a number of participants.

In Eritrea, numerous activists, journalists, religious leaders, and others remained in detention, often incommunicado and at risk of ill-treatment.

In some countries, for example Somalia, armed groups such as al-Shabab were responsible for abuses against journalists and human rights defenders, including killings. Armed Islamist groups in Somalia were also responsible for stoning people to death and amputations. In various Sahel countries Al-Qa'ida in the Islamic Maghreb (AQIM) abducted individuals and held them hostage, killing some of them.

People on the move

Migrants continued to be exposed to discrimination and other human rights violations. Angolan security forces expelled more than 12,000 Congolese nationals between September and the end of December. Dozens of women and some men were reportedly raped during the

expulsion and many were subjected to other abuses, arriving naked and without their belongings. Migrants, most of whom came from other West African countries, were arbitrarily detained in Mauritania to prevent them from trying to travel to Europe. Refugees and migrants were physically attacked in various parts of South Africa in spite of increased efforts by the authorities to respond to incidents of violence. Zimbabweans were given a chance to regularize their situation in South Africa.

In July, about 1,700 Rwandan rejected asylum-seekers, together with some recognized refugees, were forcibly returned to Rwanda from Uganda in violation of international law. Tens of thousands of other Rwandan refugees faced losing their refugee status by the end of 2011, putting them at risk of forcible return, partly because of pressure by Rwanda on neighbouring states. Thousands of Burundian refugees remained at risk of forcible return from Tanzania. Two people who were forcibly returned from Germany to Eritrea in 2008 fled once again and were granted refugee status in Germany. They had been detained in inhumane conditions after their forced return to Eritrea. Eritrea continued to implement a “shoot to kill” policy for anyone caught attempting to flee across the border.

Across the continent, millions of people remained displaced as a result of conflict and insecurity either within their own countries or as refugees. Kenya maintained its border closure with Somalia, hindering the assistance and protection of people fleeing from Somalia.


Housing – forced evictions

Millions of people in Africa living in slums and informal settlements were deprived of basic services, such as clean water, health care, education and effective policing. In many countries the authorities ignored their plight and excluded them from national plans and budgets. Lack of access to water and sanitation often led to further abuses, including sexual violence, as seen in informal settlements in Nairobi, Kenya.


There were mass forced evictions in several countries, including Angola, Ghana, Kenya and Nigeria, often driving people deeper into poverty. In Chad, Equatorial Guinea, Kenya and Zimbabwe thousands remained at risk of forced evictions. People who had been forcibly evicted in the past were often not given compensation or alternative accommodation and continued to live in destitution and with no security of tenure.

Maternal health

Progress was made in improving maternal health in Africa. Burkina Faso made commitments to lift all financial barriers to emergency



Violence and discrimination against women and girls continued to devastate their lives, restrict their opportunities and deprive them of their rights.



obstetric care and access to family planning, but has now to live up to its promises. In Sierra Leone, a free health care service, abolishing user fees for pregnant women and children under five, was launched in April, but shortages of drugs and medical supplies led to problems as more women sought to use health facilities.

Other factors contributing to maternal mortality need to be urgently addressed in many countries, such as harmful traditional practices, discrimination against women, the lack of sexual and reproductive education and the absence of accountability mechanisms.

In July, the AU Assembly committed to a range of actions to reduce maternal mortality. These included spending 15 per cent of the public budget on health, launching a campaign to reduce maternal mortality, and a call for greater accountability in policy and financing decisions. The AU Commission was asked to set up a task force on maternal, newborn and child health to prepare and review reports on progress in the area of maternal and child health.

Discrimination

Violence and discrimination against women and girls continued to devastate their lives, restrict their opportunities and deprive them of their rights. In Sudan, the public order regime was used in the north to harass, arrest and ill-treat women and girls on the grounds of “indecent” or “immoral” dress or behaviour. Tens of thousands of cases of sexual violence were reported to the police in South Africa during the year. In Kenya, a survey indicated high levels of domestic violence, including marital rape, which is not a criminal offence under Kenyan law. In Liberia, the majority of reported rape cases involved girls under the age of 16. In many countries, women and girls subjected to sexual violence had no access to the police or justice system, were encouraged to reach out-of-court settlements, faced high medical costs and were ostracized by their communities. Women continued to be disproportionately affected by the HIV/AIDS pandemic, especially in southern Africa. Female genital mutilation continued to be practised in many countries even when prohibited in law, for example in Tanzania.

Discrimination against people based on their perceived or real sexual orientation remained widespread. In Cameroon, people were prosecuted on suspicion of same-sex activities and subjected to ill-treatment. In Malawi, two people were convicted of “gross indecency” and “unnatural acts” and sentenced to 14 years with hard labour. They were pardoned a few weeks later. A newspaper in Uganda published the photos and names of individuals it stated were homosexuals and messages inciting violence. The authorities failed to publicly denounce the newspaper, and a draconian anti-homosexuality bill remained pending in Parliament.

In Mauritania, the practice of slavery continued even though it is a criminal offence. Police did little to enforce the law and eight anti-slavery activists were arrested, reportedly ill-treated, and charged for bringing cases to the attention of the police.

Attacks against albino people continued in some countries. In Tanzania, the authorities' response remained inadequate, as they failed to investigate the attacks and past killings thoroughly, or to provide sufficient protection for activists campaigning for the rights of albino people.

During a visit to the Republic of Congo, the UN Special Rapporteur on indigenous people expressed concern about ongoing discrimination. In Eritrea, people continued to be persecuted and imprisoned on religious grounds; only members of permitted faiths were allowed to practise their religion.

The tide is turning

Amnesty International will shortly also celebrate its 50th anniversary. Since the first Amnesty International reports were published in the mid-1960s, their geographic scope and the range of human rights issues covered have expanded greatly. Numerous other human rights organizations have been created in the past half century, some of them inspired by Amnesty International's campaigning. In many countries in Africa there is now a vibrant civil society, which, although often still repressed, can no longer be ignored by those in power. A lot still needs to be achieved, but the tide is turning.

REGIONAL OVERVIEWS AFRICA

Women demonstrate opposite Peru's Palace of Justice in Lima, calling for justice for their disappeared relatives, July 2010. Thousands of families have yet to discover the fate of loved ones who disappeared during Peru's internal armed conflict in the 1980s and 1990s. (CC BY-NC-SA 2.0)



AMERICAS

REGIONAL OVERVIEWS AMERICAS

“We have suffered too much with so much violence... we are not asking, we are demanding rights: demarcation of our lands with urgency so that we can return to live in peace, with happiness and dignity.”

Open letter from the Guarani-Kaiowá Indigenous People to Brazilian President Luiz Inácio Lula da Silva, August 2010

In the Americas many human rights have been recognized in law, if not always in practice, over the past 50 years. While abuses clearly persist – particularly against vulnerable groups – the region has undeniably seen progress, albeit slow and partial. Governments can rightly claim some credit for these changes. However, it is the communities most affected by human rights abuses who have been the real driving force behind these advances. It is they who have spoken out and campaigned for change, often at great personal risk. It is their determination and persistence that have inspired millions and made it increasingly difficult for states to ignore the growing clamour for fundamental and irreversible change.

The year began, however, with a sharp reminder of how fragile these hard won rights can be. In January, a devastating earthquake hit Haiti, leaving more than 230,000 people dead and millions homeless. By the end of the year, more than 1,050,000 people displaced by the disaster were still living in tents in makeshift camps, denied their rights to adequate shelter and vulnerable to attack. The dramatic increase in rapes was a clear indictment of the failure of the authorities to ensure the security of women and girls living in the camps.

Haiti was a potent symbol of what the lack of political will to prioritize the protection of rights can mean for ordinary people. However, it also provided powerful evidence of the way grassroots organizations at the forefront of human rights protection overcome seemingly insuperable odds to keep hope and dignity alive. The Commission of Women Victims for Victims (Komisyon Fanm Viktim pou Viktim, KOFVIV) is one such organization, offering support to the growing number of survivors of sexual violence in Haiti’s camps. Most KOFVIV members are themselves rape survivors and many lost everything in the earthquake. Yet despite their own personal tragedies, they have stepped in to provide survivors with the kind of medical, psychological and financial support that the Haitian state should be providing, but does not.

Even in times of relative peace and stability, governments frequently fail to ensure that rights are upheld in practice, especially for those at greatest risk of abuse, such as people living in poverty, Indigenous Peoples, and women and girls. This is particularly true in cases where powerful economic interests view upholding the rights of poor and marginalized communities as contrary to their economic goals.

Human rights defenders

Defending human rights continued to be dangerous work in many countries in the region. Activists were killed, threatened, harassed or subjected to arbitrary legal proceedings in a number of countries including Brazil, Colombia, Cuba, Ecuador, Guatemala, Honduras, Mexico and Venezuela. Often they were targeted because their work threatened the economic and political interests of those in power.


In countries such as Colombia and Brazil, some protection measures were implemented to address the risks faced by human rights defenders. However, in others, the year ended without the creation of integrated measures to tackle the problem. For example, in Mexico, where there was growing concern about the security of activists, the authorities made little progress in implementing a protection programme, despite a commitment to do so first made in 2008.

Indigenous Peoples


Indigenous Peoples in the Americas have become increasingly vocal and organized in defence of their rights in recent years. Nevertheless, the legacy of widespread human rights abuses against them, and the failure to hold those responsible to account, helped perpetuate long-standing discrimination and poverty in Indigenous communities throughout the region.

The expansion of the agricultural and extractive industries and the introduction of huge development projects such as dams and roads into traditional Indigenous lands represented a significant and growing threat to Indigenous Peoples. In Argentina, Brazil, Chile, Colombia, Guatemala, Panama, Paraguay and Peru, Indigenous Peoples seen as standing in the way of commercial interests were threatened, harassed, forcibly evicted, displaced and killed as the drive to exploit resources intensified in the areas where they lived.

Although states in the Americas voted in favour of the 2007 UN Declaration on the Rights of Indigenous Peoples, by the end of 2010 none had enacted legislation ensuring that development projects affecting Indigenous Peoples could only be undertaken with the communities' free, prior and informed consent.



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Peru came close to approving landmark legislation in May when the Law on the Right of Indigenous People to Prior Consultation, drawn up with the participation of Indigenous Peoples, was passed by Congress. However, President García refused to promulgate it. Paraguay continued to fail to abide by two decisions handed down by the Inter-American Court of Human Rights in 2005 and 2006 ordering the state to return traditional lands to the Yakye Axa and Sawhoyamaya. In August, the Court ruled on a third case involving Indigenous Peoples' rights and condemned Paraguay for its violation of the rights of the Xákmok Kásek. In Brazil, where the right of Indigenous Peoples to their "traditionally occupied lands" was enshrined in the Constitution as long ago as 1988, the Guarani-Kaiowá in Mato Grosso do Sul state faced numerous obstacles and protracted delays in getting their land claims settled. While their claims stalled in the courts, the Guarani-Kaiowá were harassed and attacked by gunmen hired by local farmers to remove them from the land.

Conflict

In Colombia, the 45-year internal armed conflict continued to take a heavy toll on the civilian population, which bore the brunt of the hostilities. Thousands of people were the victims of forced displacement, unlawful killing, kidnapping or enforced disappearance by guerrilla groups, the security forces and paramilitaries. The most marginalized groups – Indigenous, Afro-descendant and peasant farmer communities, as well as the urban poor – were targeted by the warring parties. Promises by the newly elected President, Juan Manuel Santos, that he would prioritize human rights and the fight against impunity raised hopes that his administration would show the political will to tackle the long-running human rights crisis in the country. However, continued attacks on human rights defenders, activists and community leaders, especially those working on land rights issues, showed the scale of the difficulties that lay ahead.

A number of countries, particularly in the Andean region, saw mass demonstrations against government policies and legislation on issues such as access to natural resources, land, education and public services. In September, Ecuador appeared to be on the brink of civil conflict after hundreds of police officers took to the streets in protest at government proposals to change their pay and benefits. President Correa, who became caught up in the protests, was briefly hospitalized for the effects of tear gas.

