



fidh

ANNUAL REPORT 2010





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Our Fundamentals

A mandate: The protection of all rights

FIDH is an international NGO defending all civil, political, economic, social and cultural rights, set out in the Universal Declaration of Human Rights. It acts in the legal and political fields for the creation and reinforcement of international instruments for the protection of Human Rights and for their implementation.

An ethic: Independence and Objectivity

FIDH is a non-partisan, non-religious, apolitical and non-profit organisation, and in France, where it is based, it has public interest status (*reconnue d'utilité publique*). Its independence and objectivity are the very foundation of its credibility.

An organisation to serve its members

FIDH is a federalist movement that acts through and for its national member and partner organisations. This principle of governance shapes its decision-making processes, its mode of action and the way it operates. It is what makes FIDH truly representative of its member and partner organisations and gives it legitimacy. By remaining in permanent interaction with local civil societies, FIDH can rapidly identify local obstacles to the work of defenders and take the necessary steps to mobilise support for them.

Well-trying expertise

FIDH deploys a large range of actions that have proved to be effective: urgent reactions, both public and confidential; international fact-finding, trial observation and defence missions; political dialogue, advocacy, litigation and public awareness campaigns. FIDH acts through a network of international experts (*chargés de mission*) who give their time on a voluntary basis, at the same time fostering exchanges of experience among defenders worldwide in order to encourage mutual sharing of know-how. FIDH constantly evaluates its activities in order to increase its effectiveness and to adjust its short, medium or long-term objectives as necessary.

Three levels of action

FIDH considers that transforming society is primarily a matter for local actors. Its activities aim to reinforce their capacity to act and increase their influence in local matters. It acts at national, regional, and international levels to support its member and partner organisations in countering Human Rights violations and in consolidating democratisation. FIDH's actions are directed towards States and other actors that exercise power, such as armed opposition groups and multinational enterprises.

The main beneficiaries are national Human Rights member organisations, and through them the victims of Human Rights violations. FIDH has also broadened its field of action to encompass local partner organisations, and has developed alliances with other actors working for change.



Côte d'Ivoire - a person displaced by the war escaping the fighting in Abidjan between the pro-Gbagbo Defence and Security Forces and the pro-Ouattara forces. FIDH carried out investigations in the field before and after the violence. © Issouf Sanogo / AFP

A Universal and Federalist movement

FIDH's organisation and mode of operation reflect the governance principles: everything is based on the 164 member organisations.

The Congress

- Is composed of the 164 member organisations;
- Meets every three years;
- Discusses the FIDH thematic and geographical priorities and lays down the broad strategic orientations.

The International Board

- Comprises 22 members (volunteers) from the member organisations. The Board is elected by the Congress and consists of the President, the Treasurer, 15 Vice-Presidents and 5 Secretary Generals;
- Defines the strategic orientations according to the goals set by the Congress and approves the annual accounts;
- Meets three times a year and reports to the Congress.

The Executive Board

- Is composed of the President, the Treasurer, 5 General Secretaries and 5 Deputy Secretary Generals;
- Deals with the day-to-day running of the organisation and prepares the meetings of the International Board;
- Meets once a month and reports to the International Board.

The International Secretariat

- Is based in Paris, and is composed of a team of professionals under a Chief Executive Officer, a non-voting member of the International and the Executive Boards. The team is structured in by regions and action priorities; it is dispatched between the headquarters, permanent delegations before IGOs and regional offices. It also comprises a Communication and Development department, and an Administrative and Financial support department.
- Is in permanent contact with the actors in the field, and implements the decisions of the FIDH policy-making bodies in conjunction with the member organisations, the mission officers and members of the International and Executive Boards.



Opening session of the 37th FIDH Congress in Armenia, April 2010. © FIDH.

164 member organisations

AFGHANISTAN, ARMANSHAHR/OPEN ASIA / **ALBANIA**, ALBANIAN HUMAN RIGHTS GROUP (AHRG) / **ALGERIA**, COLLECTIF DES FAMILLES DE DISPARU(E)S EN ALGÉRIE (CFDA) / **ALGERIA**, LIGUE ALGÉRIENNE DE DÉFENSE DES DROITS DE L'HOMME (LADDH) / **ARGENTINA**, LIGA ARGENTINA POR LOS DERECHOS DEL HOMBRE (LADH) / **ARGENTINA**, COMITÉ DE ACCIÓN JURÍDICA (CAJ) / **ARGENTINA**, CENTRO DE ESTUDIOS LEGALES Y SOCIALES (CELS) / **ARMENIA**, CIVIL SOCIETY INSTITUTE (CSI) / **AUSTRIA**, ÖSTERREICHISCHE LIGA FÜR MENSCHENRECHTE (OLFM) / **AZERBAIJAN**, HUMAN RIGHTS CENTER OF AZERBAIJAN (HRCA) / **BAHRAIN**, BAHRAIN HUMAN RIGHTS SOCIETY (BHRS) / **BAHRAIN**, BAHRAIN CENTER FOR HUMAN RIGHTS (BCHR) / **BANGLADESH**, ODHIKAR / **BELARUS**, HUMAN RIGHTS CENTER VIASNA / **BELGIUM**, LIGA VOOR MENSCHENRECHTEN (LVM) / **BELGIUM**, LIGUE DES DROITS DE L'HOMME - BELGIQUE / **BENIN**, LIGUE POUR LA DÉFENSE DES DROITS DE L'HOMME AU BÉNIN (LDDHB) / **BOLIVIA**, ASAMBLEA PERMANENTE DE DERECHOS HUMANOS DE BOLIVIA (APDHB) / **BOTSWANA**, THE BOTSWANA CENTRE FOR HUMAN RIGHTS – DITSHWANELO / **BRAZIL**, MOVIMENTO NACIONAL DE DIREITOS HUMANOS (MNDH) / **BRAZIL**, JUSTIÇA GLOBAL (CJG) / **BURKINA FASO**, MOUVEMENT BURKINABÉ DES DROITS DE L'HOMME ET DES PEUPLES (MBDHP) / **BURMA**, ALTSEAN BURMA / **BURUNDI**, LIGUE BURUNDAISE DES DROITS DE L'HOMME (ITEKA) / **CAMBODIA**, CAMBODIAN HUMAN RIGHTS AND DEVELOPMENT ASSOCIATION (ADHOC) / **CAMBODIA**, LIGUE CAMBODGIENNE DE DÉFENSE DES DROITS DE L'HOMME (LICADHO) / **CAMEROON**, MAISON DES DROITS DE L'HOMME (MDH) / **CANADA**, LIGUE DES DROITS ET DES LIBERTÉS DU QUÉBEC (LDL) / **CENTRAL AFRICAN REPUBLIC**, LIGUE CENTRAFRICAINE DES DROITS DE L'HOMME (LCDH) / **CENTRAL AFRICAN REPUBLIC**, ORGANISATION POUR LA COMPASSION DES FAMILLES EN DÉTRESSE (OCODEFAD) / **CHAD**, LIGUE TCHADIENNE DES DROITS DE L'HOMME (LTDH) / **CHAD**, ASSOCIATION TCHADIENNE POUR LA PROMOTION ET LA DÉFENSE DES DROITS DE L'HOMME (ATPDH) / **CHILE**, OBSERVATORIO CUIDADANO / **CHILE**, CORPORACION DE PROMOCION Y DEFENSA DE LOS DERECHOS DEL PUEBLO (CODEPU) / **CHINA**, HUMAN RIGHTS IN CHINA / **COLOMBIA**, CORPORACION COLECTIVO DE ABOGADOS JOSÉ ALVEAR RESTREPO (CCAJAR) / **COLOMBIA**, INSTITUTO LATINOAMERICANO DE SERVICIOS LEGALES ALTERNATIVOS (ILSA) / **COLOMBIA**, ORGANIZACIÓN FEMENINA POPULAR (OFP) / **COLOMBIA**, COMITE PERMANENTE POR LA DEFENSA DE LOS DERECHOS HUMANOS (CPDH) / **CONGO**, OBSERVATOIRE CONGOLAIS DES DROITS DE L'HOMME (OCDH) / **COSTA RICA**, ASOCIACIÓN DE SERVICIOS DE PROMOCIÓN LABORAL (ASEPROLA) / **CÔTE D'IVOIRE**, MOUVEMENT IVOIRIEN DES DROITS HUMAINS (MIDH) / **CÔTE D'IVOIRE**, LIGUE IVOIRIENNE DES DROITS DE L'HOMME (LIDHO) / **CROATIA**, CIVIC COMMITTEE FOR HUMAN RIGHTS (CCHR) / **CUBA**, COMISION CUBANA DE DERECHOS HUMANOS Y RECONCILIACION NACIONAL (CCDHN) / **CZECH REPUBLIC**, HUMAN RIGHTS LEAGUE (HRL) - LIGA LIDSKYCH PRAV / **DEMOCRATIC REPUBLIC OF THE CONGO**, LIGUE DES ÉLECTEURS (LE) / **DEMOCRATIC REPUBLIC OF THE CONGO**, GROUPE LOTUS / **DEMOCRATIC REPUBLIC OF THE CONGO**, ASSOCIATION AFRICAINE DES DROITS DE L'HOMME (ASADHO) / **DJIBOUTI**, LIGUE DJIBOUTIENNE DES DROITS HUMAINS (LDDH) / **DOMINICAN REPUBLIC**, CND COMISIÓN NACIONAL DE LOS DERECHOS HUMANOS, INC / **ECUADOR**, FUNDACIÓN REGIONAL DE ASESORIA EN DERECHOS HUMANOS (INREDH) / **ECUADOR**, CENTRO DE DERECHOS ECONOMICOS Y SOCIALES (CDES) / **ECUADOR**, COMISIÓN ECUMÉNICA DE DERECHOS HUMANOS (CEDHU) / **EGYPT**, CAIRO INSTITUTE FOR HUMAN RIGHTS STUDIES (CIHRS) / **EGYPT**, HUMAN RIGHTS ASSOCIATION FOR THE ASSISTANCE OF PRISONERS (HRAAP) / **EGYPT**, EGYPTIAN ORGANIZATION FOR HUMAN RIGHTS (EOHR) / **EL SALVADOR**, COMISION DE DERECHOS HUMANOS DEL SALVADOR (CDHES) / **ETHIOPIA**, HUMAN RIGHTS COUNCIL (HRCO) / **EUROPE**, ASSOCIATION EUROPÉENNE POUR LA DÉFENSE DES DROITS DE L'HOMME (AEDH) / **FINLAND**, FINNISH LEAGUE FOR HUMAN RIGHTS (FLHR) - IHMISOIKEUSLIITTO / **FRANCE**, LIGUE DES DROITS DE L'HOMME ET DU CITOYEN (LDH) / **FRENCH POLYNESIA**, LIGUE POLYNÉSIEENNE DES DROITS HUMAINS (LPDH) / **GEORGIA**, HUMAN RIGHTS CENTER (HRDC) / **GERMANY**, INTERNATIONALE LIGA FÜR MENSCHENRECHTE (ILMR) / GREAT-BRITAIN, LIBERTY / GREECE, HELLENIC LEAGUE FOR HUMAN RIGHTS (HLHR) / **GUATEMALA**, COMISION DE DERECHOS HUMANOS DE GUATEMALA (CDHG) / **GUATEMALA**, CENTRO DE ACCIÓN LEGAL EN DERECHOS HUMANOS (CALDH) / **GUINEA-BISSAU**, LIGA GUINEENSE DOS DIREITOS HUMANOS (LGDH) / **GUINEA-CONAKRY**, ORGANISATION GUINEENNE DE DÉFENSE DES DROITS DE L'HOMME ET DU CITOYEN (OGDH) / **HAITI**, COMITE DES AVOCATS POUR LE RESPECT DES LIBERTÉS INDIVIDUELLES (CARLI) / **HAITI**, CENTRE OECUMENIQUE DES DROITS HUMAINS (CEDH) / **HAITI**, RÉSEAU NATIONAL DE DÉFENSE DES DROITS DE L'HOMME (RNDDH) / **HONDURAS**, CENTRO DE INVESTIGACIÓN Y PROMOCIÓN DE LOS DERECHOS HUMANOS (CIPRODEH) / **INDIA**, COMMONWEALTH HUMAN RIGHTS INITIATIVE (CHRI) / **IRAN**, DEFENDERS OF HUMAN RIGHTS CENTER IN IRAN (DHRC) / **IRAN**, LIGUE POUR LA DÉFENSE DES DROITS DE L'HOMME EN IRAN (LDDHI) / **IRAQ**, IRAQI NETWORK FOR HUMAN RIGHTS CULTURE AND DEVELOPMENT (INHRC) / **IRELAND**, FREE LEGAL ADVICE CENTRES LIMITED (FLAC) / **IRELAND**, IRISH COUNCIL FOR CIVIL LIBERTIES (ICCL) / **ISRAEL**, B'TSELEM / ISRAEL, ASSOCIATION FOR CIVIL RIGHTS IN ISRAEL (ACRI) / **ISRAEL**, PUBLIC COMMITTEE AGAINST TORTURE IN ISRAEL (PCATI) / **ISRAEL**, ADALAH / **ITALY**, LEGA ITALIANA DEI DIRITTI DELL'UOMO (LIDU) / **ITALY**, UNIONE FORENSE PER LA TUTELA DEI DIRITTI DELL'UOMO (UFTDU) / **JAPAN**, CENTER FOR PRISONERS' RIGHTS (CPR) / **JORDAN**, AMMAN CENTER FOR HUMAN RIGHTS STUDIES (ACHRS) / **KENYA**, KENYA HUMAN RIGHTS COMMISSION (KHRC) / **KOSOVO**, COUNCIL FOR THE DEFENSE OF HUMAN RIGHTS AND FREEDOMS (CDHRF) / **KYRGYZSTAN**, HRC CITIZENS AGAINST CORRUPTION (CAC) / **KYRGYZSTAN**, KYRGYZ COMMITTEE FOR HUMAN RIGHTS (KCHR) / **KYRGYZSTAN**, LEGAL CLINIC ADILET / **KYRGYZSTAN**, KYLYM SHAMY / **LAOS**, MOUVEMENT LAO POUR LES DROITS DE L'HOMME (MLDH) / **LATVIA**, LATVIAN HUMAN RIGHTS COMMITTEE (LHRC) / 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DROITS ET DU CITOYEN DE NOUVELLE CALÉDONIE (LDHNC) / **NICARAGUA**, CENTRO NICARAGUENSE DE DERECHOS HUMANOS (CENIDH) / **NIGER**, ASSOCIATION NIGERIENNE POUR LA DÉFENSE DES DROITS DE L'HOMME (ANDDH) / **NIGERIA**, CIVIL LIBERTIES ORGANISATION (CLO) / **NORTHERN IRELAND**, COMMITTEE ON THE ADMINISTRATION OF JUSTICE (CAJ) / **PAKISTAN**, HUMAN RIGHTS COMMISSION OF PAKISTAN (HRCP) / **PALESTINE**, PALESTINIAN CENTRE FOR HUMAN RIGHTS (PCHR) / **PALESTINE**, AL HAQ / **PALESTINE**, RAMALLAH CENTRE FOR HUMAN RIGHTS STUDIES (RCHRS) / **PANAMA**, CENTRO DE CAPACITACIÓN SOCIAL DE PANAMÁ (CCS) / **PERU**, ASOCIACION PRO DERECHOS HUMANOS (APRODEH) / **PERU**, CENTRO DE DERECHOS Y DESARROLLO (CEDAL) / **PHILIPPINES**, PHILIPPINE ALLIANCE OF HUMAN RIGHTS ADVOCATES (PAHRA) / **PORTUGAL**, CIVITAS / **ROMANIA**, THE LEAGUE FOR THE DEFENSE OF HUMAN RIGHTS (LADO) / **RUSSIA**, ANTI-DISCRIMINATION CENTER MEMORIAL (ADC MEMORIAL) / **RUSSIA**, CITIZENS' WATCH (CW) / **RUSSIA**, RUSSIAN RESEARCH CENTER FOR 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Dobian ASSINGAR
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(CEMAC)