Public security

Poverty, criminal violence and the proliferation of small arms created and perpetuated the conditions in which human rights abuses

The expansion of the agricultural and extractive industries and the introduction of huge development projects represented a significant and growing threat to Indigenous Peoples.

flourished. Residents of poor urban neighbourhoods – particularly in parts of Mexico, Central America, Brazil and the Caribbean – continued to be caught between the violence of organized criminal gangs and human rights abuses by the security forces.

In many cases, endemic corruption in state institutions undermined their ability to respond adequately to organized crime. However, governments showed little appetite for addressing this long-standing and systemic problem. Rather, they increasingly resorted to the deployment of the military in response to organized crime and other perceived threats to security.

In Mexico, for example, the deployment of the military to combat organized crime resulted in numerous reports of serious human rights violations, including unlawful killings, enforced disappearances, torture and arbitrary detention. In Jamaica, a state of emergency was declared in May in parts of the country following an outbreak of gang violence. During the state of emergency, at least 4,000 people were detained and 76 killed, including three members of the security forces. More than half the killings were alleged to have been extrajudicial executions.


Counter-terror and human rights

US President Obama's promise that the Guantánamo detention centre would be closed by January 2010 was not fulfilled. By the end of the year, 174 people remained held in the prison. The only Guantánamo detainee so far transferred to the US mainland for prosecution in a federal court was tried and convicted. Two Guantánamo detainees were convicted by military commission during the year after pleading guilty. Revised rules, issued in April, governing military commission proceedings for so-called "war on terror" suspects showed that there was little hope that the US administration would make substantial reforms and uphold human rights.


Justice and impunity

In several Latin American countries, most notably the Southern Cone, there were continued and significant advances in efforts to bring to justice some of those responsible for serious and widespread human rights violations under past military regimes.

In Argentina, Reynaldo Bignone, former military general and former President, was found guilty in April of torture, murder and several kidnappings that occurred while he was commander of the notorious Campo de Mayo detention centre between 1976 and 1978. In July, General Luciano Benjamín Menéndez and Roberto Albornoz, former head of the intelligence police, were sentenced to life imprisonment for human rights violations committed at a secret detention centre in Tucumán province during the military regime (1976-1983).



There were continued and significant advances in efforts to bring to justice some of those responsible for serious and widespread human rights violations under past military regimes.



In July, Manuel Contreras, former head of the infamous Chilean National Intelligence Directorate (Dirección de Inteligencia Nacional, DINA), was sentenced to 17 years' imprisonment for his part in the killing in Argentina in 1974 of General Carlos Prats, a member of cabinet in the government of President Salvador Allende (1970-73), and his wife.

In a landmark ruling in October, the Uruguayan Supreme Court declared a 1986 amnesty law unconstitutional. However, the ruling was specific to the case against former President Juan María Bordaberry (1971-1976) and will not, therefore, lead to the reopening of previously archived cases.


Also in October, members of Peru's "Colina group" death squad and former high-ranking officials in the government of Alberto Fujimori (1990-2000) were convicted of the killing of 15 people and the enforced disappearance of 10 others in 1991 and 1992.

In Colombia, retired Colonel Luis Alfonso Plazas Vega was sentenced to 30 years' imprisonment in June for the enforced disappearance of 11 people in 1985 when the military stormed the Palace of Justice, where people were being held hostage by the M-19 guerrilla group.


However, in many cases progress was severely hampered by the fact that military institutions failed to co-operate with, and in some instances showed outright resistance to, investigations into human rights violations. In Bolivia, for example, officials investigating enforced disappearances dating from 1980-1981 continued to face obstacles in getting access to military archives, despite two Supreme Court orders for the declassification of the archives.

In Mexico and Colombia, the military justice systems continued to claim jurisdiction in cases of alleged human rights violations committed by members of the armed forces. New legislation in Colombia and proposed legal reforms in Mexico did not guarantee that all human rights violations would be excluded from military jurisdiction, despite clear evidence of the lack of independence and impartiality of military courts and prosecutors.

Efforts to introduce legislation to combat impunity stalled in some countries, while in others progress made in previous years was rolled back. For example, in April the Chilean Supreme Court upheld a decision that the 1978 Amnesty Law should apply in the case of Carmelo Soria Espinosa, a Spanish diplomat killed in 1976 by the security forces. Also, in April, the Brazilian Supreme Federal Tribunal upheld the interpretation that crimes committed by members of the military – extrajudicial executions, torture and rape – were political or related to political acts and, therefore, covered by an amnesty law passed by the military regime in 1979. However, in November the



**Accountability and
remedy for human rights
violations committed
as part of the USA's
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Inter-American Court of Human Rights ruled that the 1979 Amnesty Law was null and void, and reminded the Brazilian authorities of their obligation to bring perpetrators to justice. Meanwhile in Peru, Congress voted to revoke Decree Law 1097, which effectively granted amnesties to human rights violators, but two decrees allowing members of the armed forces accused of human rights violations to be tried in military courts remained in place.

In El Salvador, President Funes signed into law an Executive Decree in January creating a new National Search Commission for Disappeared Children to search for children who disappeared during the armed conflict (1980-1992). By the end of the year, however, the new Commission was still not operational and the whereabouts of hundreds of disappeared children remained unknown.

Meanwhile, in the USA, those responsible for crimes under international law committed as part of the “war on terror”, such as torture and enforced disappearance, were not held to account. In November, former President George W. Bush admitted that he had authorized the use of “water-boarding” (a form of torture in which the process of drowning a detainee is begun) during his administration. Nevertheless, accountability and remedy for human rights violations committed as part of the USA’s programme of secret detention and rendition remained non-existent. In November, the US Department of Justice announced, without further explanation, that no one would face criminal charges in relation to the destruction in 2005 of 92 tapes depicting evidence of “water-boarding” and other torture techniques used against two detainees held in 2002.

International justice

In December, 14 people – 12 Chilean former military officials, including General Manuel Contreras; a Chilean civilian; and an Argentine former military official – were sentenced in absentia to between 15 years and life imprisonment by a court in France. The 14 were convicted in connection with the disappearance of four French-Chilean nationals during the early years of the Chilean military government of Augusto Pinochet (1973-1990).

Judges in the Americas made use of international human rights law to re-open cases of human rights violations that had been closed because statutes of limitations had expired. In Colombia, for example, the Supreme Court of Justice ruled in May that former Congressman César Pérez García should be prosecuted in connection with a 1988 massacre in Segovia by paramilitaries in which more than 40 peasant farmers were killed. The Court argued that the massacre amounted to crimes against humanity and was, therefore, not subject to the statute of limitations.

During 2010, St. Lucia became the 113th state to ratify the Rome Statute of the International Criminal Court. Paraguay and Brazil ratified the International Convention on enforced disappearance, but neither recognized the competence of the Committee against Enforced Disappearance to receive and consider communications from or on behalf of victims.

Death penalty

Forty-six prisoners – 45 men and one woman – were put to death in the USA during the year. This brought to 1,234 the total number of executions carried out since the US Supreme Court lifted a moratorium on the death penalty in 1976.

In Guatemala, Congress passed legislation in October that could lead to the resumption of the use of the death penalty. However, the President vetoed the bill, and in December Guatemala voted in favour of the UN General Assembly resolution calling for a moratorium on the use of the death penalty.

In December, Cuba commuted the sentences of the last three prisoners facing the death penalty.

Although death sentences were handed down in the Bahamas, Guyana, Jamaica and Trinidad and Tobago, no executions were carried out.

Freedom of expression

The Americas remained a dangerous region for those working in the media. Only Asia recorded more killings of journalists during 2010. Almost 400 media workers were threatened or attacked and at least 13 journalists were killed by unidentified assailants. Mexico accounted for more than half of these deaths, followed by Honduras, Colombia and Brazil. In many cases, those killed were believed to have been targeted because of their efforts to uncover corruption or to expose the links between officials and criminal networks.

A significant number of TV stations, particularly in Venezuela and the Dominican Republic, were forced to close temporarily; radio stations were also affected. In the Dominican Republic at least seven TV and radio stations had their transmission signal blocked or were forced to close temporarily in the run-up to the May elections. Some channels had still not been able to resume broadcasting by the end of the year.

In Cuba, journalists continued to be arbitrarily detained and all media remained under state control.


Inequality and development

Progress in poverty reduction was recorded in Argentina, Brazil, Mexico and Venezuela. However, although there was evidence that


poverty was slowly decreasing in Latin America and the Caribbean, almost a fifth of the region's population continued to live in extreme poverty, including the vast majority of Indigenous Peoples. Despite a reduction in inequality in many countries, notably Venezuela, many of the least developed nations failed to show any tangible improvements and at the end of 2010 Latin America remained the most unequal region in the world.

Indigenous Peoples and Afro-descendant communities were disproportionately represented among those living in poverty, more so than any other group. The repeated, but false, claim that respect for the rights of Indigenous Peoples is incompatible with economic growth and development provided the backdrop to a persistent pattern of rights violations. In Guatemala, despite a request by the Inter-American Commission on Human Rights that operations at the Marlin 1 gold mine in San Marcos department be suspended, the mine was still operational at the end of the year. In Canada, the Toronto Stock Exchange took the decision in January to de-list the Copper Mesa Mining Corporation from the exchange. The company was the subject of a lawsuit presented by the Ecuadorian Intang Indigenous People who accused the company of responsibility for human rights violations. In May, an Ontario court struck out the lawsuit; an appeal was before the Ontario Court of Appeal at the end of the year.

Eighteen UN agencies working in Latin America issued a report in July on the progress made by states in achieving the Millennium Development Goals (MDGs). The report revealed that the MDG to reduce maternal mortality was the furthest off track. Tens of thousands of women continued to die from preventable pregnancy-related complications and wide disparities persisted in access to quality health care. The report attributed this to discrimination against women and their low status in society.



Laws banning abortion in all circumstances continued to deny women and girls in El Salvador, Chile and Nicaragua their right to sexual and reproductive health.



Violence against women and girls and the denial of reproductive rights

Violence against women and girls, including sexual violence, remained widespread and most survivors were denied access to justice and redress. Although states in the region introduced legislation to combat gender-based violence, in practice laws were seldom applied and investigations and prosecutions were rare. A new law in the USA offered hope to Indigenous women survivors of rape by establishing more robust systems to access justice. However, in countries such as Bolivia, Guatemala, Haiti and Nicaragua, failing justice systems helped perpetuate impunity for gender-based violence and so contributed to a climate where such violence proliferated.

Thousands of women in the region were raped, forcibly disappeared or killed during the year. Women in certain parts of Guatemala and Mexico and Indigenous women in Canada were at particular risk. The lack of resources available to investigate and prosecute these crimes raised questions about official willingness to address violence against women.

Many of those subjected to gender-based violence were girls under the age of 18. For example, in October, the UN Committee on the Rights of the Child requested that Nicaragua take urgent action to eradicate sexual violence against children, following increasing evidence of widespread sexual abuse of girls and teenagers in the country.

Laws banning abortion in all circumstances continued to deny women and girls in El Salvador, Chile and Nicaragua their right to sexual and reproductive health. Laws criminalizing abortion put anyone providing or seeking an abortion at potential risk of imprisonment, including girls and women who were pregnant as a result of rape or who experienced life-threatening complications in their pregnancies.

In some other countries, access to abortion granted in law was denied in practice because of protracted judicial procedures that made access to safe abortion almost impossible especially for those who could not afford to pay for private abortion services.

“I demand that the government respects our rights as women. We are girls and we have rights, and so long as they do not respect these rights, we will continue to fight to demand them,” Clara, youth rights promoter, aged 18, Managua, Nicaragua.

REGIONAL OVERVIEWS AMERICAS

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Myanmar's pro-democracy leader Daw Aung San Suu Kyi addresses supporters following her release from house arrest, Yangon, Myanmar, 13 November 2010. The number of political prisoners in Myanmar reached an estimated 2,200 during 2010. Most were prisoners of conscience.

ASIA-PACIFIC

REGIONAL OVERVIEWS ASIA-PACIFIC

“I am innocent and I will prove my innocence. I will come out and resume my work towards the human rights and health rights of Adivasi communities in Chhattisgarh, regardless of the threats facing me and other human rights defenders.”

Dr Binayak Sen, speaking to Amnesty International on 24 February 2010

In a region with almost two thirds of the world’s population, stretching a third of the way around the planet, a few individual human rights defenders, like Binayak Sen, continued to dominate headlines and affect national and geopolitical events because of their courage in speaking truth to power. The events of 2010 highlighted the crucial role of brave individuals in demanding greater dignity and respect, but they also underscored the high price these human rights defenders pay – and the continuing need for global solidarity with them.

Fifty years after Amnesty International came into being dedicated to protecting the rights of those detained simply for their opinions, Asia-Pacific governments still made a habit of responding to critics with intimidation, imprisonment, ill-treatment and even death. Government repression did not distinguish between those who were clamouring for civil and political rights and those whose complaints were rooted in violations of economic, social and cultural rights.

There was good news in 2010. In mid-November, people around the world joined in celebrating with the people of Myanmar when Daw Aung San Suu Kyi was released upon the termination of her sentence, after spending 15 of the last 21 years in some form of detention.


For many years, Aung San Suu Kyi had the unfortunate distinction of being the only living recipient of the Nobel Peace Prize to be in detention. In December, she briefly shared that unwanted distinction with Liu Xiaobo, a writer and dissident serving a prison sentence in China for his role in drafting Charter 08, a manifesto for a more responsive and inclusive government in China.

The Chinese government responded by trying – and failing – to push the Norwegian government into rescinding the honour, and then by bullying and cajoling various governments to skip the award ceremony. In the end, the ceremony was well attended, but Liu Xiaobo languished in prison, while his wife Liu Xia was held under house arrest and other


members of his family and fellow activists were barred from travelling to Oslo to receive the prize or participate in the festivities. This made Liu Xiaobo's the first Nobel Peace Prize to go physically uncollected since 1936, when the Nazi government in Germany prevented Carl von Ossietzky from attending the ceremony. The Nobel Committee's selection of Liu Xiaobo, and the Chinese government's petulant response, highlighted the ongoing – and even increasing – effort to silence government critics over the past three years.

The year ended with a life sentence imposed on Binayak Sen by a state court in India. Binayak Sen, a prisoner of conscience, is a physician and activist who has criticized both the Indian government and Maoist armed groups for the spiralling violence in central India. His trial was politically motivated, suffered from serious procedural and evidentiary flaws, and was roundly denounced by observers inside and outside India. Nevertheless, a sessions court in Chhattisgarh state sentenced Binayak Sen to life imprisonment for sedition – under the same problematic law used against Mahatma Gandhi by the British colonial government.

Aung San Suu Kyi, Liu Xiaobo, and Binayak Sen each served as symbols of resistance to injustice and indignity, but they are also individuals who keenly suffer the deprivations of detention. They may be at the centre of international attention, and even benefit from that attention, but in each case, government authorities have abused them and subjected their family members and associates to threats and harassment. In this sense, their plight is no different from that of thousands of activists and human rights defenders who suffer government persecution in the Asia-Pacific region but do not receive the attention of headline writers and policy-makers.



Aung San Suu Kyi, Liu Xiaobo and Binayak Sen each served as symbols of resistance to injustice and indignity. Their plight mirrors that of thousands of human rights defenders suffering government persecution in the region.



Freedom of expression

As even a cursory review of the events of 2010 shows, many journalists and activists across the Asia-Pacific region placed their lives and well-being on the line in order to challenge governments and other powerful actors to fulfil their obligations to respect the rights and dignity of all. As a result, many of those who dared exercise their right to express their opinions freely suffered violations of their civil and political rights. Paradoxically, it was often these civil and political violations that grabbed the headlines, and not the more complicated causes – often violations of economic, social and cultural rights – that prompted complaints and criticism in the first place.

Regardless of the reasons for dissent, most of the region's governments shared the desire to inhibit critics, notwithstanding political, religious, ethnic and cultural differences. Governments

across the region also shared the routine invocation of “national security” or the maintenance of harmony and stability as the rationale for their attempts to silence dissent.

North Korea’s government, beset by severe economic problems and increased political tensions with its neighbours, maintained its chokehold on all communications within the country. Vitit Muntarbhorn, the UN’s Special Rapporteur on North Korea, ended his term by roundly condemning the country’s singular lack of respect for nearly the entire gamut of internationally recognized human rights. There was no pretence of free expression or organized civil society, and the government severely punished efforts to even receive information from unauthorized sources, for instance via short-wave radio.

Few governments attempted to maintain this level of control over the opinions received and expressed by their citizens. Even in Myanmar, the government made an effort to reform its battered image (inside and outside the country) by holding parliamentary elections in November and replacing uniformed military rulers with civilian rulers (although often the very same people). The elections were widely viewed as problematic, since the electorate was denied the opportunity to debate the country’s future and many, if not most, potentially critical candidates were barred from participation.

The Myanmar government may have tried to assuage some of the intense international and regional criticism by releasing Aung San Suu Kyi only a week after holding parliamentary elections. But the ongoing detention of thousands of prisoners, many of them held in horrific conditions, countered any pretence of real concessions. It has long been known that the authorities have detained some 2,200 political activists, many of them for supporting the cause espoused by Aung San Suu Kyi and her party, the National League for Democracy. But Amnesty International’s research in 2010 uncovered how extensively the Myanmar military authorities have monitored and punished dissent among the country’s many ethnic minority groups who have long been marginalized from power and seen their land and labour forcefully expropriated.

In most other countries in the region, authorities tried to control criticism even as old and new forms of expression spread. In Viet Nam, for instance, more than a dozen activists were convicted in faulty trials simply because they had peacefully voiced criticism of government policies. Most of those convicted faced charges under vague and poorly defined laws related to “national security”.

China’s government maintained intense pressure on some ethnic minority communities, in particular ethnic Tibetans, as well as Uighurs, a largely Muslim group from the resource-rich Xinjiang region. More

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The Chinese government showed that it is at once extremely sensitive to public criticism and intensely afraid of trusting the country's citizens to play a greater role in their own governance.

than a year after violent riots erupted in Xinjiang, the Chinese government continued to persecute Uighur activists and muzzle those who criticized the government's conduct, justifying its repressive tactics by invoking the threat of "splittism" and vague and unsubstantiated threats to national security.

Critics of any ethnicity who directly challenged the Chinese government felt the heavy hand of repression. The Chinese government fell short even of the benchmarks it had established in its two-year human rights action plan, which ended in 2010. Contrary to the steady increase of public discussion on old-fashioned media platforms, such as newspapers, as well as social networking through the internet, voices that asked for a more representative government remained heavily restricted. The Chinese government showed that it is at once extremely sensitive to public criticism by the media and civil society and intensely afraid of trusting the country's citizens to play a greater role in their own governance.

Thailand, a country which boasts a more open media environment than most of its neighbours in Southeast Asia, witnessed greater government restrictions on free speech in the face of serious political unrest and street violence. As large, sometimes violent, protests broke out in Bangkok, the government imposed a state of emergency and cracked down on thousands of websites, shutting down tens of thousands of sites on grounds that they threatened national security or had somehow insulted the monarchy in violation of the country's harsh lese-majesty laws.

India has long prided itself on its vibrant media and powerful legal system – the bases of the country's boast of being the largest democracy in the world. Nevertheless, untenable and unsupported allegations of threats to national security undergirded the Indian government's case against Binayak Sen as well as hundreds of people detained in troubled Jammu and Kashmir state. Facing a significant escalation of protests against the Indian government's heavy-handed rule in the state, Indian authorities detained dozens of suspects and held many of them in administrative detention, without proper legal process.

The citizens of several other South Asian countries also suffered from significant restrictions on their free speech. In Sri Lanka, the curtailing of journalists and civil society continued apace as President Mahinda Rajapaksa won re-election in January. Journalists and activists who opposed his government reported intimidation and threats, bolstered by several incidents in which forces believed to be linked to the government harassed, detained or abducted journalists. Similarly, Afghan journalists faced increasing harassment and attacks by state and non-state actors, especially during the country's widely

discredited parliamentary elections. But at least in government-controlled areas of Afghanistan, journalists bravely continued their work despite harassment and arbitrary detention by the authorities; unfortunately, in a growing swath of the country, the Taliban and other anti-government groups effectively shut down any critical debate.

In several instances, where governments did not directly interfere with freedom of expression, they did little to protect journalists or the space for public discourse. More than a year after the massacre of 33 journalists in the Philippines, the case against the alleged perpetrators dragged on, even as witnesses reported threats and intimidation. Pakistan was the scene of 19 lethal attacks on media workers in 2010, most of them without clear perpetrators – in different incidents, accusations ranged from the Pakistani Taliban to radical religious groups to the government’s shadowy intelligence services. The government did little to protect journalists or bring their attackers to justice. Notwithstanding these attacks, many Pakistani journalists went to great lengths to report on the country’s many ills.

Pakistan again suffered through a cataclysmic year, as unprecedented flooding in July and August submerged nearly a fifth of the country and affected some 20 million people. This catastrophe aggravated the misery facing millions of Pakistanis already afflicted by conflicted-related violence, displacement and extreme poverty. In north-west Pakistan, army personnel often violated the laws of war and human rights, arbitrarily arresting civilians and subjecting suspected insurgents to extrajudicial executions. The Pakistani Taliban and other insurgent groups in turn inflicted cruel punishments on the civilian population, targeted civilians and civilian property, including schools, and launched deadly suicide attacks in the major cities, causing hundreds of civilian deaths and injuries. In Balochistan, the bullet-riddled bodies of scores of missing Baloch activists were recovered across the province. The victims’ relatives and activists accuse the Pakistani security forces of these “kill and dump” operations. The atrocities have only added to the climate of fear and the Baloch people’s grievances of misgovernance and marginalization. But because reporting from these conflict-affected areas remained patchy and scarce, it provided only an inkling of the enormous human suffering in the province.

Similarly, in India, government restrictions and general insecurity dampened coverage (and hence understanding) of the escalating crisis posed by Maoist armed insurgencies in central and north-eastern India – referred to as India’s gravest internal security challenge by Prime Minister Manmohan Singh. A potent combination of poverty, caste and ethnic discrimination, religious dogma, and corporate greed,

laid the groundwork for a crisis pitting security forces and associated paramilitary groups against often indiscriminate militant groups, with civilians paying a heavy toll.

Corporate violations

It took the work of activists like Binayak Sen to focus attention on the difficulties gripping central India and in particular Chhattisgarh state. Activists have long pointed out that the conflict across central India was fuelled by government policies that aggravated the region's poverty, government inaction in the face of corporate wrongdoing after the 1984 Union Carbide gas disaster in Bhopal, and more recent attempts to pursue economic development without adequately consulting the region's residents.

In a positive move, the Indian government put the brakes on the development of a large-scale aluminium mining project by UK-based Vedanta Resources and the state-owned Orissa Mining Corporation after an administrative panel found that the companies had proceeded without securing the free, prior, informed consent of the region's Indigenous Adivasi population, for whom the area of the mine was of supreme religious importance. The decision was the first of its kind in India and raised hopes that the Indian government would provide greater attention to the Adivasi population, as well as other groups facing institutionalized poverty and marginalization.

The reversal of the Vedanta decision was the result of intense campaigning by Adivasis in close association with international groups – including Amnesty International – which marshalled global economic and public relations pressure. In London, where Vedanta shareholders were meeting in July 2010, activists used international law, economics, celebrity advocates, and even painted themselves blue to invoke the recent science fiction blockbuster film *Avatar*, whose plot of a native population battling corporate interlopers superficially resembled the situation in Orissa.

Access to health care and maternal mortality

In other areas, the campaign for maintaining the dignity and defending the rights of the poor and the marginalized remained fraught. In Indonesia, local groups combating the country's disproportionately high rate of maternal mortality have recently stepped up their efforts to reverse the trends by reforming the discriminatory laws and problematic societal attitudes at the heart of the statistics. Even as thousands of Indonesian women die needlessly through pregnancy and childbirth, it has proved difficult to garner sufficient public support – and therefore government attention and resolve – to address the problem.

Afghanistan still suffered from one of the worst maternal mortality rates in the world: one in eight Afghan women died of pregnancy-related complications.