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Vanessa RIZK
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Eastern Europe
and Central Asia Desk



Stéphanie DAVID
Head of Middle East
North Africa Desk,
based in Cairo



Marie CAMBERLIN
Head of Middle East
North Africa Desk
(Michel TABBAL, *ad interim*)



Elin WRZONCKI
Head of Globalisation
and Human Rights Desk
(Laure AVILES, *ad interim*)



Geneviève PAUL
Programme Officer
Globalisation and
Human Rights Desk



Katherine BOOTH
Head of Women's Rights
and Migrants' Rights
Desk



Alexandra POMEON
Head of Observatory
for the Protection of
Human Rights Defenders



Hugo GABBERO
Programme Officer
Observatory for the
Protection of Human
Rights Defenders



Karine BONNEAU
Head of International
Justice Desk



Mariana PENA
Permanent Representative
International Criminal Court,
in The Hague

MOBILISATION OF INTERNATIONAL INTERGOVERNMENTAL ORGANISATIONS



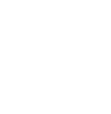
Grégoire THERY
Permanent Representative,
European Union,
in Brussels



Catherine ABSALOM
Assistant,
European Union,
in Brussels



Julie GROMELLON
Permanent Representative
United Nations, in Geneva



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Claire TIXEIRE
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Claire COLARDELLE
Assistant Observatory



Delphine CARLENS
Programme Officer
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Asa RYDBERG
Project Coordinator
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Isabelle CHEBAT
Director of Communication
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Corinne BEZIN
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Fabien MAITRE
Assistant Press Officer



Damien COUSIN
Marketing Officer



Céline BALLEREAU TETU
Head of Publications



Christophe GARDAIS
Publications Officer



Lidya OGBAZGHI
Executive
Assistant - Secretary

ADMINISTRATION, FINANCES AND HUMAN RESOURCES



Marie-France BURQ
Human Resources
Manager



Kate COLES
Head of Fundraising
(Nathalie NUNES, ad interim)



Shawna CARROLL
Executive Assistant



Sergueï FUNT
Head of
Management Audit

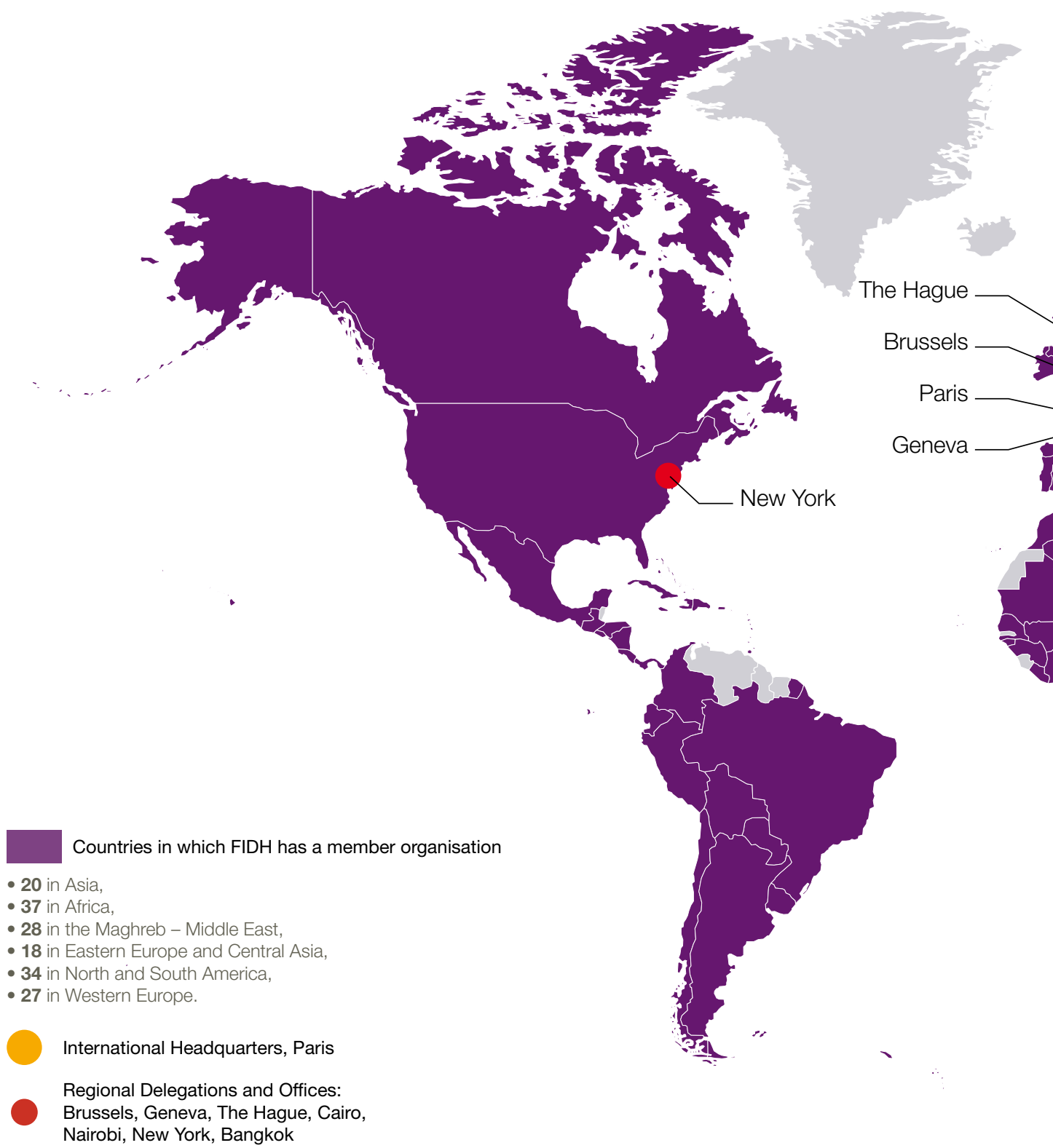


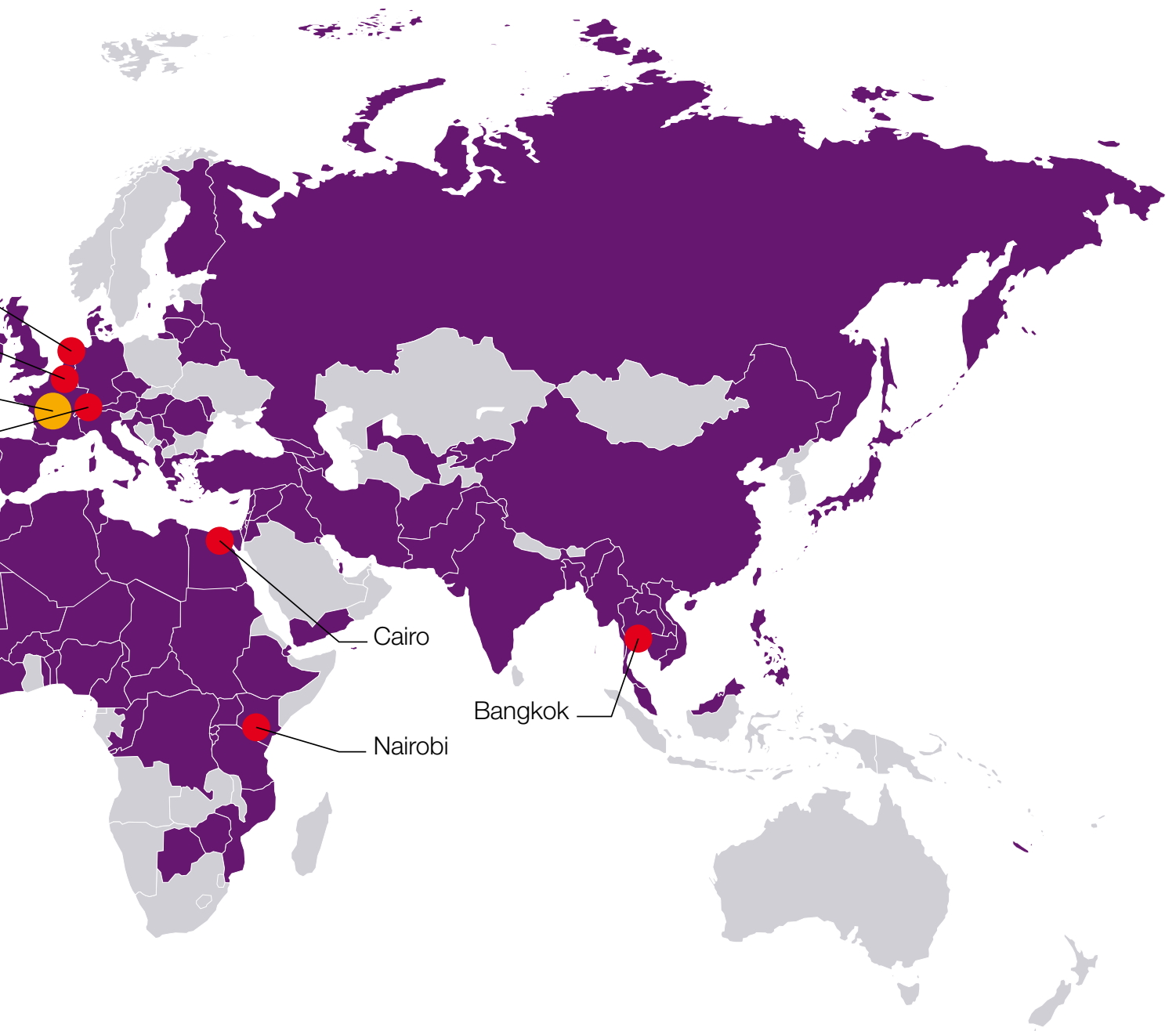
Samia MERAH
Accountant



Tony MINET
Assistant Accountant

FIDH is present in more than 100 countries





Priority 1

Protect and support human rights defenders

Strategies and objectives

An action at the heart of FIDH's mandate and a specific approach. FIDH's goal is two-fold: to denounce and act against the repression of defenders and to strengthen the capacity of action of defenders and associations. "Protecting defenders also means supporting the messages that these committed citizens promote despite all the risks they are facing" – Souhayr Belhasen, FIDH President.

FIDH conducts its protection activities through the Observatory for the Protection of Human Rights Defenders, a joint programme in partnership with the World Organisation Against Torture (*Organisation Mondiale Contre la Torture* – OMCT) since 1997, and its cross-cutting programmes to support defenders and strengthen their capacities to act.

Several modes of action have been developed over the years by the Observatory, to provide an appropriate response to each particular case or situation. These modes of action notably include emergency alerts (urgent appeals, press releases, open or closed letters to the authorities), documentation of violations and an analysis of the causes (international fact-finding missions), direct support (material assistance, relocation, trial observation, defense missions, solidarity missions) and the mobilisation of inter-governmental organisations and public opinion (communications, direct advocacy, campaigns, publication of an annual report).

Context

While dozens of human rights defenders were murdered in Latin America this year (Mexico, Guatemala, Honduras, El Salvador, Colombia), the assassination of human rights defender Floribert Chebeya, in the Democratic Republic of the Congo (DRC), deeply affected civil society in Africa. In the other countries like the Russian Federation, Kenya, Burundi and The Gambia, human rights defenders continued to demand truth and justice for the murders of their colleagues, sometimes at the cost of their lives. These activists are subject to death threats and acts of intimidation on an almost daily basis. Many defenders were forced to leave their country for their personal safety or that of their families (Colombia, Mexico, Cuba, Russia, DRC, Ethiopia, Sudan).