The Indonesian government has nevertheless committed itself to improving the conditions of the country's populace, and in particular of Indonesian women and girls. It has proved far more difficult to fight for the rights of citizens of countries whose governments, to a greater or lesser extent, simply ignore their obligations.

In North Korea, millions of people suffer from insufficient food and lack of access to medicine and health care. Egregious government mismanagement, coupled with naturally occurring draught, have led to extreme shortages so that people in many circumstances have had to supplement their food with inedible plants and make do without even basic health care. Despite these difficulties, the North Korean government has restricted the distribution of international aid.

Afghanistan still suffered from one of the worst maternal mortality rates in the world: one in eight Afghan women died of pregnancy-related complications. Early marriage – often under the age of 15 – and lack of access to medical intervention until complications become severe, are two factors that have hampered improvement in the situation.

Few situations are as extreme as in North Korea and Afghanistan. But the wilful violation of international human rights can occur even in a much wealthier country like Malaysia, where the government has defied the international prohibition of torture by continuing to allow the caning of thousands of people detained on allegations of immigration violations and petty criminal activity. According to the government's own records, over the past decade, tens of thousands of people have been caned, a practice that causes victims extreme pain and permanent scarring. In February, three women were caned for allegedly violating religious law, or Shari'a, the first time women had received such a punishment. The Malaysian government has even enlisted physicians to aid the process by ensuring that victims of caning are prepared for the punishment, a clear violation of medical ethics and the physicians' obligation to prevent harm to those in their care.

Unfortunately, instead of acting immediately to end this shameful practice, the Malaysian government attempted to stifle internal debate and even resorted to physically blacking out copies of the international weekly *Time* magazine that carried a reference to the "epidemic" of caning in Malaysia.

International justice

Media attention and public pressure are only one of the components necessary to ensure that our leaders are responsive and accountable for respecting international human rights. The restrictions governments placed on monitoring suggested how important it has


been to bear witness and speak the truth. But without some mechanism to translate this testimony into justice, powerful people all too often get away with wrongdoing. In 2010, the scales of justice in the Asia-Pacific region remained decidedly out of balance in favour of the perpetrators.

The government of Sri Lanka spent the year trying to avoid accountability for the war crimes and human rights violations that characterized the long conflict which ended in the military annihilation of the armed group, the Liberation Tigers of Tamil Eelam (themselves responsible for numerous human rights abuses) – at the cost of thousands of civilians killed, injured and detained. Despite a promise to the UN to provide justice, the government established a Lessons Learnt and Reconciliation Commission whose mandate made no mention of accountability. The Commission seemed destined to join the other ultimately futile special bodies established over the last two decades to address impunity in Sri Lanka, without actually leading to justice. Hope for accountability centred on an advisory panel of experts assigned to assist UN Secretary-General Ban Ki-moon in assessing the need for an international accountability mechanism.


Existing international accountability mechanisms had a mixed record in 2010. In Cambodia, the notorious Khmer Rouge prison official Kaing Guek Eav, also known as “Duch”, was sentenced in July to 35 years in jail for crimes against humanity and war crimes, the first such conviction by the Extraordinary Chambers in the Courts of Cambodia (ECCC), the UN-backed Khmer Rouge tribunal. Four more Khmer Rouge leaders remain in custody pending hearings, a small but decidedly significant step forward in the search for accountability for the country’s killing fields. Cambodia’s leader, Hun Sen, publicly called for the ECCC to limit its activity to these five people.

Similarly, in March, President José Ramos-Horta of Timor-Leste told the UN Human Rights Council that “in the efforts to bring about peace between long-standing rival communities, often we have to compromise on justice.” This statement flew in the face of recommendations from Timor-Leste’s own Commission for Reception, Truth and Reconciliation in 2005, as well as by Timorese victims, national human rights groups and UN justice experts.

So far, the principle of international justice in the Asia-Pacific region has been honoured more in the breach than in actual practice. But in 2010 the notion that powerful people – even heads of state – can and should be subject to justice was no longer alien, as demonstrated by the lengths to which governments, corporations and armed groups went to pay lip service to the notion of justice while carefully evading legal liability.



In 2010, the notion that heads of state can be subject to justice was no longer alien, as demonstrated by the lengths to which they went to pay lip service to justice while carefully evading legal liability.



The heart of the struggle

Some activists in the Asia-Pacific region, like Aung San Suu Kyi, Liu Xiaobo and Binayak Sen, have achieved global prominence, and they each have used their fame, and faced unfair punishments, to push for improvements in the rights of the people of the Asia-Pacific region. The most important contribution made by these human rights defenders is not through their iconic status, but rather, through describing that what happened to them has happened to hundreds of less famous other brave critics and activists. Ultimately, it is crucial to maintain a focus on the violations they have suffered, because, as shown by the case of Duch, as well as other successful international prosecutions, it takes only one case, one set of individual facts, to secure a conviction for violations of international human rights law. That is why in 2010, as in years past, the work of individual human rights defenders remained at the heart of the struggle for human rights worldwide, even when they were addressing massive and systematic violations in a region that houses nearly two thirds of the world's population and stretches a third of the way around the globe.

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A man and young boy stare at a burned-out house in an Uzbek district of Osh city, southern Kyrgyzstan, June 2010. Violent clashes between ethnic Kyrgyz and ethnic Uzbek gangs left hundreds dead and forced hundreds of thousands to flee their homes.

EUROPE AND CENTRAL ASIA

REGIONAL OVERVIEWS EUROPE AND CENTRAL ASIA

“The great lie has been laid bare. The truth has been brought home at last.”

Tony Doherty, whose father Paddy died on Sunday 30 January 1972 in Derry, Northern Ireland, when soldiers opened fire on a civil rights march.

The right to truth and justice, and the determination of victims and their relatives to achieve this however long and however hard the struggle, remained a key part of the human rights landscape across the Europe and Central Asia region throughout the year.

On 15 June, families gathered in a council building in Northern Ireland in the UK to have first sight of the findings of a long-running – and long-awaited – inquiry into the killing of 13 people by the British army on a day that became known as Bloody Sunday.

They had waited nearly four decades for justice, and their jubilation when it came was unrestrained. The inquiry rejected all claims from earlier government reports that any of those killed and injured by soldiers were posing a threat, were armed with a firearm, or threw a nail or petrol bomb. It vindicated all their loved ones of any responsibility for the shootings. The report confirmed that several of the victims had been shot in the back while running away, and found that accounts by many of the soldiers were manifestly untrue. In response, the UK Prime Minister gave a public state apology.

Freedom of expression

For a region that prides itself as a beacon for free expression, the real picture was very different for many seeking to publicize abuses, articulate alternative views, or hold governments and others to account. Freedoms of expression and association remained under attack – as did human rights defenders themselves.

In Turkey, despite increasingly open debate regarding previously taboo issues, numerous criminal prosecutions followed the expression of dissenting opinions: especially those relating to criticism of the armed forces, the position of Armenians and Kurds in Turkey and ongoing

By making unsubstantiated links between immigration status and crime, some politicians and government representatives themselves contributed to fostering a climate of intolerance and xenophobia.

criminal prosecutions. Alongside various articles of the Penal Code, anti-terrorism laws carrying higher prison sentences and resulting in pre-trial detention orders were frequently used to stifle legitimate free expression. Kurdish political activists, journalists and human rights defenders were among those most frequently prosecuted. Arbitrary restrictions continued to be imposed, blocking access to websites, and newspapers were issued with temporary closure orders. Threats of violence against outspoken individuals continued.

Elsewhere, the clampdown remained depressingly familiar. Virtually any form of dissent was suppressed in Turkmenistan. Journalists working with foreign media faced harassment and intimidation, and independent civil society activists were unable to operate openly. Fears for their safety were heightened after the President called on the Security Ministry to fight those who “defame our law-based democratic state”. In Uzbekistan, human rights defenders and independent journalists were harassed, beaten, detained and imprisoned after unfair trials. A similar pattern was seen in Azerbaijan, with criminal and civil defamation laws used to silence criticism, and Serbia, where human rights defenders and journalists continued to be subject to threats, attacks and hate speech.

In Russia, the authorities continued to send out mixed messages on freedom of expression. They promised respect and protection for journalists and civil society activists, while at the same time launching, or failing to curb, smear campaigns against prominent government critics. The environment for human rights defenders and independent NGOs remained difficult. Threats, assaults, administrative harassment and public attacks on their character and integrity continued, with the intention of impeding their work and undermining their credibility. Investigations into attacks on, and the murders of, other prominent human rights defenders and journalists produced few results. The clampdown on social activism also continued, including through the banning of demonstrations, their violent dispersal and the prosecution of individuals under anti-extremism legislation.

In a worrying new trend, the picture darkened in Ukraine for human rights defenders. They were physically attacked, and faced harassment from law enforcement officers, in connection with their legitimate human rights work. There was a fresh assault on civil society in Belarus, obliterating the fragile signs of openness in the run-up to the presidential election in December. In the aftermath of the election, which was marred by irregularities, riot police violently dispersed mainly peaceful demonstrators. By the end of the year, 29 people, including six opposition presidential candidates, members of their campaign teams and journalists, faced trumped-up charges of organizing mass disorder – and up to 15 years’ imprisonment – in connection with the

demonstrations. In Kyrgyzstan, in a climate of mutual blame and growing nationalist discourse following the June violence which left hundreds dead, human rights defenders faced the difficulty of having to justify their work protecting different ethnic communities, and obstruction from the authorities, when trying to document the events.

The situation also worsened for women who chose to wear a full face veil as an expression of their religious, cultural, political or personal identity or beliefs. Legislation banning the wearing in public of clothing intended to conceal the face was discussed in the parliaments of Bosnia and Herzegovina and Italy, proposed by the new government of the Netherlands, was voted for in the Belgium parliament and was adopted in France. Several municipalities in Spain also passed regulations banning the wearing of full-face veils in municipal buildings. In Turkey, no progress was made in removing legal barriers preventing women wearing the headscarf in universities, although implementation of the ban relaxed during the year.

People on the move

Despite the economic downturn, Europe remained a destination for those seeking to escape poverty, violence or persecution. Large numbers of migrants and asylum-seekers continued to travel along routes which evolved in response to states' efforts to thwart arrivals, including policies of interception at sea, readmission agreements with countries of origin and transit, and strengthened border controls. The main routes of previous years from western Africa and Libya to the maritime borders of Spain, Italy and Malta saw much-reduced flows, with the migration focus into the EU shifting to the land borders of Greece with Turkey.

The global economic crisis also exacerbated the vulnerability of asylum-seekers and migrants, in particular to trafficking and smuggling networks, and pushed others into the informal economy, with restrictions in access to economic and social rights. In many countries across the region authorities failed to adequately protect foreign nationals in their territory, including refugees, asylum-seekers and migrants, from rising hostility and racially motivated violence. By making unsubstantiated links between immigration status and crime, some politicians and government representatives themselves contributed to fostering a climate of intolerance and xenophobia.


The signature response of European states to the challenges of significant and complex flows of mixed migration remained repressive, resulting in a consistent pattern of human rights violations linked to the interception, detention and expulsion by states of foreign nationals, including those eligible for international protection. Detaining asylum-seekers and irregular migrants as a tool of deterrence and control was widespread, rather than a last, legitimate resort.

Asylum systems in the region also frequently failed those seeking protection, with asylum-seekers facing a range of violations including being blocked from access to territory and asylum procedures; detained unlawfully; denied necessary guidance and support to pursue their claims; forced into destitution; unlawfully expelled before their claims could be heard; and sent to countries where they were at risk of grave human rights violations.


One depressing trend was the willingness of states to send people back to places where they faced a real risk of persecution or serious harm. Belgium, Denmark, the Netherlands, Norway, Sweden and the UK sent rejected asylum-seekers back to Iraq, despite recommendations by the UNHCR, the UN refugee agency. EU countries and Switzerland also continued to forcibly return Roma to Kosovo, contrary to the advice of the Council of Europe Commissioner for Human Rights: many of those returned were denied basic rights and were at risk of cumulative discrimination amounting to persecution. A number of EU countries sent asylum-seekers back to Greece under the Dublin II Regulation, despite that country's lack of a functioning asylum system. People were returned from Italy and Turkey without even being able to access the asylum systems there. Kazakhstan stepped up efforts to forcibly return asylum-seekers and refugees to China and Uzbekistan under national security and counter-terrorism measures.

In a positive move, however, a number of European states including Albania, Bulgaria, Georgia, Germany, Latvia, Slovakia, Spain and Switzerland accepted former Guantánamo Bay detainees who could not be repatriated to their home countries as they might be at risk of torture and other ill-treatment.

Across the region, hundreds of thousands of people also remained displaced by the conflicts that accompanied the collapse of the former Yugoslavia and the Soviet Union, often unable to return owing to their legal status – or lack of it – and discrimination in access to rights including property tenure.



A continuing rise in racism and hate speech in public discourse in many countries served to further marginalize those already sidelined by poverty or discrimination.



Discrimination

A continuing rise in racism and hate speech in public discourse in many countries served to further marginalize those already sidelined by poverty or discrimination.

One of the most profound illustrations of systemic discrimination was against the Roma, who remained largely excluded from public life and often the focus of overt public hostility and xenophobic political discourse. Roma remained one of the few groups in respect of which openly racist comments and attitudes were not just tolerated, but widely shared. Roma families were frequently unable to enjoy full access to housing, education, employment and health services.

Many Roma continued to live in informal settlements or slums lacking even a minimum degree of security of tenure, because of the irregular status of the settlements or their lack of official documents to confirm tenure arrangements. They remained vulnerable to forced evictions, in places such as Italy, Greece, France, Romania and Serbia, driving them further into poverty and marginalization with little hope of redress. In Italy, for example, some families were subjected to repeated forced evictions, which disrupted their communities, their access to work and made it impossible for some children to attend school. In France, a speech by the President describing the camps inhabited by Roma as sources of criminality was followed by a ministerial instruction (later reworded but the effect remained the same) to dismantle them. The incident revealed the tensions resulting from lack of attention over decades to the situation of the Roma in Europe, provoking calls for the EU to do more to engage states on respect for the rights of Roma.

Millions of Roma across Europe also remained severely disadvantaged by low levels of literacy and poor or incomplete education. One of the routes out of the vicious cycle of poverty and marginalization, education, was denied to many Romani children who continued to be placed in substandard, segregated classes or schools, including in Croatia, the Czech Republic, Greece, Hungary, Romania and Slovakia. Negative stereotyping, as well as physical and cultural isolation, also blighted future prospects.

Authorities in a number of countries also fostered a climate of intolerance for lesbian, gay, bisexual and transgendered (LGBT) communities. In Italy, against a backdrop of derogatory remarks by some politicians and officials, accompanied by a significant rise in intolerance and hate speech against the communities, violent homophobic attacks continued. In Turkey, the Minister for Women and the Family stated that homosexuality was a disease and required treatment.

In Lithuania, legal provisions entered into force which attempted to stifle any public discussion of homosexuality or public expression of the identity of LGBT people. The country's first Pride march took place, however, despite efforts by certain authorities to ban it. Such efforts elsewhere were unfortunately successful, with marches banned or impeded in Belarus, Moldova and Russia.

Regrettably, member states continued to block a new EU-wide directive on non-discrimination, which would simply close a legal protection gap for those experiencing discrimination outside of employment on the grounds of disability, belief, religion, sexual orientation and age. EU laws in this field would make a crucial difference to how all forms of discrimination are tackled across Europe.

As in previous years the watchwords of security and state secrecy were too often used to drive policies and practices that undermined rather than strengthened human rights.

Counter-terror and security

In spite of the lack of political will and outright obstruction by some governments, there were some small but significant steps towards insight into, and accountability for, European governments' roles in the CIA-operated rendition and secret detention programmes.

A criminal investigation into Poland's complicity in such programmes continued, and in July it was confirmed that CIA-operated flights had landed at an airport near an alleged secret detention centre at Stare Kiejkuty. In September, the Prosecutor's Office confirmed that it was investigating claims by a Saudi Arabian national that he had been held in a secret detention centre in Poland. He was granted "victim" status in October, the first time a rendition victim's claims had been acknowledged by the authorities anywhere in Europe. New evidence of Romania's participation in the rendition and secret detention programmes came to light when the Polish Border Guard office released information that a flight from Poland carrying passengers had continued on to Romania – although the government there maintained its increasingly implausible denials of involvement.

In the face of mounting pressure the UK announced an inquiry into allegations that state actors had been involved in the rendition, secret detention and/or torture and other ill-treatment of a number of detainees held abroad. A delegation from the European Committee for the Prevention of Torture visited two secret prison sites in Lithuania, where a criminal investigation was ongoing into the establishment and operation of the sites, although there were concerns that this investigation would be closed prematurely. In Italy, an appeal court upheld the first and only convictions to date in relation to human rights violations in connection with the rendition and secret detention programmes. Twenty-five individuals, - 22 CIA agents, a US military official, and two Italian intelligence operatives - had been convicted for their involvement in the abduction of an Egyptian national from a street in Milan. He was subsequently unlawfully transferred by the CIA from Italy to Egypt where he was held in secret and allegedly tortured. The Italian government's claims of "state secrecy", however, resulted in the dismissal of charges on appeal against five Italian high-ranking intelligence officials.

As in previous years, however, the watchwords of security and state secrecy were too often used to drive policies and practices that undermined rather than strengthened human rights. For example, governments continued to use unenforceable diplomatic assurances to rid themselves of foreigners alleged to be involved in acts of terrorism, instead of prosecuting those people for any crimes of which they were accused. The UK, for example, continued to deport

individuals alleged to pose a threat to “national security” to countries where they would be at risk of torture and other ill-treatment.

While constitutional amendments in Turkey and revisions to the Anti-Terrorism Law represented positive steps, unfair trials under anti-terrorism legislation continued, and anti-terrorism laws carrying higher prison sentences and resulting in pre-trial detention orders were frequently used to stifle freedom of expression.

The security situation in Russia’s North Caucasus remained volatile, with violence affecting Chechnya, Ingushetia, Dagestan and neighbouring regions. Government authorities publicly acknowledged that measures to combat armed violence were not effective. High numbers of law enforcement officials, as well as civilians, were killed in attacks by armed groups.

Armed groups also caused death and destruction elsewhere in the region, including those based in Greece, Spain and Turkey. In September, the armed Basque separatist group Euskadi Ta Askatasuna (ETA) announced that it would not carry out any “offensive armed actions”.


Death penalty

Mixed signals continued from Belarus, the last executioner in the region. In a continuing positive trend state representatives expressed their willingness to engage with the international community regarding the death penalty, and their intention to mould public opinion in favour of abolition. Despite this, three death sentences were handed down and two people executed within a flawed criminal justice system which continued to shroud the process in secrecy. Prisoners and their relatives had no advance warning about the date of execution, and relatives were denied permission to claim the body or even to know where the burial place was. The executions were carried out despite a request for a stay by the UN Human Rights Committee so it could consider the men’s cases.


Impunity in post-conflict situations

Some progress was made in tackling impunity for crimes committed on the territory of the former Yugoslavia during the wars of the 1990s, both through the domestic courts and through international discourse. In notable moves the Croatian President apologized to families and victims, and the Serbian parliament condemned crimes committed against the Bosniak (Bosnian Muslim) population of Srebrenica in July 1995 – while falling short of referring to them as genocide.

Fundamental problems remained, however. In spite of the President’s stance in Croatia, the political will to implement justice system reforms and tackle impunity, including for ethnic bias in



Allegations pointing to command responsibility for war crimes against several high-profile political and military leaders remained uninvestigated.



prosecutions, was still largely missing. Allegations pointing to command responsibility for war crimes against several high-profile political and military leaders remained uninvestigated. In Bosnia and Herzegovina, verbal attacks on the justice system and denial of war crimes by high-ranking politicians, including of the genocide in Srebrenica in July 1995, further undermined the country's efforts to prosecute war crimes cases. In both countries witness support and protection measures remained inadequate, and continued to be one of the main obstacles for victims of war crimes and their families in seeking justice. Little progress was made in Kosovo and Serbia in establishing the fate of those missing since the 1999 war. The International Tribunal for the Former Yugoslavia urged Serbia to take more proactive measures to arrest former Bosnian-Serb General Ratko Mladić and former Croatian Serb leader Goran Hadžić.

None of the sides to the 2008 conflict between Russia and Georgia conducted comprehensive investigations, in spite of a report by an international fact-finding mission commissioned by the EU the following year which confirmed that violations of international human rights and humanitarian law had been committed by Georgian, Russian and South Ossetian forces.

Torture and other ill-treatment

Victims of torture and other ill-treatment were likewise too often failed by justice systems which did not hold those responsible to account. Obstacles to accountability included lack of prompt access to a lawyer, failure by prosecutors to vigorously pursue investigations, victims' fear of reprisals, low penalties imposed on convicted police officers, and the absence of properly resourced and independent systems for monitoring complaints and investigating serious police misconduct.

Too often, the rhetoric of compliance masked continuation in practice. In Kazakhstan and Uzbekistan, for example, reports of torture and other ill-treatment continued unabated despite government promises to adopt a zero-tolerance policy, or assertions that the practice had decreased. In Russia, in spite of a stated desire for police reform, corruption and collusion between the police, investigators and prosecutors were widely perceived as undermining the effectiveness of investigations and obstructing prosecutions. Detainees frequently reported unlawful disciplinary punishments and the denial of necessary medical care.

A landmark judgment in Turkey, however, saw 19 officials including police officers and prison guards convicted for their part in the torture that resulted in the death of political activist Engin Çeber in Istanbul in October 2008. Four of those convicted were sentenced to life imprisonment, the first time in Turkish legal history that state officials

had received such a sentence for causing death through torture. Regrettably, this contrasted starkly with other cases involving alleged torture committed by state officials where criminal investigations and prosecutions of law enforcement officials remained ineffective.

Violence against women

Violence against women and girls in the home remained pervasive across the region for all ages and social groups. Only a small proportion of women officially reported this abuse. They were deterred by fear of reprisals from abusive partners, the idea of bringing “shame” on their family, or for reasons of financial insecurity. Migrant women in an irregular situation in particular feared registering a complaint with the police due to the risk of expulsion should their lack of status be discovered. Mostly, the widespread impunity enjoyed by perpetrators meant they knew there was little point.

Those who did come forward were too often failed by justice and support systems which were inadequate and unresponsive. In some countries such as Albania domestic violence was not a specific criminal offence. Many countries lacked functioning nationwide cross-referral systems and the services to protect survivors of domestic violence, such as shelters and adequate and safe alternative housing, were woefully inadequate. Armenia, for example, had only one shelter, funded by foreign donations.

Justice and impunity

Across the region the desire for truth, justice and redress remained unquenchable. For some, these came through a shift in the political will to address the past, or the indefatigable refusal of friends, family and advocates to give up. For many, the wait was long, but always worth it: people like the family of Himzo Demir, who was abducted and subjected to enforced disappearance in 1992 during the Yugoslav wars. In October, they finally received confirmation that his remains had been among those buried as unidentified in a mass grave in Višegrad. The search was over and they could finally hold the funeral.

What is striking among so many inspiring stories, however, is how many people are still waiting because states have sought to block access to the truth, obstruct justice, and default on redress. Particularly in a region which has a human rights architecture unrivalled elsewhere in the world.

It is time Europe's governments realize that efforts at denial and obfuscation – by themselves or their allies – will not in the end prevail against those courageous people who dare to stand up, whatever the personal cost, and hold them accountable.

In Lebanon in 2010, Amineh 'Abd al-Husri holds a picture of her son, Ahmed Zuhdi al-Sharqawi, who disappeared in 1986. Successive Lebanese governments have made little effort to investigate the fate of thousands of individuals missing since the 1975-90 civil war.



MIDDLE EAST AND NORTH AFRICA

REGIONAL OVERVIEWS MIDDLE EAST AND NORTH AFRICA

“We want both: the freedom to work and the freedom to speak. Instead, I got beaten.”

Walid Malahi, who was beaten by Tunisian riot police during an anti-government protest, speaking to Amnesty International researchers in Tunisia.