The misuse of the law and the judicial system remains an essential factor. Defenders have been detained incommunicado before being subjected to summary trials (Iran, Syria). In other countries, lawsuits filed against defenders have lasted several months or even years (Cameroon, Russia, Kyrgyzstan, The Gambia, Turkey, Tunisia), preventing them from pursuing their activities, while elsewhere anti-terrorist laws are diverted from their goal in order to silence defenders (Bahrain, Turkey, Uganda, Peru, Israel, Yemen). In support of these acts of criminalisation, smearing campaigns through the media are developed (Burundi, Israel, Tunisia). Finally, freedom of association, a prerequisite for human rights NGOs to operate, continues to be severely constrained in many countries (Belarus, Ethiopia, Algeria, Bangladesh, Azerbaijan, Turkmenistan, Bahrain, Syria).

Electoral processes that took place in 2010, were often accompanied by harassment and violence against human rights defenders calling for free transparent and fair elections (Belarus, Côte d'Ivoire, Sudan, Egypt, Nicaragua, Tunisia). In the context of armed conflict or political crises (Yemen, Sri Lanka, DRC, Sudan, Kyrgyzstan), defenders acting on behalf of victims' rights and calling for respect of the law, again found themselves on the front line of repression alongside the defenders of economic and social rights, women's rights, and the rights of lesbians, gays, bi-sexual and transgender people.

Actions and challenges

Daily alerts. The emergency alert programme (urgent appeals, press releases, letters to the authorities, etc.), which remains the main daily activity of the Observatory, enables the mobilisation of State actors, the international community and the media on individual cases or situations of harassment. Most often, they are launched on the basis of referrals made by FIDH and OMCT local partner organisations.

Document and analyse for better mobilisation. In 2010, the Observatory identified five countries (Nicaragua, Turkey, Burundi, Cambodia and The Gambia) where the severity of the situation and the lack of documentation by other organisations required a thorough investigation of the context in which human rights defenders operate, the causes of harassment, the identification of responsibilities, and the formulation of recommendations

for presentation to those responsible for ensuring compliance with human rights standards, as well as to a number of other influential actors. These activities took the form of international fact-finding missions and advocacy with national authorities and helped to put the protection of human rights defenders in the public debate, to fight against stigmatisation and attempts to delegitimise their work by regularly characterising them as political opponents or criminals.

Armed conflicts and political crises: ensuring the safety of defenders. To this end, the Observatory has set up mechanisms

enabling close monitoring of the situation of local actors. This in turn has enabled the Observatory to mobilise in order to ensure the safety of defenders, notably in Colombia, Ethiopia, Georgia, Mexico, the Russian Federation and the DRC, by helping them to relocate temporarily, securing the premises of local human rights organisations, and covering the medical expenses of a number of mistreated human rights advocates, etc.

Resurgence of assassinations of defenders in Africa: strong public mobilisation to denounce and prevent such acts. The Observatory communicated extensively on these heinous acts

■ ■ ■

OUTPUTS

Urgent appeals

In 2010, **365** urgent appeals regarding **736** human rights defenders in **64** countries were issued by the Observatory, **40%** of which were followed up either to commend positive outcomes or to continue mobilisation on cases of concern.

Material assistance

16 human rights defenders and their families received material assistance from the Observatory.

Referrals to IGOs

365 urgent interventions were transmitted to the relevant IGOs.

The third meeting of intergovernmental bodies with a human rights defenders protection mandate was organised in Warsaw in December 2010.

The first Internet website containing comprehensive information on the activities and respective mandates of intergovernmental bodies dealing with the protection of human rights defenders was established.

24 trial observation missions covering 13 trials on 13 defenders:

- Chile (January)
- Colombia (February)
- Tunisia (January, February, March, April – 4 cases covered)
- Syria (February, March, April, May, June, July – 2 cases covered)
- Russia (March, May, September, November – 2 cases covered)
- Turkey (June)
- France (October)
- The Gambia (December)

5 fact-finding missions:

- Cambodia (February)
- The Gambia (May)
- Nicaragua (May)
- Turkey (October)
- Burundi (November)

4 solidarity missions:

- Spain (March)
- Democratic Republic of the Congo (June)
- Kazakhstan (July)
- Democratic Republic of the Congo (August-September)

10 mission reports and other mobilisation documents:

- Chile: *Edwin Dimter Bianchi contra Pascale Bonnefoy* (January) – SP.
- Guatemala: *El derecho a la alimentacion en Guatemala* (April) – SP – EN.
- Nigeria: *Defending Human Rights: Not Everywhere, Not Every Right* (May) – EN.
- Syria: *Summary report on the compliance of the trial of Mr. Muhannad Al-Hasani before the Second Criminal Court in Damascus with international standards of fair trial* (June) – EN.
- Cambodia: *Freedom of expression, association and assembly: a shrinking space* (September) – FR – EN.
- Syria: *A prison for defenders* (October) – FR – EN – AR.
- Tunisia: *Trial of Fahem Boukaddous and Hassan Ben Abdallah before the Gafsa court* (October) – FR.
- France: *Appeal trial of André Barthélemy before the Paris Appeals Court* (March 2011).

– Syria: *The trial of human rights lawyer Haytham Al-Maleh before the second military tribunal in Damascus – February-July* (March 2011) – FR – EN – SP.

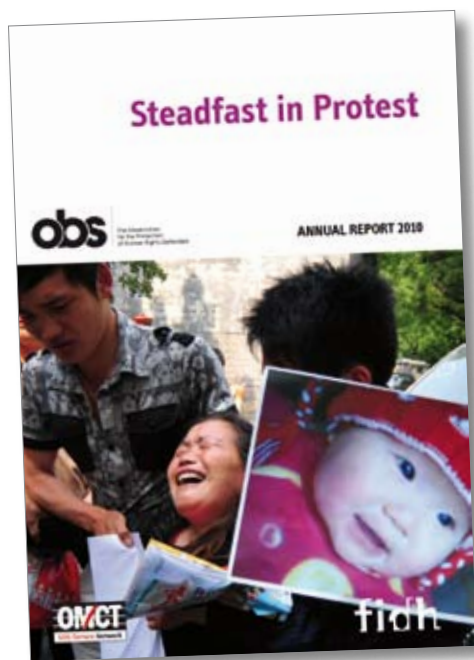
– Burundi: *The assassination of human rights defender Ernest Manirumva: two years after, a denial of justice* (April 2011) – FR.

Strategy meeting

At the end of 2010, FIDH's International Board held a strategic meeting to discuss the protection of human rights defenders. The courses of action agreed upon for the years ahead include the need to diversify the target groups of FIDH's action and to strengthen and diversify the protection tools of the Observatory.

Annual report

The annual report of the Observatory (61 countries covered) is an analytical reference comprehensively covering the situation of human rights defenders in the world, and thus gives visibility to the issue of protection of human rights defenders in the media. **5,000** copies of the 2010 annual report were published (English, Arabic, Spanish, French, Russian) and distributed to representatives of civil society (NGOs, international, regional and local authorities, lawyers, trade unionists, journalists), international institutions and regional human rights protection groups, States and other actors of influence. 12 press conferences were organised on five continents in conjunction with local FIDH and OMCT partner organisations to launch the annual report.



Observatory for the Protection of HRD. Annual Report 2010.

and the persistent climate of impunity surrounding them and followed very closely related murder trials, including through the conduct of trial observation missions (Burundi, DRC). The aim of these actions was to profile these assassinations as symbolic cases with a view to prevent a recurrence of such acts.

Faced with an increasing criminalisation of activities in defense of human rights and ever more sophisticated techniques of repression under the guise of legality, the Observatory is compelled to constantly adapt its methods of action. Thus, as a follow-up to its action in 2009, the Observatory has managed to refine its methods: documentation and analysis of contexts, the legal framework and the response of institutions responsible for law enforcement, trial observations and direct interventions with the relevant authorities and actors of influence. 2010 highlight: The Observatory organised 25 international trial observation missions covering cases in 8 countries. This adaptation enabled the Observatory to respond to requests from FIDH member organisations, expressed especially at the 2010 Congress in Yerevan, Armenia.

In response to processes to legalise repression: consolidate a network of lawyers and international observers. The international trial observations missions have allowed in a general way, the provision of direct support to harassed defenders and a symbolic recognition of their situation before domestic courts. They have also served to strengthen and consolidate a network of lawyers and international observers sensitive to human rights. This activity responds in part, to the mass arrests and trials against human rights defenders engaged in social protest movements in Arab countries in 2010 and 2011.

Against forgetting and for the mobilisation of public opinion. In September 2010, the Observatory published its

annual report on the situation of human rights defenders. Featuring country profiles – analysing the political context and the main obstacles and repressive trends against human rights defenders – the report is a reference document for the world of human rights. Special operations conducted by member organisations and partners of the Observatory, were organised in 11 countries. The publication of this report each year draws attention to the need to protect human rights defenders and raises the awareness of opinion-makers and State institutions to the need to ensure a climate conducive to the work of human rights defenders.

Enhance the protective capacity of intergovernmental bodies. The Observatory has systematically informed the various protection bodies about all situations of harassment on which it has worked. In addition, it has supported these mechanisms in the preparation of their country visits. In 2010, the Observatory continued to encourage joint action and coordination between these bodies for the protection of defenders by organising international meetings and setting up a dedicated website.

Developments, ongoing since early 2011 in the Maghreb region and the Middle East, require increased vigilance by the Observatory with regard to the need to protect human rights defenders in these times of protest and/or transition.

Results

Since the beginning of 2010, the activities of the Observatory have contributed towards:

Improving the situation of defenders

- The release of 127 defenders detained arbitrarily, including in *Iran, Israel, Egypt, Turkey, Syria, Belarus, the DRC, Zimbabwe, Guinea, Mexico, Colombia, Kenya, Sudan, India, and Sri Lanka*.
- The end of legal proceedings against at least 13 human rights defenders (Russia, Nicaragua, Zimbabwe, and Armenia).
- Ensuring the safety of 13 defenders and their families (Colombia, Ethiopia, Georgia, Mexico, the DRC, Russia, Tunisia, Guinea).
- Non-adoption of draconian laws (Cambodia, Uganda).

Among highlights in the mobilisation of IGOs

- Creation of a mandate as UN Special Rapporteur on freedom of association.
- Inclusion of the issue of the protection of human rights defenders in the mandate of the MONUSCO (DRC).
- European Parliament resolution on the protection of human rights which includes several recommendations addressed by the Observatory.
- Establishment of the office of Special Rapporteur of the Inter-American Commission on Human Rights on the situation of human rights defenders.
- Creation of a website of the Office of Special Rapporteur of the Inter-American Commission on Human Rights.

FOCUS

Drop of legal proceedings against a human rights defender

Anastasia Denisova, President of the organisation ETHnICS, Krasnodar, Russian Federation.

"Yesterday my lawyer received a letter from the Attorney General advising that legal proceedings against me were closed due to lack of evidence in the file, and told me that a formal letter of apology on behalf of the prosecutor's office had been sent to me. (...) I wish to express my sincere gratitude to the Observatory team that took part in the campaign to defend me, for all the actions you have taken and those you were prepared to undertake in the event of the opening of a trial against me. With my warmest regards, Stasia."

Release of a human rights defender arbitrarily detained

Rola Bardan, Palestinian human rights organisation, Lebanon.

"Dear FIDH friends, we are happy to inform you that Hatem was released at 23h15 on December 1. He is fine. This is just a brief information email. More detailed information on the conduct of his interrogation will be communicated to you rapidly. Many thanks for your rapid response to our request."

A Guinean defender who received medical assistance from the Observatory after the mistreatment he suffered in the months that followed the violence and abuses in Guinea on September 28, 2009.

"Thank you to all those who stood by me and continue to stand by me. Thank you also for the care I received through your support."

Santiago Canton, Executive Secretary of the Inter-American Human Rights Commission.

Message received the day after the 3rd meeting of representatives of mechanisms to protect human rights defenders organised by the Observatory at the invitation of OSCE/ODIHR.

"Following this meeting, I have the impression that we are moving towards concrete results. With respect to the idea of a joint report by the different mechanisms for the protection of defenders, I think that it is not only feasible but is an initiative that will have a great impact on all regions of the world."

Support for the Chebeya and Bazana families.

In the DRC, since June 2010, the Observatory has been closely monitoring the situation relating to the assassination on the night of June 1-2, 2010, of Floribert Chebeya Bahizire, President of Voice of the Voiceless (*Voix des sans voix* - VSV) and Fidèle Bazana Edadi, a VSV member. The Observatory commissioned an international delegation to attend the funerals and meet the bereaved families and human rights associations.

In addition to its advocacy and monitoring of the murder investigation and the trial on the killings, the Observatory mobilised support for the two families who were being intimidated and threatened in this context. Thus, in the second half of 2010, the Observatory took the initiative to encourage and facilitate the coordination among international non-governmental organisations to provide material assistance to the families of the two victims. This facilitator role helped limit duplication of efforts while responding as fully as possible to the financial, logistical and security needs of both families. The Chebeya family was resettled in Canada in August 2010 and the Bazana family in France in May 2011.

"We received threats, we got suspicious visits, we were followed, one of my sons was even beaten – not only to scare us but to make us not tell the truth," testified Fidèle Bazana's widow, Mrs. Marie Jose Bazana.

"The European Parliament [...] welcomes the ongoing cooperation between the protection mechanisms at European and international levels, which could be strengthened by a systematic exchange of information and strategies to ensure greater complementarity in terms of exchange information on emergencies and coordination of long-term support [...]; welcomes in this regard the annual meetings organised by the Council of Europe as well as annual meetings organised by the mechanisms Observatory for the Protection of Defenders of Human Rights, a joint programme of the International Federation of Human Rights and the World

Organisation against Torture to the effect of strengthening the interaction between mechanisms and the international and regional protection of human rights."

European Parliament Resolution, June 17, 2010, § 5.

Priority 2

Protect and promote women's rights

Strategies and objectives

FIDH works for the respect of women's rights and to promote their role in peace and development. On the basis of on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ratified by almost all countries of the world, FIDH, alongside its member organisations and partners, advocates for legislative reforms to abolish discriminatory provisions and establish equality in law and fact.