2010 dawned with Yemen an unusual focus of international attention following an alleged terrorist incident. It closed with many eyes transfixed by the emergent people’s power in Tunisia and the chain reaction it was setting off elsewhere in the region. Both involved suicide – the first, an alleged suicide bomber aiming to kill passengers on a commercial jet; the second, the self-immolation by a young man in despair at his lack of work or opportunity and worn down by political repression.

These events were not simply the bookends of a year. Both also illuminated key currents affecting the states of the Middle East and North Africa – governments’ preoccupation with their political security but neglect of their people’s human security and failure to uphold the human rights on which that depends.

In January, Yemen was in the grip of a bloody conflict in its impoverished northern Sa’dah region and the government faced a swelling secessionist movement in the south. Yet it was neither of these, despite the human rights abuses that they spawned, that moved Yemen up the international political agenda. The cause, rather, was an incident that happened on 25 December 2009, thousands of miles away, when a Nigerian man said to have received training from al-Qa’ida in Yemen allegedly tried to blow up an airliner over the US city of Detroit. That act cast an immediate spotlight on Yemen as a potential base for al-Qa’ida at Saudi Arabia’s southern border and just a short Red Sea crossing from the conflict-ridden state of Somalia, particularly after reports of the formation of al-Qa’ida in the Arabian Peninsula as a merger of al-Qa’ida forces in Yemen and Saudi Arabia.

Yemen, the poorest country in the region, was already suffering acute social, economic and political ills – a predominantly young population facing increasing poverty and unemployment; a country

whose oil reserves and water supplies are nearing exhaustion; a government headed by a President in power since 1978 exhibiting increasing intolerance of dissent. This, together with the Sa'dah conflict and the growing calls for secession in the south, implied that Yemen could soon become again the focus of international attention, as concerns mounted that any further deterioration in such an extensively armed tribal country could lead to a total breakdown of law and order.

That it had already become such, to some extent, became clear during a visit to the country by Amnesty International researchers in March. They saw evidence of the weaponry used to attack an alleged al-Qa'ida camp in December 2009. That attack, carried out just over a week before the Detroit airline bomb incident, killed 41 Yemeni civilians, mostly women and children. Markings on the weapon remnants indicated that they came from a Tomahawk cruise missile carrying cluster bombs and that the attack must have been carried out by US forces, probably from a US warship off Yemen's coast, rather than by Yemeni security forces. US government files subsequently confirmed this; a record of a meeting between Yemen's President and a senior US official revealed the President ruefully acknowledging that he had lied to his own people by telling them that Yemeni forces had been responsible for the attack to cover up what he saw as a politically damaging truth – that the deaths of Yemeni civilians had resulted directly from a US attack.

In Tunisia, 24-year-old Mohamed Bouazizi's act of despair on 17 December – he set himself alight after a local official in the town of Sidi Bouzid prevented him from selling vegetables from his handcart and reportedly assaulted him – was a lone and ultimately fatal expression of protest that struck a chord with thousands of his fellow Tunisians and hundreds of thousands more in Egypt, Algeria and other states across the region. It unleashed a surge of protests that spread like wildfire across the country. Mohamed Bouazizi's act screamed out the frustration felt by so many of his generation at the abusive nature of governments across the Middle East and North Africa in which a few monopolize virtually all political and economic power – unaccountable, repressive, intolerant of dissent and content to rely on brutal, omnipotent and ubiquitous security and intelligence forces to maintain their grasp on the state and its resources, as they have in many cases for decades. True to form, faced with popular protests, the Ben 'Ali government resorted to force, shooting down demonstrators as they had done in Gafsa in 2009. This time, however, the demonstrators would not be cowed and became even more determined to achieve their aim of ridding their country of President Ben 'Ali.

Many eyes were transfixed by the emergent people's power in Tunisia and the chain reaction it was setting off elsewhere in the region.

Conflict and insecurity

Yemen's largely unreported Sa'dah conflict, which had seen Saudi Arabian jets pound towns and villages and contributed to some 350,000 people fleeing their homes, ended with a ceasefire in February. The conflict in Iraq, however, raged on as US troop numbers were scaled down and the USA completed its handover of prisons and thousands of untried detainees to Iraqi government control. They did this despite continuing revelations about the Iraqi government's use of secret prisons and Iraqi security forces' use of torture on an epidemic scale. The US government simply preferred to look away rather than meet its obligation to protect detainees at risk of torture. It also consigned around 3,400 Iranian exiles living at Camp Ashraf, north of Baghdad, to an uncertain and insecure future after US forces handed control of the camp to Iraqi authorities.

Armed groups in Iraq continued relentlessly to detonate bombs that killed and maimed civilians. Shi'a pilgrims and Christians were among those targeted by Sunni armed groups determined to show their muscle and to sow further sectarian division, intensifying their attacks during the months of political limbo that followed the inconclusive outcome of Iraq's national elections in March.

The Iraqi government's riposte was to sweep up suspects, torture them to extract "confessions", cart them before the courts and sentence scores to death after grossly unfair trials. Continuing attacks by suicide bombers defied assertions of the death penalty's deterrent effect.

The other regional pivot of conflict remained the continuing struggle between Israelis and Palestinians. Unusually, one round of this was played out on the high seas when Israeli soldiers intercepted in May a six-ship flotilla seeking to break Israel's military blockade of Gaza to bring humanitarian relief to the 1.5 million Palestinians confined there. Nine people were killed aboard the Turkish *Mavi Marmara* after it was boarded by Israeli troops, provoking an international outcry so strong that Israel felt obliged to slightly relax the Gaza blockade. A UN investigation concluded that at least six of the nine deaths appeared to be "extra-legal, summary and arbitrary executions" by Israeli forces. The outcome of Israel's own domestic investigation was still awaited at the end of the year; it lacked independence.

December saw the second anniversary of the launch of Operation "Cast Lead", Israel's 22-day military assault on Gaza that killed nearly 1,400 Palestinians, over 300 of them children. In 2009, a UN fact-finding inquiry headed by Justice Richard Goldstone had accused both Israel and the Palestinian side of war crimes and possible crimes against humanity, and called for investigations and accountability.

Yet, by the end of 2010 the victims were still waiting for justice and reparation. Israel's domestic investigations were flawed, lacking independence and even acknowledgement of the extent of civilian casualties that Israeli forces had caused, while Hamas failed to conduct even the semblance of an investigation maintaining, against all evidence, that it had targeted only military installations when firing indiscriminate rockets and other weapons into Israeli civilian areas. The matter was due to come before the UN Human Rights Council in March 2011 for decision on whether to allow the abusive parties yet more time to ignore the claims of their victims or to turn the matter over to international justice mechanisms.

Repression of dissent

Freedom of expression, a cornerstone right vital for its own sake and for accessing other human rights, was everywhere curtailed by governments across the region. So too were the closely related rights to freedom of association and assembly, with state authorities impeding the development of human rights NGOs and a vibrant civil society and seeking often to prevent public expressions of dissent.

In countries including Iran, Libya, Saudi Arabia and Syria, those who dared speak out in favour of greater freedoms, against their government or in defence of human rights, did so at their peril. In these and other states, the forces of repression – the shadowy, all-powerful and unaccountable secret police – were never far away. Government critics were harassed and intimidated, arrested and detained, and sometimes tortured or tried and jailed on trumped-up charges to silence them and to send a message to others who might have the temerity to speak out. In Iran, several ethnic minority activists were summarily hanged in reprisal for an armed attack carried out when they were already in prison. In Syria, the national bar association appeared to have been co-opted to target and strike off a leading human rights lawyer who had reported on trials before Syria's unfair special security court. In the West Bank, the Fatah-dominated Palestinian Authority targeted suspected supporters of Hamas, while in Gaza, the Hamas de facto administration similarly turned the screw on supporters of Fatah. In the Western Sahara, under Moroccan administration since 1975, Moroccan authorities targeted Sahrawi human rights defenders and advocates of self-determination for the territory's people. In Bahrain, a leading human rights NGO was effectively taken under government control after it spoke out about the alleged torture of leading members of the Shi'a community detained in August and September.

The conflict in Iraq raged on. The US government preferred to look away rather than protect detainees at risk of torture. Armed groups continued relentlessly to detonate bombs that killed and maimed civilians.

Freedom of expression and the media

State authorities strove to maintain their control over the free flow of information using methods both familiar and time-worn, but faced an increasing challenge from the rise and accessibility of social media and a populace increasingly determined to have their say. In Egypt, Syria and elsewhere, bloggers were arrested and detained. In Iran, Tunisia and elsewhere governments blocked access to the internet and cut mobile phone lines in their efforts to staunch protests. In Yemen, a leading journalist was abducted from the street and detained, and a press court targeted editors and journalists who failed to toe the government's line. There, as elsewhere in the region, the authorities resorted to criminal defamation prosecutions to chill debate and deter journalists from exposing human rights abuses or corruption in high circles.

But, as the protests in Tunisia showed, governments who obstructed access to the internet or cut mobile phone networks were doing no more than sticking a finger in the dyke. Activists turned in increasing numbers to social networking sites to keep one jump ahead of the authorities and to publish damning evidence of state abuse. One very positive sign emerging in 2010 was that the battle for control of access to information was finally turning in favour of the citizen activist.

Public 'security'

Torture and other ill-treatment of detainees remained an abiding feature across the region. The victims frequently were political suspects who were detained, often at undisclosed locations where they were subject to interrogation and held incommunicado for weeks at a time, or even longer. Police violence against ordinary criminal suspects was also endemic in Egypt and other countries. Where there were trials, international fair trial standards were routinely ignored, especially in cases involving dissent or outright opposition to those in power.

In Iran, "show trials" continued of people who had protested against the official result of the 2009 presidential election leading to at least two executions. In Saudi Arabia, trials of security suspects continued to be held behind closed doors amid the tightest security. In Egypt, civilian political activists and other suspects continued to face trial before military or emergency courts at the direction of the country's President.

Egypt's 30-year national state of emergency was again renewed by a compliant parliament in May; similarly, the Algerian and Syrian governments maintained long-running states of emergency under which their security forces, like those in Egypt, were equipped with extraordinary powers of arrest and detention, which were used to suppress legitimate political activities and expression of human rights.

State authorities faced an increasing challenge from the rise and accessibility of social media and a populace increasingly determined to have their say.

Several governments maintained and made extensive use of the death penalty and other cruel punishments, such as amputation and flogging. Indeed, it was ironic given the mutual antipathy of their leaders and governments that the twin Gulf superpowers of Iran and Saudi Arabia were at one in their continuing devotion to the death penalty and other cruel punishments, which they justified in the name of Shari'a (Islamic law) but utilized in a manner that often suggested a more cynical, political motivation. This was particularly so in Iran, where the authorities carried out more executions than in any country other than China and did so with evident intent to terrorize. Some 252 executions were recorded in Iran, though the true total may have been far higher. So great was the wave of international revulsion against the planned stoning to death of Sakineh Mohammadi Ashtiani, however, that she was still alive at the end of the year though facing an uncertain future as various Iranian authorities went through contortions to try and justify her execution. The anger that her case prompted both at home and abroad provided a telling sign of the impact that international public opinion can have in averting a serious human rights violation.

In Saudi Arabia, at least 27 prisoners were executed, although this marked a significant reduction on the previous two years and hopefully augured a long-term positive trend, though this was by no means assured. Hard-line governments also continued to carry out executions in Egypt, Iraq, Libya, Syria and Yemen, and Hamas carried out five executions in Gaza, but increasingly these appeared out of step with the worldwide trend towards abandonment of this most cruel expression of state violence, a trend reflected by the maintenance of moratoriums on executions in the states of the Maghreb, Jordan and Lebanon.

Economic concerns – housing and livelihoods

The 1.5 million Palestinians who live crowded into the Gaza Strip endured another year of extreme hardship under an Israeli military blockade that constituted collective punishment, a breach of international law, and effectively confined them to the tiny, war-ravaged enclave. Twice Israel announced some easing of the blockade, but with little effect. Some 80 per cent of Gaza's people continued to rely on international humanitarian assistance and food aid for their survival.

Elsewhere in the region, there was severe impoverishment in many communities as the global recession bit deep, exacerbated by a lack of infrastructure and other development, official corruption and plain misgovernment. It was reflected in high rates of unemployment, especially among the young, fuelling a sense of marginalization and demands for change, the driving forces of the Tunisian uprising in

December. So often, it was those forced to the margins of society who felt the full force of police brutality or official unconcern.