FIDH facilitates access by its members and partners to international bodies (CEDAW, Universal Periodic Review (UPR)) as well as regional bodies (African Commission on Human and Peoples' Rights (ACHPR), League of Arab States) and contributes to strengthening these mechanisms and monitoring the implementation of recommendations made to national authorities.

FIDH also contributes to fighting impunity for perpetrators of sexual crimes in times of conflict. It supports victims in national criminal proceedings and calls for the systematic opening of investigations and the prosecution of the perpetrators of such crimes. In light of barriers to access to justice at the national level and FIDH's significant experience in international criminal justice, FIDH's action aims to strengthen the role of the International Criminal Court (ICC) in its fight against these atrocities. FIDH seeks to strengthen the strategy of the ICC Prosecutor on these issues by ensuring that sexual violence is systematically included. FIDH also seeks to strengthen the capacity of local NGOs to document violations. The ultimate goal is to contribute to the prevention of such crimes.

Within the framework of its activities aimed at the protection of human rights defenders, FIDH pays particular attention to the issue of the protection of the rights of women human rights defenders, victims of repression as a result of their gender and the nature of their activities. (These activities are addressed by the Observatory for the Protection of Human Rights Defenders, a joint programme of FIDH and the World Organisation Against Torture (OMCT), cf. Priority 1 of this report).

Finally, FIDH continues to ensure that the rights of women are taken into account through a mainstreaming approach in the conception and implementation of its activities. FIDH creates

synergies between its member organisations, mostly "generalist" human rights organisations, and organisations specialising in women's rights. For example, FIDH mobilises its member organisations to integrate, in a systematic manner, issues concerning gender in their activities and presents women's rights as a systematic advocacy theme before the Universal Periodic Review mechanism of the Human Rights Council.

To strengthen advocacy, FIDH participates in several coalitions: the Coalition for Equality Without Reservations in the Arab World, the Coalition for the campaign "Africa for Women's Rights: Ratify and Respect!" and the Gender Working Group on of the Coalition for the International Criminal Court.

Context

Although today women in most parts of the world enjoy certain rights the exercise of which was once prohibited, discrimination and violence are still the norm in too many States. In many countries, discrimination against women is written into national laws. Women are denied equal rights in marriage, divorce, child custody, inheritance and land. In the absence of laws punishing all forms of violence against women and taking into account barriers to justice faced by victims in many countries, the perpetrators of such violence enjoy impunity. Women remain grossly under-represented in decision making positions.

Despite the proliferation of declarations at the international level for over 15 years, from Dakar to Beijing, in many countries on all continents, the political will to transform these commitments into action is still lacking. The year 2010 saw, for example, the African Union launch the "African women's Decade," Its success will have to be measured by tangible results.

In 2010, few States adopted positive measures (see results below) and risks of regression. The example of Mali demonstrates a renewed commitment is required: changes to the draft Family Code, as a result of the mobilisation of conservative movements, could go against the principle of gender equality (see Focus, below).

In 2010, a new United Nations body, "UN-women", was created to strengthen the UN's role in promoting and protecting



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women's rights. In addition, 2010 saw the creation of a new mechanism on laws that discriminate against women by the UN Human Rights Council (see below).

The year 2010 also marked the 10th anniversary of the adoption of Resolution 1325 on Women, Peace and Security. Ten years ago, the UN Security Council affirmed the urgent need for States to step up their efforts to protect women against violence in conflict situations and ensure their full participation in peace building. These strong commitments were not followed by action. Although a handful of States adopted national action plans (about 20 states out of 192 States), many of them have taken no action. Furthermore, to date, no specific mechanism exists to assess the implementation of the resolution. Women are still underrepresented at the tables when peace agreements are being negotiated and a woman has yet to be designated mediator in a conflict resolution process.

Meanwhile, the worst forms of violence against women persist in areas of conflict. In Eastern Democratic Republic of Congo (DRC) mass rapes are still being perpetrated. From Afghanistan to Sudan, from Chechnya to Colombia, crimes of sexual violence continue to be used as a weapon of war.

International criminal law qualifies these acts as crimes against humanity and war crimes. The International Criminal Court (ICC) is currently conducting several investigations and prosecutions against perpetrators of crimes of sexual violence, including rape. This mechanism should be further strengthened to contribute to the prevention of such crimes.

Actions and Challenges

Enhance the effectiveness of international and regional instruments in the protection of women's rights

The Campaign: "Africa for women's rights: Ratify and Respect!"

Context

The year 2010 marked the second year of the campaign launched by FIDH, in collaboration with five African regional organisations (ACHRDS, FAS, WILDAF, WACOL and WLSA). This unique partnership set as its main goals: the ratification without reservation of regional and international instruments for the protection of women's rights, the repeal of discriminatory laws, the adoption of legislation protecting the rights of women and of the measures necessary to enforce these laws.

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OUTPUTS

Press releases and open letters

– 28 (FR, ENG, SP).

Missions

- Guinea Conakry, fact-finding mission, May.
- Mali, advocacy mission, December.

Reports and other publications

Women's Rights in the United Arab Emirates, Note submitted to the CEDAW Committee at the first examination of the UAE, January 2010 (ENG).

The situation of women's rights in Algeria, list of questions submitted to the CEDAW Committee, FIDH, February 2010 (ENG).

Dossier of Claims of the campaign "Africa for women's rights: Ratify and Respect!". March 2010, (FR, ENG).

The situation of women's rights in Russia, alternative report to the CEDAW Committee, National Centre for the Prevention of Violence (ANNA) with the support of FIDH, July 2010 (ENG, RUS).

Position paper on the creation of a UN mechanism on laws that discriminate against women, September 2010, (FR, ENG).

Position paper on the implementation of Resolution 1325 on Women, Peace and Security, October 2010 (FR, ENG).

The situation of women's rights in Tunisia, alternative report to the CEDAW Committee, *Association tunisienne des femmes démocrates* (ATFD), October 2010 (FR, ENG).

Interfaces

- CEDAW Committee, New York, Russia, July 2010.
- CEDAW Committee, Geneva, Tunisia, October 2010.

The campaign is run locally by a network of over a hundred of organisations in forty countries that, supported by the Coalition, challenge their authorities, parliamentarians and judiciaries to comply with their international obligations regarding women's rights. By involving "generalist" human rights organisations that are members of FIDH, the campaign aims to strengthen collaboration between these organisations and women's rights organisations.

The campaign employs various means of action: fact-finding missions, missions of high-level advocacy before regional and international bodies, awareness-raising and outreach.

The campaign is supported by: Desmond Tutu, Nobel Peace Prize, 1984; Shirin Ebadi, Nobel Peace Prize, 2003; Wole Soyinka, Nobel Laureate for Literature, 1986; Nadine Gordimer, Nobel Prize for Literature, 1991; Youssou N'Dour, artist Tiken Jah Fakoly, artist; Angélique Kidjo, Artist; Salif Keita, artist; Maryse Conde, writer; Rachid Taha, artist; Jane Birkin, artist; Bafing Kul artist. The campaign is also supported by Soyata Maiga, Special Rapporteur on women's rights, African Commission on Human and Peoples' Rights, Yakin Ertürk, former United Nations Special Rapporteur on violence against women, and Pramila Patten, UN expert for the Committee on the Elimination of Discrimination against Women.

On International Women's Day, 8 March, 2010, FIDH published the campaign "Dossier of Claims". Based on research conducted by organisations of the campaign in their respective countries and coordinated by FIDH, the dossier exposes the human rights situation of women in thirty-one countries in Africa and makes recommendations to national authorities to eliminate discrimination and violence against women. The Dossier is a unique instrument for increasing awareness and builds a base for numerous advocacy efforts brought throughout 2010 at all levels: national, regional (mainly from the ACHPR and its Special Rapporteur on women's rights) and international (in particular with the UN CEDAW Committee).

Campaign for "Equality without reservations" in the Arab world

Context

While most Arab states have ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the majority have expressed reservations that run counter to the principle of non-discrimination and are used to justify continued discriminatory laws and practices.

The Campaign for "Equality without reservations", initiated in June 2006 by the *Association démocratique des femmes du Maroc* (ADFM) and FIDH brings together national organisations specialising in the protection of women's rights as well as general human rights organisations. It seeks the lifting of reservations made by CEDAW States, the integration of its provisions in national legislation and ratification of the Optional Protocol to CEDAW (allowing victims to complain to

an international body). FIDH is a member of the Monitoring Committee of the campaign.

In 2010, FIDH supported national organisations to develop advocacy strategies at national, regional and international levels. Given the difficulties faced by local NGOs with authorities that are very reluctant to move forward on the path to equality, international bodies are essential instruments of pressure.

FIDH facilitated the participation of its Tunisian member organisations in the review of Tunisia by the CEDAW Committee (October 2010) and the submission of an alternative report. FIDH submitted an alternative report on the situation of women in the United Arab Emirates (UAE), a country where women migrant workers are particularly vulnerable to discrimination, upon the CEDAW Committee's first examination of that State. Finally, FIDH, alongside its Algerian partner, the Center for Information and Documentation on the Rights of the Child and Women (CIDDEF), submitted a list of questions to the CEDAW Committee. The report on Algeria will be considered by the Committee in January 2012.

Fighting against impunity for perpetrators of sexual crimes during times of conflict

In 2010, FIDH focused its work on the countries under investigation by the ICC (DRC, Central African Republic (CAR)) and undertook activities to strengthen the capacity of local NGOs to document violations and support victims to bring cases before national and international justice courts (see Focus, below).

■ ■ ■



Women members of a caravan arriving in Gulmim, Morocco, the last town before the Sahara desert. Fatima Semraoui, co-founder of the Democratic League for Women's Rights (LDDF), singing the association's hymn. December 2004, Morocco. © Pierre-Yves Ginot.

Results

At the international level

- The recommendations of the CEDAW Committee to the Tunisian government incorporated the concerns of FIDH and its members. The Committee calls in particular for the complete lifting of reservations to CEDAW and the reform of discriminatory laws.
- The recommendations of the CEDAW Committee to the Russian government included the main recommendations submitted by FIDH and its partner, ANNA, on violence against women: The Committee called on Russia to adopt a law against domestic violence against women and to criminalise marital rape and honor killings.
- The creation by the UN Human Rights Council of a mechanism regarding laws that discriminate against women (October 2010).
- Contribution to the Report of the UN High Commissioner for Human Rights which recommends that the Congolese authorities establish a specific mechanism to fight impunity for serious crimes, including sexual crimes committed in DRC.
- Opening of the ICC trial against Jean-Pierre Bemba, leader of Congolese mercenaries for crimes committed in CAR, including sexual crimes (November 2010);
- Opening of a preliminary investigation by the ICC on the situation in Guinea Conakry.

At the national level

- Advocacy efforts advanced in 2010 have contributed to Uganda's ratification in July 2010 and Kenya's ratification in October 2010 of the Protocol to the African Charter on Human and Peoples' Rights on the rights of women in Africa, bringing the total number of ratifications to 28 states.
- The participation as "parties civiles" in cases before the criminal courts in Guinea Conakry of FIDH and its member organisation representing 67 victims of serious crimes, including sexual crimes committed during the repression of September 28, 2009, allowed the re-initiation of judicial proceedings at the national level.



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FOCUS

Advocacy for the adoption of the Family Code in Mali

FIDH, alongside its members and partners in Mali, the *Association malienne des droits de l'Homme* (AMDH) and WILDAF-Mali, has specifically mobilised to advocate the adoption of the Family Code in Mali.

In 2009, a bill was passed on first reading by Parliament. Although the text of the law contained significant deficiencies, including the absence of a prohibition of female genital mutilation, it nevertheless provided fundamental safeguards for women in Mali for the protection of universal rights, in accordance with the country's international and regional obligations.

In late 2009, however, following protests by conservative movements, the President of Mali decided not to enact the new Code and referred it to Parliament for a second reading.

In 2010, FIDH conducted several high-level missions (meetings with the President and Speaker of the National Assembly and other key actors) to work toward its adoption without losing the provisions pertaining to women's rights. FIDH mobilised all the campaign's organisations to support this application as well as the ACHPR. In early 2011, the second reading finally began, but there are still risks of amendments to the provisions challenged by the most conservative movements in the country. FIDH should continue its advocacy in 2011.

Creating a new UN mechanism on laws that discriminate against women

After many years of advocacy, in October 2010 FIDH welcomed the UN Human Rights Council's establishment of a new mechanism to monitor laws that discriminate against women.

Faced with strong resistance led by a handful of States and attempts to reduce the scope of such a mechanism, the Council voted unanimously for a resolution creating a working group on laws and practices that discriminate against women. The creation of this new mechanism is another step in the fight against discrimination. FIDH will utilise this mechanism in 2011.

Fighting against sexual crimes Democratic Republic of Congo

With its member organisations, FIDH has continued to mobilise, at the national level and within the International Criminal Court, the issue of mass rape in the East, used as a weapon of war to terrorize the entire population. The impunity surrounding these crimes encourages their repetition and trivialisation.

In October 2010, the first accused by the ICC of sexual crimes committed in the Kivu provinces, the provinces most affected by these atrocities, was arrested. Callixte Mbarushimana, leader of the Democratic Forces for the Liberation of Rwanda (FDLR) was arrested in France pursuant to a warrant of arrest issued by the ICC. Mbarushimana is accused of war crimes and crimes against humanity, including rape. FIDH continues to call on the prosecutor to intensify investigations in the Kivu, so that the Court may issue additional warrants as soon as possible.

FIDH has also welcomed the publication by the UN High Commissioner for Human Rights of its report on the most serious crimes, including rape, committed in the DRC between 1993 and 2003. The report, to which FIDH and its members contributed, recommends the establishment of a hybrid court specialised in fighting impunity. In 2011, FIDH will advocate the establishment of this judicial mechanism and for its mandate to extend to crimes committed after 2003.