In Egypt, workers and others continued to stage protests against rising living costs and to demand better wages and working conditions. Among the millions of people living in the country's sprawling informal settlements (slums), thousands in Cairo faced forced eviction from areas declared "unsafe" or because their "shack areas" had been earmarked for development and gentrification. All too frequently, those to be removed were not consulted in advance or allowed a voice in official decisions about their relocation, and some were left homeless. They were made to feel that they had no rights by the very authorities whose responsibility it is to uphold and respect their human rights.

Discrimination

2010 saw little improvement in the status of women and girls who, across the region, continued to face discrimination and violence, including within the family. Men remained superior under family and personal status laws in matters such as marriage, divorce, child custody and inheritance, and women continued to be accorded inferior status under the criminal law. Particularly in more traditional areas, girls were subject to early and forced marriage and women who challenged strict dress codes or were seen by male relatives as not conforming to their particular notions of family "honour" risked violent reprisals and even murder at the hands of their fathers, brothers, husbands or other male relatives. In all too many cases, men who cited "honour" as a mitigating factor escaped any or appropriate punishment for crimes of violence committed against female members of their families.

While virtually all women were at risk of gender-based violence, women migrant domestic workers were particularly exposed. Mostly, these were women from poor and developing countries in Asia and Africa who worked in countries in the Gulf as well as in Jordan and Lebanon. They were generally excluded altogether from local labour laws, where these exist, and were triply vulnerable – as foreigners, as migrants and as women – to exploitation and abuse, including sexual and other violence, at the hands of their employers. Two of the most disturbing cases that came to light in 2010 involved women employed as domestic servants in oil-rich Saudi Arabia: one, a Sri Lankan national, alleged that her employer had driven more than 20 nails into her hands, leg and head after she complained that she had too much work to do; another, an Indonesian national, was cut on the face with scissors, burned with a hot iron and beaten to the point where she required admission to hospital.

REGIONAL OVERVIEWS MIDDLE EAST AND NORTH AFRICA

Severe impoverishment blighted many communities as the global recession bit deep, exacerbated by a lack of infrastructure, official corruption and plain misgovernment.

Migrants from sub-Saharan Africa who sought to find work in North Africa or to transit them and gain entry to European states were liable to summary arrest and detention or deportation. Those at risk included refugees and asylum-seekers. In Egypt, border guards continued their policy of shooting migrants attempting to cross the country's border into Israel, killing at least 30. In Libya, thousands of suspected irregular migrants, including refugees and asylum-seekers, were held in severely overcrowded and unhygienic detention centres and faced habitual abuse, sometimes amounting to torture.

Members of ethnic and religious minorities also faced discrimination, as in Iran, or were targeted for attack by armed groups, as in Iraq. In Egypt, Coptic Christians were attacked. In Lebanon, Palestinian refugees continued to be barred from various professions and prevented from accessing other basic rights. In Syria, Kurds faced continuing discrimination and restrictions on use of their language and cultural expression. Life in the region was hard, especially hard, for migrants, refugees and members of minority groups.

Accounting for the past

The long-running truth and reconciliation process launched with some fanfare in Morocco and Western Sahara in 2004 continued its snail-like progress and continued to disappoint. From the outset, the process explicitly omitted any consideration of justice as a means to remedy the gross violations committed by government forces between 1956 and 1999 and, in practice, it largely failed even to provide the truth about what happened to those who disappeared or suffered other grave abuses. On top of this, the Moroccan authorities showed little sign of implementing the far-reaching legal and institutional reforms that had been due to flow from the process, to hold the security forces accountable under the law and eradicate the use of secret detention and torture. Underscoring this failure, in 2010 new reports emerged of torture of suspects by Morocco's secret police.

Meanwhile, the work of the Special Tribunal for Lebanon (STL), set up under UN auspices in the wake of the assassination of former Lebanese Prime Minister Rafic Hariri in 2005, provoked a political storm that threatened the coalition government headed by the late Prime Minister's son. Tension mounted after reports that the STL intended to indict several members of Hizbullah, Lebanon's most powerful political force and a partner in the coalition government, leading Hizbullah to accuse the STL of being politically driven. At the end of 2010, the facts were still to emerge, but it was hard to escape the conclusion that the STL had been from the outset an exercise in selective justice. Its mandate and jurisdiction were limited, covering

Twenty years after the Lebanese civil war ended, people still gather in a Beirut park clutching precious but yellowing photographs of their missing relatives, demanding to know what became of them.

only the Hariri assassination and some associated attacks. Few or no steps have been taken by any Lebanese government to investigate the thousands of disappearances, abductions, killings and other abuses that were committed during the bitter 15-year civil war that ended in 1990, nor even to adequately protect mass graves, despite the pleas of the now ageing relatives of the thousands of missing people. The legacy of that darkest of periods in Lebanon's recent history has yet to be addressed. As a reminder of this, each day a solemn group of people gather quietly in a Beirut park clutching precious but yellowing photographs of their long-lost but not yet forgotten loved ones, to ask what became of them and where their remains lie. It is a poignant sight. Sadly, 20 years on, there has still been no UN Security Council demand, nor barely any international pressure, to provide them with the answers that are their due.

REGIONAL OVERVIEWS MIDDLE EAST AND NORTH AFRICA



Police obstruct a cameraman at a Strategy 31 protest against freedom of assembly restrictions, Russian Federation, May 2010. Freedom of assembly and expression continued to come under attack in Russia, through the banning of demonstrations and violent dispersal of individuals.







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CONTACT US



AMNESTY INTERNATIONAL SECTIONS

Algeria ❖ Amnesty International,
10, rue Mouloud ZADI
(face au 113 rue Didouche Mourad),
Alger Centre,
16004 Alger
email: amnestyalgeria@hotmail.com
www.amnestyalgeria.org

Argentina ❖ Amnistía Internacional,
Av. Pueyrredón 689, Piso 2,
(C1032ABG) Buenos Aires
email: contacto@amnesty.org.ar
www.amnesty.org.ar

Australia ❖ Amnesty International,
Locked Bag 23,
Broadway NSW 2007
email: supporter@amnesty.org.au
www.amnesty.org.au

Austria ❖ Amnesty International,
Moeringgasse 10,
A-1150 Vienna
email: info@amnesty.at
www.amnesty.at

Belgium ❖
Amnesty International (**Flemish-speaking**),
Kerkstraat 156,
2060 Antwerpen
email: amnesty@aivl.be
www.aivl.be
Amnesty International (**francophone**),
Rue Berckmans 9,
1060 Bruxelles
email: aibf@aibf.be
www.aibf.be

Bermuda ❖ Amnesty International,
PO Box HM 2136, Hamilton HM JX
email: aibda@ibl.bm
www.amnestybermuda.org

Canada ❖
Amnesty International (**English-speaking**),
312 Laurier Avenue East,
Ottawa,
Ontario, K1N 1H9
email: info@amnesty.ca
www.amnesty.ca
Amnistie internationale (**francophone**),
6250 boulevard Monk,
Montréal,
Québec, H4E 3H7
www.amnistie.ca

Chile ❖ Amnistía Internacional,
Oficina Nacional, Huelén 164 - Planta Baja,
750-0617 Providencia, Santiago
email: info@amnistia.cl
www.amnistia.cl

Colombia ❖ Amnistía Internacional,
On-line Action Platform
email: AlColombia.Online@amnesty.org

Côte d'Ivoire ❖ Amnesty International,
04 BP 895, Abidjan 04
email: amnesty.ci@aviso.ci

Czech Republic ❖ Amnesty International,
Provaznická 3, 110 00, Prague 1
email: amnesty@amnesty.cz
www.amnesty.cz

Denmark ❖ Amnesty International,
Gammeltorv 8, 5 - 1457 Copenhagen K.
email: amnesty@amnesty.dk
www.amnesty.dk

Faroe Islands ❖ Amnesty International,
Stephanssons Hús, Kongabúgvín,
Fo-100 Tórshavn
email: amnesty@amnesty.fo
www.amnesty.fo

Finland ❖ Amnesty International,
Ruoholahdenkatu 24, D 00180 Helsinki
email: amnesty@amnesty.fi
www.amnesty.fi

France ❖ Amnesty International,
76 boulevard de la Villette,
75940 Paris, Cédex 19
email: info@amnesty.fr
www.amnesty.fr

Germany ❖ Amnesty International,
Heerstrasse 178, 53111 Bonn
email: info@amnesty.de
www.amnesty.de

Greece ❖ Amnesty International,
Sina 30, 106 72 Athens
email: athens@amnesty.org.gr
www.amnesty.org.gr

Hong Kong ❖ Amnesty International,
Unit D, 3/F, Best-O-Best Commercial Centre,
32-36 Ferry Street, Kowloon
email: admin-hk@amnesty.org.hk
www.amnesty.org.hk

Iceland ❖ Amnesty International,
Þinghóltsstræti 27, 101 Reykjavík
email: amnesty@amnesty.is
www.amnesty.is

Ireland ❖ Amnesty International,
Sean MacBride House,
48 Fleet Street, Dublin 2
email: info@amnesty.ie
www.amnesty.ie

Israel ❖ Amnesty International,
PO Box 14179, Tel Aviv 61141
email: info@amnesty.org.il
www.amnesty.org.il

Italy ❖ Amnesty International,
Via Giovanni Battista De Rossi 10,
00161 Roma
email: info@amnesty.it
www.amnesty.it

Japan ❖ Amnesty International,
4F Kyodo Bldg, 2-2 Kandanshiki-cho,
Chiyoda-ku, Tokyo 101-0054
email: info@amnesty.or.jp
www.amnesty.or.jp

Korea (Republic of) ❖ Amnesty International,
Hapjeong-dong, Mapo-gu, 3rd Fl. Geumag Bldg., 454-3,
121-888 Seoul
email: info@amnesty.or.kr
www.amnesty.or.kr

Luxembourg ❖ Amnesty International,
Boîte Postale 1914, 1019 Luxembourg
email: info@amnesty.lu
www.amnesty.lu

Mauritius ❖ Amnesty International,
BP 69, Rose-Hill
email: amnestymtius@erm.mu
www.amnestymauritius.org

Mexico ❖ Amnistía Internacional,
Tajín No. 389, Col. Narvarte, Del. Benito Juárez,
CP 03020 Mexico DF
email: contacto@amnistia.org.mx
www.amnistia.org.mx

Morocco ❖ Amnesty International,
281 avenue Mohamed V,
Apt. 23, Escalier A, Rabat
email: amorocco@sections.amnesty.org
www.amnestymaroc.org

Nepal ❖ Amnesty International,
PO Box 135, Amnesty Marga, Basantanagar,
Balaju, Kathmandu
email: info@amnestynepal.org
www.amnestynepal.org

Netherlands ❖ Amnesty International,
Keizersgracht 177, 1016 DR Amsterdam
email: amnesty@amnesty.nl
www.amnesty.nl

New Zealand ❖ Amnesty International,
PO Box 5300, Wellesley Street, Auckland
email: info@amnesty.org.nz
www.amnesty.org.nz

Norway ❖ Amnesty International,
Tordenskioldsgate 6B, 0106 Oslo
email: info@amnesty.no
www.amnesty.no

Paraguay ❖ Amnistía Internacional,
Manuel Castillo 4987 esquina San Roque González,
Barrio Villa Morra, Asunción
email: ai-info@py.amnesty.org
www.amnesty.org.py

Peru ❖ Amnistía Internacional,
Enrique Palacios 735-A, Miraflores, Lima 18
email: amnistia@amnistia.org.pe
www.amnistia.org.pe

Philippines ❖ Amnesty International,
18 A Marunong Street, Barangay Central,
Quezon City 1100
email: section@amnesty.org.ph
www.amnesty.org.ph

Poland ❖ Amnesty International,
ul. Piękna 66a, lokal 2, I piętro, 00-672, Warszawa
email: amnesty@amnesty.org.pl
www.amnesty.org.pl

Portugal ❖ Amnistía Internacional,
Av. Infante Santo, 42, 2º, 1350 - 179 Lisboa
email: aiportugal@amnistia-internacional.pt
www.amnistia-internacional.pt