Central African Republic (CAR)

In CAR, during the coup d'état of General Bozize against President Patasse in 2002/2003, crimes of sexual violence were committed on a large scale. Since that date, FIDH, the only international NGO to document the existence of these crimes upon their commission through the recording of testimonies of victims, has been denouncing these crimes and mobilising the ICC. These steps contributed directly to the ICC opening an investigation into the situation in CAR, with a focus on sexual crimes. In November 2010 the trial began against Jean-Pierre Bemba, leader of Congolese mercenaries for crimes committed in CAR, including sexual crimes. FIDH is closely following

developments in this trial and is advocating for the ICC's prosecution of other individuals responsible for such crimes in the CAR.

Guinea Conakry

On 28 September 2009, police under the authority of the rebel leader, Moussa Dadis Camara, violently suppressed a peaceful demonstration by the *Forces Vives* of the Nation denouncing the candidacy of Camera for the presidential election. The crackdown resulted in more than 150 dead, hundreds of rapes and thousands injured. Given the stalemate at the national level, FIDH and its member organisation in Guinea as civil parties on behalf of 67 victims of serious crimes, including sexual crimes.

FIDH's advocacy also contributed to presidential candidates' public commitment to the fight against impunity for perpetrators of the massacre. Finally, the interventions of FIDH before the ICC allowed the opening of a preliminary investigation into the situation in Guinea, leading the Prosecutor of the Court to call for concrete acts of justice at the national level under threat of an investigation, specifically emphasising the need to punish perpetrators of sexual crimes. FIDH will continue its support to victims of the September massacre at the national and international level.



Demonstration on International Women's Day in Tunis, March 2011.

Priority 3

Promote and protect migrants' rights

Strategies and objectives

The 2010 FIDH Congress an opportunity to contact an initial assessment of activities carried out since FIDH member organisations decided to make migrants' rights a priority at the 2007 Congress.

FIDH plays an important added value role in this area, especially because of its network presence in migrant departure, transit and receiving countries; this enables violations of migrant rights to be documented at each stage of the migrant journey. FIDH's structure also allows it to facilitate intra- and inter-regional collaboration between "generalist" NGOs, NGOS specialising in migrants' rights, trade unions and other agencies in civil society, so as to strengthen the protection of these vulnerable populations.

FIDH activities aim to contribute to a recognition of human rights in migrant policies and governance at national and international levels and to strengthen the capacity of member organisations to work for the protection of the rights of migrant persons.

At the national level, FIDH, working shoulder to shoulder with its member organisations, looks into violations of migrants' rights, with a particular focus on international labour migration, and mounts campaigns for political and legislative reforms and respect for rights. This campaigning targets in the first instance the national authorities in countries receiving migrants, but also authorities in departure countries and companies located in receiving countries (see also priority 5 *Strengthening respect for human rights in a globalised world*).

At the international level, reports from investigations feed into intergovernmental and human rights bodies, like the United Nations Committee on Migrant Workers, urging them to demand to the authorities the protection of migrants' rights. FIDH – within a coalition made up of NGOs and UN bodies and in collaboration with member organisations – is mounting a campaign for the universal ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. FIDH is also developing advocacy actions seeking to influence the development of the Global Forum on

Migration and Development (GFMD), the only international governmental body dealing specifically with these issues.

So as to strengthen this advocacy, FIDH has forged alliances with several key players in this area, especially the International Trade Union Confederation (ITUC), the International Labour Organisation (ILO) and the Steering Committee for the Global Campaign for Ratification of the Convention on Migrant Workers.

Context

At the national level

A tighter control on human mobility is a striking feature of the current situation. In European countries and in other countries as well, policies are more and more focused on tracking down "illegal" immigrants and the detection of illegal refugees. 2010 was also marked by the adoption of discriminatory laws and policies in many countries, along with nationalistic and xenophobic utterances from government representatives, in Europe and elsewhere. While the United States continues to protect itself behind an illusory wall, European countries increasingly throw the responsibility for controlling migrants on to transit and departure countries, contributing to an extension of rights violations at every stage of the migration pathway.

Migration policies agreed between States continue to be guided by economic interests, reducing migrant workers to commodities. Migrant workers therefore remain particularly vulnerable to exploitation by employers, middlemen and traffickers and generally have limited access to economic and social rights. In general, migrant workers and in particular those in an irregular situation have little avenue to recourse in cases of abuse and women migrant workers are especially vulnerable to abuse and exploitation. Furthermore, in many countries, certain jobs, particularly domestic work, are excluded from labour law protection. In 2010, thanks to a mobilisation of civil society, this matter received heightened attention from the international community, leading to the adoption of a general recommendation of the UN Committee on Migrant Workers, and preparatory work towards the drafting of a Convention on Domestic Work by the ILO.

In 2010, the effects of the economic crisis made migrant workers even more vulnerable in the majority of receiving countries. The consequences have been particularly severe on migrants in Gulf countries, where the *kafala* system (a system of “tutelage” which bonds a migrant to a single employer) makes migrants particularly vulnerable to exploitation and the inadequacy of social protections adds to their insecurity.

At the international level

Responses from international institutions to the question of migrants’ rights protection continue to be inadequate.

2010 marked the 20th anniversary of the adoption by the United Nations General Assembly of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (which came into force in 2003). While the number of States parties remains low – notably most of the member states of the European Union – the number of ratifications continues to grow. Several countries receiving migrant workers have now ratified this Convention.

The Global Forum on Migration and Development (GFMD), established in 2006, held its fourth session in Puerto Vallarta, Mexico, in November 2010, the only venue at the international level which fosters intergovernmental dialogue on questions tied to migration “management”. While some progress has occurred, human rights remain largely absent from intergovernmental discussions. This body will be reviewed by the UN General Assembly in 2013, which will then determine its future.

In view of recent developments in the area of corporate social responsibility (see priority 5 *Strengthening respect for human rights in a globalised world*), companies, in particular multinational companies, can be advocacy targets, in an attempt to

strengthen the protection of migrants’ rights. Today many multinational companies have adopted codes of conduct relating to workers’ rights throughout their supply chain. These codes could include stronger and more specific provisions concerning the protection of migrant worker rights.

Actions and challenges

Contribute to inclusion of human rights in migration policies at the national level

FIDH, with its member organisations and partners, undertook surveillance action in 2010 on violations of migrant and refugee rights, along with lobbying campaigns, so as to bring about legislative reforms seeking strengthened of human rights protection for these particularly vulnerable populations (especially in Italy, France, Belgium, Russia, Kazakhstan, Senegal, Thailand, Mexico and the Gulf countries).

In 2010, FIDH also mounted judicial proceedings, especially before the European Court of Human Rights. FIDH – in collaboration with Migrants Rights International – published a user guide to this avenue for migrants whose rights had been violated. Following a request from its member organisation in Italy, FIDH also supported a complaint lodged by the Italian member organisation, *Unione Forense per la Tutela dei Diritti dell’Uomo* with the ECHR, concerning refoulement towards Libya of migrants by Italian vessels in the high seas (*Hirsi vs. Italy*). It was the first such case before the Court dealing with these questions. FIDH, together with Amnesty International and the AIRE Centre, lodged an *amicus curiae* with the Court. The case will be heard by the Grand Chamber in 2011.

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OUTPUTS

Number of alerts, open letters and press releases: 35

Missions

- Calais, France, documentation of the migrant situation following the dismantling of “the jungle”, joint mission with REMDH, January 2010.
- Mexico, Puerto Vallarta, participation in the Global Forum on Migration and Development (GFMD), November 2010.

Reports and other publications

- *International migration: Migrant workers, asylum seekers and refugees in Eastern Europe, Central Asia and the South Caucasus* – report of a regional seminar, April 2010 (FR, ENG, RUS).

– Kazakhstan/ Kyrgyzstan: *Exploitation of migrant workers, protection denied to asylum seekers and refugees*, May 2010 (Russian version).

– *Guide on ratification of the migrant workers convention*, published by the Steering Committee of the Campaign for the Ratification of the CMW, July 2010 (ENG, RUS).

– *The rights of migrant workers in Senegal*, report submitted to the Committee on Migrant Workers, November 2010 (FR, ENG, SPA).

– *4th Global Forum on Migration and Development, Mexico 2010: rights above all, the 12 key FIDH principles*, November 2010 (FR, ENG, SPA).

– *Guide to the European Court of Human Rights: what are the avenues open to migrants who are victims of rights violations?* FIDH and MRI, November 2010.

Legal action

European Court of Human Rights, case *Hirsi v. Italy*, submission of *amicus curiae*.



Uzbek refugees at the Kyrgyz-Uzbek border in Seidikum gather to receive humanitarian aid.

In 2010, FIDH also developed its activities aimed at strengthening companies' responsibility in this area. In particular, FIDH took part in the process of developing guidelines which will be tabled in June 2011 to the UN Human Rights Council by the Secretary General's Special Representative for Human Rights, Transnational Corporations and other business Enterprises.

Strengthen the protection of migrants' rights at the international and regional levels

FIDH makes representations to international and regional authorities, putting forward the case that human rights should be the centre of migrant policies.

In 2010, FIDH continued to advocate for the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) (see focus below).

In 2010, FIDH also continued to pursue its campaigning in the hope of having an influence on the development of the Global Forum on Migration and Development (GFMD), which held its fourth session in Puerto Vallarta, Mexico in November. Civil society, however, has little access to discussions between States, and the process remains relatively opaque, with the rights of migrant persons remote from the key debates. In fact, while the year 2010 marked the 20th anniversary of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, several States were opposed to the Convention being explicitly referred to in the framework of this process.

Given the evaluation of the process by the UN General Assembly looming in 2013, FIDH will continue to plead for the GFMD to base its approach to international migration on a respect for international human rights law.

Strengthen the capacity of FIDH member organisations to work for the protection of migrants' rights

At the request of its member organisations, and in order to strengthen their work in protecting migrants' rights, FIDH has

continued to develop its intra- and inter-regional contacts and to facilitate exchanges between its member organisations and partners present in departure, transit and receiving countries. In 2010, these activities mainly centred on Central Asia and Eastern Europe (EECA). On this basis, FIDH has developed a specific program for implementation in 2011 covering the EECA, Gulf and Asian regions.

Results

Key results include:

At the national level

– Ratification by Bangladesh - a target country of the campaign of the Convention on Migrant Workers.

At the international level

- First complaint to the ECHR concerning the interception and refoulement of migrants in the high seas.
- The conclusions of the Committee on Migrant Workers and the Committee on the Elimination of Racial Discrimination on Kazakhstan largely followed FIDH's recommendations.
- Guidelines to be adopted in 2011 by the Special Representative of the Secretary General of the United Nations on Human Rights and Transnational corporations and other business Enterprises for the first time included the issue of protecting migrant workers.

FOCUS

Fighting against the violations of migrants' rights in Eastern Europe and Central Asia

Since 2007, FIDH has developed a series of activities to document the situation of migrants in countries of the former Soviet Union (including those migrating to Russia, but also to Kazakhstan).

In 2010, following a fact-finding mission in 2009, FIDH, in collaboration with its partner organisation in Kazakhstan, KIBHR, continued to closely follow the situation of migrant workers and refugees in this country. FIDH has observed the implementation of the new law on refugees, which came into force in January 2010, many of whose provisions are not consistent with international law and risk perpetuating the vulnerability of certain groups of asylum seekers.

FIDH's recommendations were presented to the UN Human Rights Council through the Universal Periodic Review of Kazakhstan in February 2010, as well as to the UN Committee on Economic, Social and Cultural Rights and the UN Committee on Civil and Political Rights (April 2010). The recommendations issued by these bodies to Kazakh authorities largely reflect FIDH's concerns.

FIDH has also alerted the international community of the situation of thirty Uzbek refugees and asylum seekers in Kazakhstan held under threat of deportation to Uzbekistan, where they face torture. FIDH also supported their legal representation before the National Commission for asylum. At the end of 2010, they had not been deported, but refugee status was refused by the Kazakh authorities and they remain at risk. FIDH and KIBHR will continue advocacy in 2011.

In 2010, FIDH released the findings of a regional seminar, held in late 2009 in Almaty, uniting the representatives of its member organisations in Eastern Europe and Central Asia, organisations specialising in the human rights of migrants, as well as experts and representatives of international organisations, to discuss strategies to strengthen the protection of migrants' rights.

Campaigning for universal ratification of the Convention on Migrant Workers

To mark the 20th anniversary of the adoption of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, FIDH and its member organisations and partners conducted a global campaign calling for ratification of the document for the development of migration policies that are protective of human rights. Several awareness-raising tools were developed (postcards, letters, brochures, posters...)

Throughout 2010, FIDH mobilised its members and partners to challenge their governments and educate their people on the need to ratify it. FIDH's activities focused on a dozen target countries: Bangladesh, Indonesia, Armenia, Costa Rica, Brazil, South Africa, Cameroon, Côte d'Ivoire, Kenya, Lebanon and the European Union (notably through presidencies of Spain and Belgium).

This campaign is coordinated by the Steering Committee of the Global Campaign for Ratification of the Convention on Migrant Workers, which includes FIDH, a unique forum between UN agencies, international organisations and civil society organisations.

In 2010, two States ratified the Convention, as well as Bangladesh in 2011 – one of the campaign's target countries, bringing the number of States parties to 45.



Migrant workers in the province of Neuquen, Argentina.

Priority 4

Promote the administration of justice and the fight against impunity

Democracy, sustainable peace and strengthening the rule of law cannot prevail when impunity, injustice and arbitrariness govern. In many countries, national judicial systems are weak and violations of human rights are recorded at all stages of the process from arrest to custody through the trial. Similarly, the impunity of perpetrators of grave human rights violations prevails in many states. FIDH aims at improving national legal systems by promoting the abolition of the death penalty, the right to a fair trial under all circumstances including in the fight against terrorism, and supporting victims of grave violations in their search of truth, justice and reparation.

In parallel, and with respect to the numerous obstacles at the national level, FIDH has developed expertise and methods of action to help build a universal judicial system, available as a last resort.

Combating impunity for serious crimes is to contribute to their prevention and repression; the realisation of the rights of victims to justice and reparation; the strengthening of the rule of law and the establishment of a more just society.

> The administration of justice

Strategies and objectives

To promote an administration of justice that respects international standards for the promotion of human rights, FIDH has developed its activities of documentation and advocacy in all regions of the world (cf part 7 of this report) and has concentrated its efforts in recent years on the protection of human rights in the context of the fight against terrorism and the abolition of the death penalty. The administration of capital justice and anti-terrorism justice are symptomatic of violations of the right to a fair trial at all stages of criminal proceedings. The findings of FIDH make it possible to denounce and propose necessary reforms supported by intergovernmental bodies.

Context

In 2010, more than 500 individuals sentenced to death were executed, a number that does not include the many executions in countries like China, due to a lack of statistics. Executions have been perpetrated in particular in Iran, Egypt, Belarus, the United States, Saudi Arabia and Taiwan. Yet the march towards universal abolition continues. The UN General Assembly has for the third time called for a moratorium and more than 30

new countries became abolitionists in law or practice. Bills for abolition in Africa are increasing as is the case in Burkina Faso, Mali and Benin. Death sentences were commuted to life imprisonment in Kenya and Uganda.

Numerous terrorist attacks violating the most fundamental rights of human beings have been perpetrated or thwarted in 2010. The fight against these heinous acts has also, in some cases, been carried out in violation of the rights guaranteed by international conventions for the protection of human rights. In the United States, President Barack Obama reversed his decision to close the detention center at Guantanamo. Many governments have also continued to legitimise extremely repressive and draconian laws on behalf of the fight against terrorism.

At the international level, mechanisms and instruments of interstate cooperation in the fight against terrorism remain sources of human rights violations (Security Council “blacklists”, agreements resulting from the Shanghai Cooperation Organization). Despite some progress the Security Council has made in making its practices in this area more respectable, violations remain. Thus, the 1267 Committee in charge of listing individuals and entities suspected of belonging to a terrorist organisation and

deprive them of a number of rights and freedoms, still does not guarantee that any individual deprived of liberty can challenge his detention before an independent tribunal.

Actions and Challenges

FIDH has continued to warn of and denounce the executions perpetrated in many countries following death sentences. Besides condemning the executions in Taiwan, Belarus and Egypt, FIDH also strongly condemned the mass executions in Iran, including by stoning, following multiple death sentences that were imposed on peaceful demonstrators in 2009 who demanded democracy and respect of human rights in their country, and the sentences being imposed after summary trials in total disregard of the right to a fair trial.

Internationally, FIDH has maintained its plea to States to adopt a third resolution of the UN General Assembly calling for a universal moratorium, and contributed to a greater support through the growing number of signatory countries.

Regionally, FIDH has also continued its support as an observer of the Working Group of the African Commission on Human and Peoples' Rights (ACHPR) on the death penalty with the long-term goal of achieving an Additional Protocol to the Af-

rican Charter on Human and Peoples' Rights on the abolition of the death penalty in Africa.

Finally, in the global coalition against the death penalty of which it is a founding member, FIDH has mobilised local NGOs at the 4th World Congress against the Death Penalty, accompanying 12 defenders from 11 countries to contribute to the universality of strategic thinking, including Shirin Ebadi, Nobel Peace Prize winner, who opened the debates.

In its effort to document human rights violations and irregularities in the administration of justice in the fight against terrorism, FIDH focused its work on Yemen (see Focus), Indonesia, Bangladesh, Russia and Egypt. The report on Egypt helped stigmatise the serious human rights violations and the maintaining of a State of emergency on the pretext of the fight against terrorism. The survey in Indonesia also denounced the use of the draconian 2003 Terrorism Act due to a broad definition that allows for the criminalisation of all forms of peaceful protest. Regarding Bangladesh, FIDH and its member organisation, Odikhar, denounced the broad list of crimes punishable by death, and have demonstrated the excessive powers of the authorities in the fight against terrorism and serious irregularities in the administration of justice when it hears this type of case. ■ ■ ■

OUTPUTS

Missions

- Bangladesh: Mission on the death penalty and the fight against terrorism (April and October).
- Indonesia: Mission on the fight against terrorism in the context of restoring the rule of law (May-June).

Reports

- Yemen: "In the name of national security, human rights violations in Yemen" (January), ENG.
- Iran: "Death penalty - A State terror policy". Special edition for the 4th World Congress against the Death Penalty (March), ENG.
- Vietnam: "The Death Penalty in the Socialist Republic of Vietnam" (February). Special edition for the 4th World Congress against the Death Penalty (March), ENG
- Egypt: "Counter-Terrorism Against the background of an endless state of emergency" (April), ENG.
- Bangladesh: "Criminal Justice Through the Prism of capital punishment & the Fight Against Terrorism" (October), ENG.
- Russia – Briefing Notes on the Report on Human Rights and anti-terrorism in Russia published in 2009 on the situation in the North Caucasus and the persecu-

tion of Muslims and Muslim organisations, ENG, RUS (September).

- Global: "How to Respond to Human Rights Violations Committed In The Context Of The Fight Against Terrorism", Activities of the workshop held in Yerevan, Armenia, 6-7 April 2010 (July), ENG, FR.

Press releases and open letters: 28

Conference and workshops

- Global: Strategic Workshop, Responding to violations of human rights in the context of the fight against terrorism, Armenia (April) 33 advocates and experts from Bahrain, Bangladesh, Belgium, Burma, China, Croatia, United States of America, France, Indonesia, Jordan, Kenya, Laos, Mauritania, Morocco, Uzbekistan, Pakistan, Netherlands, Philippines, Russia, Syria, Thailand, Tunisia and Yemen.
- Global: 4th World Congress against the Death Penalty, organised by *Ensemble contre la peine de mort*, of which FIDH is a member. FIDH organised the participation of 12 human rights defenders from Afghanistan, Bangladesh, Belarus, China, France, Iran, Pakistan, Senegal, Thailand, the Occupied Palestinian Territories and Vietnam.

- Bangladesh: Training workshop for journalists on human rights in the fight against terrorism (October).
- Philippines: workshop on universal jurisdiction and UN mechanisms in response to violations of human rights in the context of the fight against terrorism (July).
- Yemen: workshop on the challenges of combating terrorism and of building the rule of law (June).
- Yemen: Seminar on the fight against torture (November).

Interfaces

- 4 interfaces with the UN Security Council, New York, and the U.S. administration, with human rights defenders from Pakistan, Yemen, Russia and the Philippines.
- 4 interfaces with the EU on Bangladesh, Indonesia, Russia and Yemen.
- 4 interfaces with the United Nations in Geneva on Bangladesh, Egypt, Pakistan and Belarus.

Litigation

- Participation in the drafting and filing a complaint with the Swiss justice system for torture against the former president of the USA, in close collaboration with the Center for Constitutional Rights.

FIDH has continued to bring litigation against those responsible for acts of torture within the fight against terrorism. In continuation of its work exposing serious human rights violations by the U.S. administration, which led to the filing of a complaint in Germany against former Secretary of Defense, Donald Rumsfeld, the US-based FIDH member, the Center for Constitutional Rights, prepared a complaint against GW Bush for torture. Having read it, the former U.S. president canceled his trip in early 2011 to Switzerland, where the complaint was to be filed on the basis of the violation of the Convention against Torture.

Internationally, FIDH has continued to mobilise international institutions to ensure that the mechanisms and dynamics of the fight against terrorism are not only respectful of human rights in their actions, but also strengthening human rights as a means of guaranteeing effectiveness in the fight against terrorism. Several advocacy activities have been conducted with the subsidiary bodies of the Security Council, including the Counter-Terrorism Executive Directorate, to strengthen its consideration of human rights and civil society actors in its mandate. The organisation of interfaces before these bodies was also the first opportunity for supporters of human rights to directly interact with these mechanisms and provide them with their analyses of situations in the field.

This year, FIDH also successfully developed a plea to U.S. authorities, organising a series of interfaces with the White House, State Department and Congress.

The nature of FIDH, which brings together partners in over 100 countries, also provided an opportunity to enhance the sharing of experiences among the various member organisations and partners in the context of the fight against terrorism. A strategic workshop was organised jointly with the IRCT in Yerevan, Armenia, with 33 defenders and experts from 23 countries. It highlighted the existence of challenges to similar rights in all regions throughout the world, albeit to varying degrees. It also identified concrete courses of action for NGOs, to fight more effectively against human rights violations perpetrated in the fight against terrorism.

In 2011, FIDH will continue calling for respect for human rights in the fight against terrorism, especially in Asia where the context continues to legitimise the adoption of draconian laws. It will tackle the challenges surrounding gray areas of State practices in this area.

Results

- The Review of Egypt under the Universal Periodic Review at the UN was an opportunity for a large number of recommendations made by FIDH dealing with violations committed in the fight against terrorism to be addressed. It was also that of a first dialogue between Egyptian civil society and the authorities to establish a platform for monitoring the UPR.
- The interfaces on the Philippines conducted since 2008 with the European Union have led the EU to establish a mission -

EP-JUST - on extrajudicial executions, which, FIDH and its partners continue to feed and evaluate.

- The information and recommendations produced by FIDH on the fight against terrorism in Russia were reflected in reports and resolutions of the Parliamentary Assembly of the Council of Europe, but also through bilateral EU-Russia talks on counter-terrorism. In the United States, this information and exchanges in 2010 will generate a formal hearing of the Tom Lantos Commission on Human Rights, scheduled in April 2011.
- Advocacy efforts with the Security Council have contributed to significant results with the adoption of a Presidential Statement from the Council in September 2010, attended by member states, developing specifically how the Security Council intends to support respect for human rights in the fight against terrorism. This dynamic has also been incorporated in December into Resolution 1963, on “Threats against the peace and security caused by terrorist acts”, which recalled that “the effectiveness of the fight against terrorism and respect for human rights are complementary, mutually reinforcing and constitute an essential aspect of counterterrorism, notes the importance of respect for the rule of law for the effective fight against terrorism and, therefore, encourages the Counter Terrorism Executive Directorate to strengthen its activities in this area so that all issues related to human rights in relation to the implementation of resolutions 1373 (2001) and 1624 (2005) are treated consistently and impartially including, as appropriate, during country missions conducted with the agreement of the Member State concerned.” The resolution also encourages “the Executive Directorate to build relationships, as appropriate and in consultation with the Committee and the Member States concerned, with civil society and other non-governmental bodies within its efforts to assist the Committee in monitoring the implementation of resolutions 1373 (2001) and 1624 (2005)”. The inclusion of this recommendation is a direct result of advocacy carried out by FIDH, and a translation into the resolutions of a practice that FIDH initiated through its interfaces in New York.
- The UN General Assembly’s adoption of a resolution calling for a universal moratorium on the use of the death penalty, adopted by 109 States, on 21 December 2010, which confirms the growing international momentum towards abolition.
- Completion by the Working Group of the African Commission on Human and Peoples’s Rights of the General Report on the death penalty in Africa to be adopted in 2011 and propose the drafting of a Protocol to the African Charter on Abolition.
- The mobilisation of the Malian authorities in favor of a bill on the adoption of the death penalty.
- The European Union, mobilised in favor of abolishing the death penalty worldwide, particularly through its guidelines, was able to act effectively to condemn the systematic use of the death penalty in Iran, echoing the information provided by FIDH.

FOCUS

Yemen: Human rights violations in the name of anti-terrorism

The report of a fact-finding mission in August 2009 entitled “In the name of national security ... violations of human rights in Yemen” was published in January 2010. This joint report (FIDH-SAF-HOOD), available in English and Arabic was published on the eve of the high level conference on Yemen organised in London by the British Prime Minister on January 27, 2010. The London Conference followed the assassination attempts against the Amsterdam-Detroit flight, and was intended to address the challenges of terrorism and the agenda for political reforms in Yemen. Our report provides recommendations to the Yemeni authorities on how to develop measures against terrorism that respect human rights and also makes recommendations to the international community. It was sent to the organisers of the London Conference along with the statement of Yemeni NGOs that had joined together for a parallel event organised by local NGOs, in Sana’a, and coordinated by the Sisters’ Arab Forum for Human Rights, an FIDH member organisation.

At the closing of the Conference, a new group - the Friends of Yemen - was established. With this process, the international community showed its willingness to adopt a comprehensive approach in dealing with the fight against terrorism in Yemen. Friends of Yemen established several working groups and in particular, a working group on the primacy of the rule of law and justice coordinated by the Netherlands and Jordan and another on economy and governance coordinated by Germany and the United Arab Emirates. These groups had to work on specific recommendations on these issues to present to the first ministerial meeting held on Yemen, in September 2010, in New York, in parallel to the UN General Assembly.

FIDH then organised several interfaces with representatives of its member organisations in Yemen, New York and Washington, and Brussels, with the aim to present the findings of its report to the international community, the U.S. administration and the EU. Special attention was paid to interacting with the work of Friends of Yemen. These meetings provided Yemeni militants

with the first opportunity to be in contact with and to strengthen their capacity to interact with key institutional and government partners in Yemen. Specifically, the Netherlands, coordinators of dynamics of enforcement of the rule of law in the Friends of Yemen, convened hearings around the defenders, with several embassies to the United Nations in New York and the Permanent Representation of Member States of the EU in Brussels, to provide interlocutors with the insight coming from the human rights defenders’ expertise.

Impact

The European Parliament adopted a resolution in February on the situation in Yemen, which reflects the recommendations of FIDH, stressing that “the measures and actions against terrorism should not be used as a pretext for political aims, especially against political opponents, journalists and human rights defenders; (...) Reiterates the importance of an independent judiciary with the resources and skills to respond to violations of human rights, including arbitrary arrests and torture.”

The Ministerial Conference of the Friends of Yemen on 24 September 2010 presented the opportunity for specific human rights-related recommendations to be raised and addressed publicly to Yemeni authorities, including echoing those of FIDH and its Yemeni organisations.