Puerto Rico ❖ Amnistía Internacional,
Calle Robles 54, Suite 6, Río Piedras, 00925
email: amnistiaapr@amnestiapr.org
www.amnistiaapr.org

Senegal ❖ Amnesty International,
303/GRD Sacré-coeur II, Résidence Arame SIGA,
BP 35269, Dakar Colobane
email: asenegal@sections.amnesty.org
www.amnesty.sn

Sierra Leone ❖ Amnesty International,
13B Howe Street, Freetown
email: amnestysl@gmail.com

Slovenia ❖ Amnesty International,
Beethovnova 7, 1000 Ljubljana
email: amnesty@amnesty.si
www.amnesty.si

Spain ❖ Amnistía Internacional,
Fernando VI, 8, 1º izda, 28004 Madrid
email: info@es.amnesty.org
www.es.amnesty.org

Sweden ❖ Amnesty International,
PO Box 4719,
11692 Stockholm
email: info@amnesty.se
www.amnesty.se

Switzerland ❖ Amnesty International,
PO Box, CH-3001 Berne
email: info@amnesty.ch
www.amnesty.ch

Taiwan ❖ Amnesty International,
3F, No. 14, Lane 165, Sec. 1,
Sinsheng S. Rd, Da-an District,
Taipei City 106
email: amnesty.taiwan@gmail.com
www.amnesty.tw

Togo ❖ Amnesty International,
2322 avenue du RPT,
Quartier Casablanca,
BP 20013, Lomé
email: aitogo@cafe.tg
www.amnesty.tg

Tunisia ❖ Amnesty International,
67 rue Oum Kalthoum,
3ème étage, escalier B,
1000 Tunis
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email: amnestyintl@amnesty.eu
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Tunisia in revolt State violence during anti-government protests

In January 2011, President Ben 'Ali was overthrown during mass anti-government protests. This report focuses on the use of excessive force by security forces against protesters, including physical assaults, rubber bullets and live ammunition, resulting in the deaths of dozens of people and many more injuries. The report includes many individual cases and also looks at allegations of torture made by some of those arrested.

Index: MDE 30/011/2011

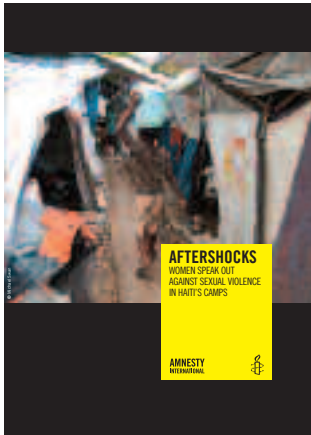
Format: 40pp, A4, colour cover

Price: £6.00

Languages available: English and Arabic

Product order code: P3505





Aftershocks – Women speak out against sexual violence in Haiti’s camps

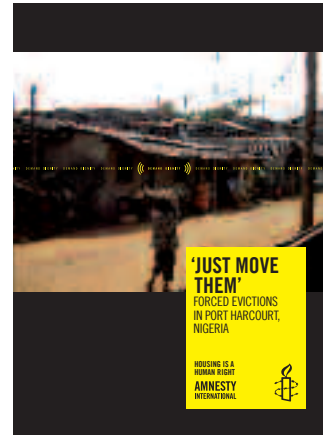
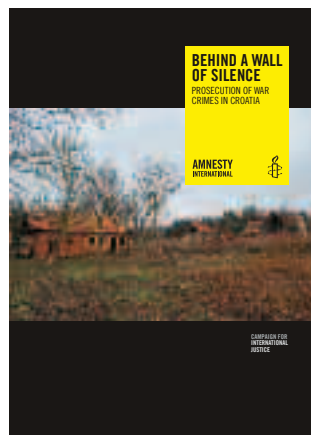
A year after the devastating earthquake destroyed their homes, more than a million displaced Haitians are still living in makeshift camps. The tents, blue tarpaulins and improvised shelters of sheets and blankets offer little protection either from the elements or from violence. This report looks at the unfolding and largely hidden human rights crisis of sexual violence in Haiti. Through the words and experiences of the women themselves, it bears witness to the tragic consequences of the failure of the government and of the international community to ensure security for women and girls in Haiti.

Index: AMR 36/001/2011
 Format: 20pp, A4, colour insert and cover
 Price: £6.50
 Languages available: English and Creole
 Product order code: P3360

Behind a wall of silence Prosecution of war crimes in Croatia

Despite the war finishing almost 15 years ago, few perpetrators have been brought to justice before the Croatian courts in proceedings that are in accordance with international law and international fair trial standards. Impunity prevails for war crimes allegedly committed by members of the Croatian Army and police forces against Croatian Serbs. This report documents how the lack of political will to deal with the war-time past prevents the victims of violations of international humanitarian law and human rights abuses from accessing justice and reparation.

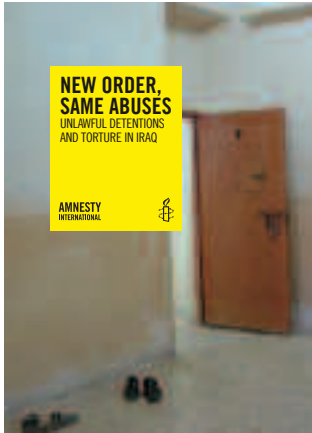
Index: EUR 64/003/2010
 Format: 66pp, A4, colour cover
 Price: £8.00
 Languages available: English
 Product order code: P3295



“Just move them” Forced evictions in Port Harcourt, Nigeria

In Port Harcourt, Rivers State, Nigeria, thousands of people, including children and the elderly, were rendered homeless and vulnerable to other human rights violations following the demolition of their settlements in 2009. If the authorities continue with further planned demolitions, it is estimated that over 200,000 people will be at risk of forced eviction. This short report calls on the Rivers State authorities to immediately cease all forced evictions, and to adopt a moratorium which must remain in place until all necessary safeguards are put in place to ensure that evictions are carried out in accordance with international and regional human rights standards.

Index: AFR 44/017/2010
 Format: 40pp, A4, full colour
 Price: £8.00
 Languages available: English
 Product order code: P3305



New order, same abuses Unlawful detentions and torture in Iraq

There are possibly 30,000 people or more who have been held without charge or trial in Iraq. Most have been tortured during interrogation while being held incommunicado. This report focuses on the detention without charge or trial practised by Iraqi security forces as well as highlighting torture and other ill-treatment, deaths in custody and impunity.

Index: MDE 14/006/2010

Format: 60pp, A4, colour cover

Price: £8.00

Languages available: English, Arabic and Kurdish

Product order code: P3260

A blow to humanity Torture by judicial caning in Malaysia

Most countries have abolished judicial corporal punishment, but Malaysia has expanded the number of offences subject to caning. The imposition of caning for immigration violations, among other infractions, has greatly increased the number of offenders subjected to this punishment. For many refugees, undocumented migrant workers and intravenous drug users (including those living with HIV/AIDS), caning has become the norm rather than the exception. This report targets the Malaysian government at a critical juncture, both in terms of the domestic political situation and in relations with migrant-sending countries.

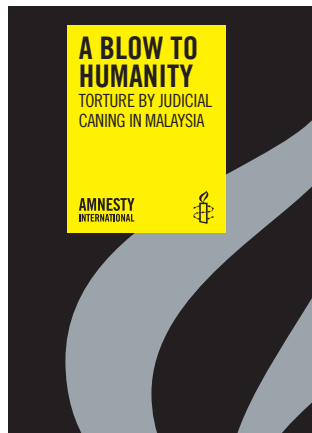
Index: ASA 28/013/2010

Format: 58pp, A4, colour cover

Price: £8.00

Languages available: English and Arabic

Product order code: P3436



Violent attacks against Roma in Hungary Time to investigate racial motivation

This report gives a first-hand account from members of the Romani community who were victims of violent attacks in Hungary between 2008 and 2009. It highlights the Hungarian authorities' shortcomings in the investigation and prosecution of racially motivated attacks and calls on them to ensure that members of the Romani community, as well as members of other groups, are protected from violence and attacks.

Index: EUR 27/001/2010

Format: 46pp, A4, colour cover

Price: £6.00

Languages available: English

Product order code: P3161



Left without a choice Barriers to reproductive health in Indonesia

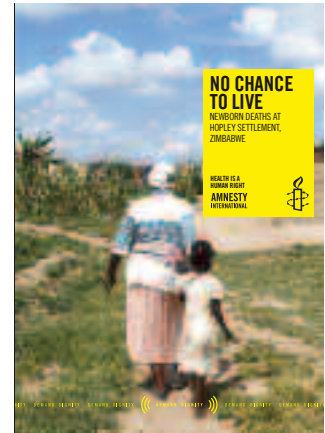
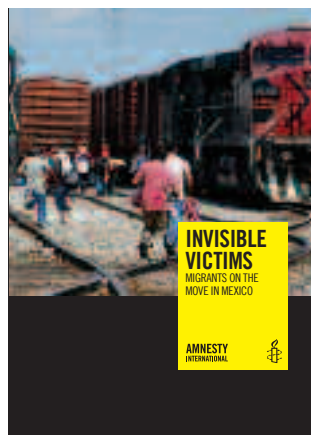
Every year, approximately 20,000 women die during pregnancy and childbirth in Indonesia. Government efforts to tackle maternal mortality have mostly concentrated on health sector interventions such as improving pregnant women's access to skilled care as well as emergency obstetric care. However, women and girls belonging to poor and marginalized communities, in particular, may not have access to the sexual and reproductive health care they need. Little has been done to combat discriminatory practices and attitudes by health practitioners and other state officials. This report exposes the hidden barriers which prevent women and girls from exercising their sexual and reproductive rights.

Index: ASA 21/013/2010
 Format: 76pp, A4, colour cover
 Price: £10.00
 Languages available: English
 Product order code: P3319

Invisible victims Migrants on the move in Mexico

This report focuses on abuses against the thousands of undocumented migrants who travel through Mexico every year. On their way to the US border, many are subjected to abuses including beatings, abduction, rape or even murder. Most abuses are carried out by criminal gangs, but there is evidence that officials at various levels are complicit in these crimes. The report highlights the responsibility of Mexican federal migration authorities and police investigators to ensure the human rights of irregular migrants.

Index: AMR 41/014/2010
 Format: 44pp, A4, colour cover
 Price: £8.50
 Languages available: English
 Product order code: P3022



No chance to live Newborn deaths at Hopley settlement, Zimbabwe

The lives of pregnant women and their babies in Hopley settlement are in danger because of the Zimbabwean government's failure to ensure access to adequate housing, safe water and health care. The majority of the 5,000 inhabitants of Hopley were among the 700,000 people who lost their homes or livelihoods in mass forced evictions in 2005. The nearest clinic offering maternal and newborn health care is 8km away. Because of the high costs of transport and of medical care, many pregnant women and girls are forced to deliver at home without a trained birth attendant.

Index: AFR 46/018/2010
 Format: 26pp, A4, colour cover
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Newly arrived refugees from Somalia wait for registration at Ifo camp, Kenya, May 2010. During November, 8,000 civilians were ordered to return to Somalia by the Kenyan authorities.



AMNESTY INTERNATIONAL REPORT 2011

THE STATE OF THE WORLD'S HUMAN RIGHTS

Activists and journalists used new technologies to campaign for human rights in innovative and imaginative ways in 2010. They are organizing in the virtual world to make the quest for a life lived with dignity into a truly global demand.

This overview of the *Amnesty International Report 2011* shows that the communities most affected by human rights abuses are the real driving force behind the human rights struggle. Their determination and persistence have inspired millions and made it increasingly difficult for states to ignore the growing clamour for fundamental and irreversible change.

The *Amnesty International Report* documents the state of human rights in 157 countries and territories in 2010. It reveals a world in which people continue to challenge oppression and to confront human rights abusers, despite the powerful array of repressive measures deployed against them.

Amnesty International was founded in 1961 with a clear mission to create a movement of international solidarity to fight injustice in every corner of the world. Fifty years later, the world has changed dramatically. However, the imperative for individuals to stand together to protect human rights, wherever they may be, remains as powerful as ever.

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