On January 11, 2011, Secretary of State Hillary Clinton, attended a public debate with Yemeni civil society at Sana’a, organised and hosted by Amal Basha, president of the Sisters’ Arab Forum. A large number of NGOs were invited to attend this event. During the debate, Mrs. Clinton made important statements on the issue of human rights in Yemen and specifically stated that “(...) Civil society must be a key element of the solution. (...) It is important that governments not censor or seek to control NGOs because curbing civil society slows the whole society.” She added: “While we must confront violence and terrorism, we must not forget that our ultimate goal is to have a society where people’s rights are protected, and where everyone’s dignity is respected. (...)”

Meetings between the Human Rights Defenders and the U.S. administration in Washington in August 2010 as well as the meeting between an FIDH delegation and the Advisor of the US Embassy at Sana’a in June may have contributed to the organising of such an event and the content of the statements made by the secretary regarding support to civil society and protection of human rights, including in the fight against terrorism.

> The fight against impunity

Strategies and objectives

Regarding the fight against impunity for the most serious human rights violations, FIDH is the main international generalist organisation to regularly support victims of international crimes in obtaining justice, truth and reparations before tribunals, as much on the national as on the regional or international level.

Through its Legal Action Group (LAG), a network of collaborating pro-bono lawyers, FIDH offers direct legal support to victims of serious crimes before national criminal jurisdictions, including through extraterritorial jurisdiction, proceedings in which FIDH is also a civil party.

FIDH considers victims' access to justice a key element in the consolidation of the rule of law and democratic governance, particularly in the process of political transition. FIDH, thus, supports the exercise by victims of international crimes of their right to an effective remedy, which allows it to support and encourage the necessary political and judicial reforms necessary for the protection of human rights.

When national tribunals are unavailable or ineffective to genuinely prosecute such crimes, FIDH supports victims' access to international or hybrid jurisdictions, such as the International Criminal Court (ICC) and the Extraordinary Chambers in the Courts of Cambodia (ECCC).

FIDH expertise is strong given its permanent presence before the ICC in The Hague. FIDH uses a variety of activities to strengthen the capacity of local organisations to use the system established by the ICC Statute, and to reinforce their impact in the fight against impunity at the national level. With its member organisations, FIDH contributed to the growth of the ICC in promoting the opening of new investigations or supporting ongoing investigations and prosecutions.

Context

Assisting victims at the national level

The year 2010 was marked by the adoption of legislation, in certain European countries particularly in France, the United Kingdom and Spain, that aimed to limit the scope of application of national courts' extraterritorial jurisdiction to open investigations on crimes committed abroad. Despite this legislative regression, important trials are still taking place and have resulted in convictions such as those in the trials that took place this year in France regarding crimes committed in Tunisia and Chile.

Certain States that had announced their willingness to prosecute perpetrators of international crimes demonstrate reluctance

in taking action with judicial measures. The trial against former president of Chad, Hissène Habré in Senegal has been postponed *sine die*. The government falsely argues that it is unable to organise the trial for budgetary reasons. In spite of Kenya's declarations that it intends to try the perpetrators of post-electoral violence that caused the deaths of more than 1,500 people in 2008, the bill to establish a tribunal still has not been passed and the Truth and Reconciliation Commission is an empty shell. Proceedings opened in Guinea in February 2010 following the massacres of September 28, 2009 represent a major challenge for the victims. These proceedings will help assess the ability and willingness of the Guinean justice system to effectively prosecute these crimes. In the DRC, the proposed creation of mixed chambers in charge of trying international crimes that the ICC could not try, on the other hand, seems to be moving forward.

Assisting victims before the ICC and hybrid courts

The year 2010 was also marked by the first verdict of the Extraordinary Chambers in Cambodia against Kaing Guek Eav, alias Douch, who was sentenced to 35 years in prison. However, this trial has also seen a very limited application of the right to reparation for victims, which is the subject of a pending appeal.

In 2010/2011, the ICC prosecutor opened two new investigations, one in Kenya, on his own initiative, the other in Libya, following the unanimous referral of the UN Security Council. The ICC has issued 14 arrest warrants, five of which have been executed, and nine summonses to appear following which all the suspects from Kenya and Sudan (including ministers and parliamentarians) have actually appeared before the Court.

In addition, the Prosecutor has continued his prosecutions in Uganda, DRC, Sudan and the Central African Republic (CAR). The trial of former vice-president of the DRC, Jean-Pierre Bemba, for the crimes committed in CAR opened in The Hague in November 2010.

The OTP is also conducting preliminary analyses (stage preceding the possible opening of investigations) in Afghanistan, Colombia, North Korea, Georgia, Honduras, Côte d'Ivoire, Nigeria, the Occupied Palestinian Territories and Guinea.

The ICC is the subject of much criticism because it conducts investigations exclusively on the African continent. Especially following the arrest warrants issued against the Sudanese President, some leaders of African and Arab States have condemned the action of the international court. Three States Parties to its statute (Chad, Kenya and Djibouti) have even welcomed President Bashir, thus violating their obligation to cooperate with

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OUTPUTS

Missions

- Europe: Missions on extraterritorial jurisdiction in Europe FIDH-REDRESS to Hungary (September), Slovenia (May), Bulgaria and Romania (June).
- Missions to prepare the Ben Saïd trial, Algeria and Tunisia (May).
- Senegal: Outreach and advocacy missions in Dakar on the Habré case (May, October, November).
- Austria: Preparatory mission (August) and judicial observation mission in Vienna regarding the Israilov case (November-December).
- DRC (Ituri): Mission to maintain contact with victims represented by the Legal Action Group before the ICC (October-November).
- DRC (Beni): Mission to assess the impact of the work of the ICC in the DRC (December).

Reports and other publications

On universal extraterritorial jurisdiction

- Europe: FIDH report on universal jurisdiction “A Step-by-Step Approach to the Use of Universal (Criminal) Jurisdiction in Eastern European countries” SP (translation of the report released in ENG, FR, June 2009).
- Tunisia / France: Sentencing of Khaled Ben Saïd, a victory against impunity in Tunisia (November) FR, AR, ENG.
- Europe: Extraterritorial Jurisdiction in the European Union – Study of the Laws and Practices of 27 Member States of the European Union (FIDH/REDRESS), (December) FR, ENG.
- Europe: Strategies for the Effectiveness Investigations and Prosecutions of Serious International Crimes: The Practices of Specialised War Crimes Units (FIDH / REDRESS) (December) FR, ENG.
- Europe: Universal Jurisdiction Trial Strategies – Focus on victims and witnesses (FIDH/REDRESS) (November) FR, ENG.
- EU: Update on International Crimes, 9th, 8th, 7th, 6th editions (FIDH / REDRESS) (December) ENG.

On the ICC

- Guinea-Conakry: One Year After the Massacre of September 28, 2009: New power, Hope for Justice? (September) FR.
- Finally Trying the Perpetrators of International Crimes in France (French Coalition for the ICC) (January) FR.
- Position Paper for the ICC Review Conference: Renewing Commitment to Accountability (May) ENG.
- Position Paper to the 9th Session of the Assembly States Parties to the Statute of the International Criminal Court, (November) ENG.
- The Bemba Case: Questions and Answers, (November) FR, ENG.
- Comments on the ICC Office of the Prosecutor’s Policy on Victims’ Participation (January) ENG.
- Paper on the International Criminal Court’s First years (January) ENG.
- Guide for Victims, their Legal Representatives and NGOs- Victims’ Rights Before the ICC, Fr (translation of report released in ENG, SP, April 2007).

On the Extraordinary Chambers in the Courts of Cambodia

- FIDH ADHOC LICADHO Comments on Victim Participation at the Extraordinary Chambers in the Courts of Cambodia (January) ENG.

On other themes related to international justice

- ICJ AI FIDH REDRESS Draft Guidelines of the Committee of Ministers of the Council of Europe on Eradicating Impunity for Serious Human Rights Violations (October) ENG.
- Notes from the International Justice Forum of the FIDH Congress in 2010, New Challenges: The Right to Effective Remedy Before an Independent Jurisdiction (March) FR, ENG, SP.

Press releases and open letters: 42

Documentary

- Disappeared, Chile, Nicolas Joxe

Seminars organized

- FIDH-REDRESS Conference: UJ legislation in Europe in Brussels (December)
- Philippine: training for human rights defenders on UJ (July)
- Strategic meeting on UJ: Israel /OPT in Malaga (October)
- Russia: Participation in a HR workshop on Russia/UJ in Oslo (September)
- DRC/ Beni: Mission and workshop on the ICC and its impact on victims and affected populations, with 100 participants (December)
- Justice Forum at the FIDH Congress in Armenia (April)

Training and exchange interfaces at the seat of the ICC

- Interface Colombia/ICC in The Hague (April)
- Interface Israel/ICC in The Hague for Israeli human rights defenders (February)
- Interface Kenya/ICC in The Hague (March)
- Interface Bemba/ICC in The Hague for the opening of trial (November)
- Interface DRC/ICC in The Hague (October)
- Interface Sudan/ICC in Kampala (May) 14 defenders were trained through these interfaces
- Review Conference of the Rome Statute in Kampala (May-June): delegation of 19 people
- NGO-ICC Meetings (March, October)

Memoranda submitted on behalf of victims before the ICC

- Questioning the lack of prosecutions against Bemba for crimes in DRC (June)
- Support to applications by two legal persons (June)

Advocacy activities before intergovernmental organisations

- Regular participation and intervention in the COJUR-ICC (Council of the European Union)

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OUTPUTS

Procedures underway

State responsibility

- African Commission on Human and Peoples' Rights: 3 joint communications against Libya, Sudan and Algeria
- European Court of Human Rights: 1 FIDH amicus FIDH (Belarus), 4 joint amicus (co-signature) (United Kingdom, Czech Republic, France, Italy), a request to represent victims (France/Mauritania)
- Inter-American Commission on Human Rights: 5 proceedings against Chile
- Court of the Economic Community of West African States (ECOWAS): Monitoring case of Habré v. Senegal

- CESC: 2 complaints against Greece and Belgium, preparation of 2 complaints against France and Croatia
- Human Rights Committee: 2 complaints (Uzbekistan)

Individual criminal responsibility before national courts

- 32 cases on extraterritorial jurisdiction: Algeria, Cambodia, Chile, Congo - Brazzaville, Côte d'Ivoire, Guinea, Iraq, Mauritania, Peru, Republic of Congo, Rwanda, Syria, Chad, Chechnya, Tunisia.

- 5 co-signed amicus before the U.S. courts (Guantanamo case) and 1 co-signed amicus before Cuban courts

Individual criminal responsibility before international/regional courts

- proceedings before the ICC on the situation in DRC
- proceedings before the ECCC in trial No. 2

the ICC and to arrest him. The African Union has repeatedly called for the Security Council to suspend ICC proceedings against the Sudanese President, and for the non-cooperation of its Member States with the ICC.

Although victims participate in greater numbers in trials before the ICC, thus promoting the development of a system of effective participation, the recent jurisprudence of the Court has restricted the scope of their participation at the situation phase of proceedings. This restriction reinforces a trend in the jurisprudence of the Court of dismissing victims' claims seeking to challenge the criminal policy of the Prosecutor.

Actions and Challenges

Assisting victims at the national level

FIDH has continued to monitor cases in national courts concerning international crimes perpetrated in Algeria, Cambodia, Chile, Congo - Brazzaville, Côte d'Ivoire, Guinea, Iraq, Mauritania, Peru, Republic of Congo, Rwanda, Syria, Chad, Chechnya and Tunisia.

In the context of limiting the scope of universal jurisdiction laws, FIDH, with its partner REDRESS, led a meeting of European practitioners involved in such proceedings on a daily basis, to share best practices, developments, but also obstacles in the pursuit of those responsible for serious crimes. Meanwhile, FIDH has strengthened its advocacy for the creation of a specialised unit for the prosecution of international crimes in France, which should start operating in 2011.

FIDH has also supported its member organisations in assisting victims of international crimes before their courts in order to make the latter face their responsibility to try perpetrators of serious crimes. For instance, this is the case in Guinea, where

FIDH is a civil party in conjunction with its member organisation and 67 victims of the massacre of September 28, 2009. In 2011, FIDH will lead a special program on the fight against impunity in this country to obtain judicial developments in favor of victims.

In the wake of revolutions in the Arab world during the first quarter of 2011, FIDH has been committed to strengthening training of judges and lawyers on the principles of the right to a fair trial and victims' right to access to an effective remedy, and to supporting investigations into human rights violations.

The efforts made by civil society but also by the international community to bring Hissène Habré before a Senegalese court were unsuccessful. He should be tried before an internationalised hybrid court, in accordance with the decision of the ECOWAS Court of Justice. FIDH, whose Legal Action Group has been supporting Habré's Chadian victims, advocated for the creation of a new court that will give victims a status that allows them to express their concerns in the proceedings.

FIDH has observed the trial of those accused of the murder of Umar Israilov in Vienna and supported the civil party of a Chechen national whose son, a refugee in Austria, was killed in Vienna on January 13, 2009. His murder was linked to a complaint he lodged before the European Court of Human Rights against Russia, pointing to the Chechen President Ramzan Kadyrov as being responsible for torturing him in 2003. FIDH also succeeded in having the tribunal call expert witnesses who have shed light on the political context in Chechnya.

FIDH has been involved in legal proceedings conducted in Colombia and Belgium for crimes committed by the intelligence service of the Colombian Government (Administrative Security Department - DAS). Indeed, the DAS allegedly

provided paramilitary groups with information used to harass and threaten human rights defenders, including FIDH and its member organisations and their representatives.

FIDH will intensify its activities to support victims of international crimes, by using all available legal remedies. It will continue to initiate last resort-proceedings for extra-territorial jurisdiction on the limited issues that courts can handle. Following the democratic transition movements in Arab countries, FIDH will refocus its legal activities toward providing assistance before national courts as it has recently been made possible.

Finally, FIDH monitors and supports transitional justice mechanisms, including the establishment of truth and reconciliation commissions. FIDH will continue to monitor and contribute to transitional justice processes, particularly in Togo, Guinea, Côte d'Ivoire and Afghanistan.

Assisting victims before the ICC and hybrid courts

As part of its preparation for the second trial due to start in 2011 against former Khmer Rouge top leaders before the CETC, FIDH has strengthened its advocacy that the Chambers' Rules of Procedure be amended to ensure better compliance with victims' right to reparation and to ensure that they retain the rights inherent to civil party status in the proceedings. In addition, FIDH, through its Legal Action Group, will represent ten plaintiffs.

FIDH, modeling its actions on the first investigations of the ICC (Uganda, DRC, Sudan and CAR) continues to document crimes within the Court's jurisdiction and the actions undertaken at the national level to try perpetrators of serious crimes, under the principle of complementarity. FIDH also has actively continued to document crimes committed in Colombia and Honduras and the absence of adequate national proceedings, and has thus called on the ICC to open investigations. The active participation of FIDH in the Review Conference of the Rome Statute held in Kampala, has helped steer new strategies for the implementation of the principle of complementarity and increased cooperation between States and the ICC. FIDH, through its Legal Action Group, aptly continued to represent the interests of twenty victims participating in the situation of the DRC.

In this way, too, FIDH intends to participate in efforts to address the impunity gap that exists as a result of the limited number of cases before the ICC and the massive number of crimes that have gone unpunished at the national level. FIDH will carry on its advocacy for the establishment of mixed chambers in the DRC so as to complement the work of ICC, and will monitor national projects to create ad hoc tribunals, for instance in Kenya and the operationalisation of recently created mechanisms, for instance in Uganda. To contribute to the analysis of the principle of complementarity, FIDH will undertake specific projects to analyse the willingness and ability of national authorities to carry out investigations and prosecutions, particularly with respect to the situations in Colombia, Guinea, Côte d'Ivoire and in the Occupied Palestinian territories.



FIDH Congress in Armenia.

The new jurisprudence of the ICC restricts the right of victims to participate in the situation phase of proceedings. This has led FIDH to shift the support it provided to victims before the ICC toward assistance and reparations programs. FIDH will carry on its advocacy before the ICC and States Parties in order to promote the right of victims to participate before the ICC and their right to reparations.

Moreover, FIDH has continued to support the Burmese civil society in advocating for the Security Council's establishment of an international commission of inquiry into serious crimes committed in Burma.

FIDH facilitates access to psychological assistance by the victims it supports before national and international courts.

Results

On assisting victims at the national level

- Culmination of two procedures in extraterritorial jurisdiction in France, where the plaintiff was FIDH:
 - Sentencing of Khaled Ben Saïd, former Tunisian vice-consul in France, for having ordered torture at the police station in Jendouba that he headed in Tunisia. This is the first conviction in the world, and so far the only one, of torture under the regime of Ben Ali.
 - Issuance by the investigative judge of an order to pursue the judicial enquiry in the Disappeared of the Beach case (Republic of Congo), which considered that the *non bis in idem* principle (which had been argued based on the 2005 sham trial held in Brazzaville) was not applicable and thus the investigation in France could not be closed.
 - Conviction of 13 former Chilean officials for the torture and disappearance of four French Chileans during the Pinochet dictatorship in Chile. This is the only trial opened in Europe following the arrest of Augusto Pinochet in London in 1998.
- Payment of compensation due to plaintiffs in the case Ely Ould Dah, after lengthy proceedings before the Compensation Commission for victims of crimes after the conviction of Captain Ely Ould Dah on July 2, 2005. ■ ■ ■

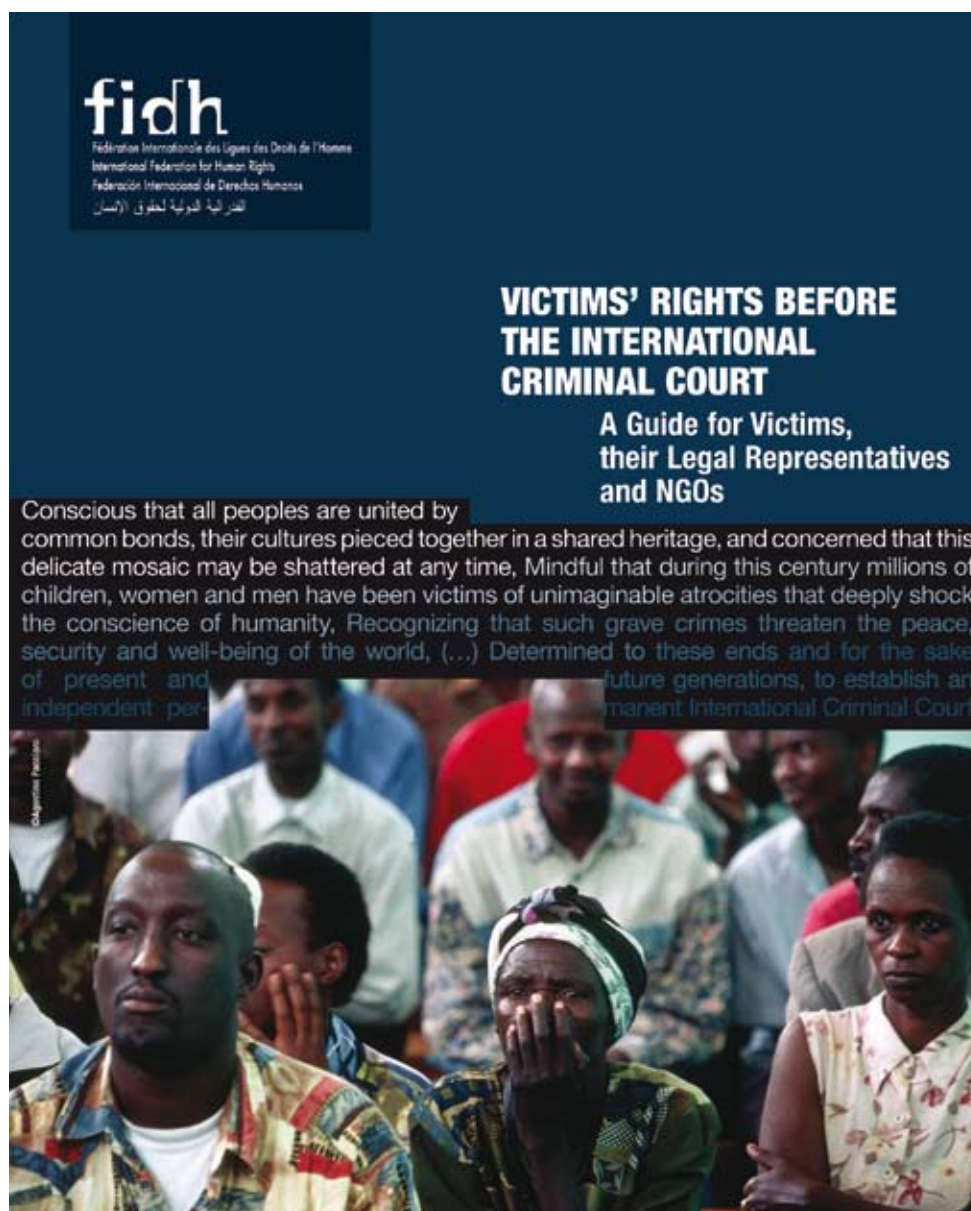
- Building the Natlia Estemirova Information Center by nine Russian and international NGOs, including FIDH, to document violations of human rights in the North Caucasus region of Russia, to break the climate of impunity and help to preserve historical memory
- Contribution to the proceedings against the perpetrators of the September 28, 2009 massacre in Guinea through FIDH being declared a civil party alongside its member organisation supporting 67 victims
- Contribution to the statements of the ICC Prosecutor on the need for positive complementarity in the fight against impunity for perpetrators of serious crimes before courts in Kenya, Côte d'Ivoire and Guinea

On the reinforcement of national courts' capacity to act

- Introduction of a bill in France for the creation of a specialised unit for the crime of genocide, crimes against humanity, war crimes and torture in France, incorporating the recommendations from significant advocacy efforts by FIDH.

On assisting victims before the ICC and the mixed courts

- Representatives of local human rights NGOs have become privileged interlocutors of the ICC Office of the Prosecutor on situations under examination
- Opening of a trial against Jean-Pierre Bemba before the ICC on serious crimes committed in the CAR, for which FIDH contributed, by documenting these crimes, to uncovering the inability of national courts to investigate and prosecute, and regularly transmitting this information to the Office of the Prosecutor
- Incorporation of FIDH recommendations in resolutions of the Review Conference of the Rome Statute regarding victims' rights, implementation of the ICC principle of complementarity and strengthening cooperation between States with the ICC
- Contribution to trial preparation for Case No. 2 ECCC, including representation of the civil parties
- Opening of a preliminary analysis by the Prosecutor of the ICC on the situation in Honduras



FOCUS

Positive outcome of two proceedings involving extraterritorial jurisdiction against Chilean and Tunisian torturers in France

The year 2010 saw the culmination of two trials to which FIDH was a party and had largely contributed. On 24 September 2010, the Meurthe-et-Moselle *Cour d'Assises* sentenced on appeal the former vice-consul of Tunisia, Khaled Ben Said, to 12 years imprisonment for having ordered torture against the complainant in the Jendouba police station where he worked at the time of the events. The Court increased the sentence imposed at first instance. FIDH had supported the plaintiff throughout the trial and remained at her side. This trial has broken silence and impunity in Tunisia on the systematic practice of torture under Ben Ali's regime.

On 17 December 2010, the Paris *Cour d'Assises* sentenced 13 former officials of the Pinochet dictatorship for the disappearance and torture of four Franco-Chileans. Beyond establishing the responsibility of individual defendants, this trial was an opportunity to shed light on and disprove the operation of the law enforcement system in place during the Pinochet dictatorship, which Chile ruled from 1973 to 1990. These are the only procedures on extra-territorial jurisdiction, initiated following the arrest of Pinochet in London in 1998, which resulted in a final punishment. The trial has received very wide coverage, both in France and abroad. More than 80 print media, as well as the main French radio and television stations covered the story, which was also broadcast at the European and international level. Leading up to the trial, a 45-minute film "Missing-Desaparecidos" directed by Nicolas Joxe and produced by FIDH, was posted on the FIDH website and on the Mediapart site. Film images were used by various French channels to illustrate their story. A screening organised at the CAPE was packed. Finally, copied to DVD, this film was distributed to journalists and members of civil society in Chile. A film screening will be held during the FIDH mission to Chile in 2011, in order to enhance the visibility of this trial and its impact in this country.

Opening of the trial against Jean-Pierre Bemba before the ICC

On November 22, 2010, the trial of Jean-Pierre Bemba opened before the ICC. This is the first trial against a senior politician. It is also the first time that crimes committed in the CAR have finally received special attention. The former vice-president of the Democratic Republic of Congo is accused of war crimes and crimes against humanity committed by his troops in the CAR during the conflict in the country in 2002 and 2003.

Since 2003, FIDH and its member organisations had regularly submitted communications to the Office of the Prosecutor of the ICC regarding crimes committed in the CAR, stressing the seriousness of these crimes and the inability of the national judiciary to investigate and prosecute the crimes, and thus directly contributed to the initiation of the ICC investigation in the CAR in May 2007 and the arrest of Jean-Pierre Bemba in May 2008. FIDH had never ceased to make the voices of the CAR victims heard.

FIDH continues its advocacy so that other suspected perpetrators of such crimes in the CAR will also be brought before the ICC.

Testimony of Pigeon Mahuka, Congolese human rights defender

"I am convinced that the support of FIDH has greatly helped the victims' association that I head to open itself to the world. The victims felt supported by FIDH, and finally acknowledged. In recent months, my colleagues and I have been asked to contribute to various workshops, which demonstrates the recognition of expertise gained. It is largely the result of our various trainings provided by FIDH. So, naturally I want to thank FIDH, and I invite it to carry on its great work in the field of victim support."

Forum "Justice - New Challenges: The Right to an Effective Remedy Before an Independent Court", organised at the opening of the 37th FIDH International Congress

On the occasion of its 37th international congress, held in Yerevan from April 6 to 8, 2010, FIDH organised a forum entitled "Justice - New challenges: The Right to an Effective Remedy Before an Independent Court." In the presence of some sixty experts, such as Luis Moreno Ocampo, ICC Prosecutor, Françoise Tulkens, Judge at the European Court of Human Rights, Janez Lenarcic, Director of the Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe, Shirin Ebadi, human rights defender and 2003 Nobel Peace Prize winner, but also experts from FIDH member organisations, the forum analysed the issues and challenges concerning the right to an effective remedy before an independent court. It has contributed to strengthening the expertise and strategic action of FIDH and its member organisations. It also confirmed the added benefit of the litigation-at-different-levels approach by FIDH, supporting victims in national, regional and international courts, and working toward not only the responsibility of the State but also individual and corporate responsibility as a means of overcoming legal as well as political barriers to the right to justice.

Priority 5

Strengthen respect for human rights in a globalised world

Strategies and Objectives

Globalisation may bring progress but it also contributes to the weakening of the most vulnerable populations and the deepening of inequalities. Faced with the liberalisation of trade and investment, FIDH fights to ensure that governments and companies discharge their responsibilities wherever they operate and that economic, social and cultural rights (ESCR) are fully recognised.

The work of FIDH is structured around 3 major themes : strengthening corporate accountability in relation to human rights; promoting human rights in trade negotiations; and the justiciability of economic, social and cultural rights.

Regarding corporate accountability, FIDH activity is directed towards informing and training its member and partner organisations about the relevant international instruments and mechanisms and their potential scope of application. In this regard, the publication in 2010 of a practical guide for victims and NGOs on recourse mechanisms in cases of corporate-related human rights violations has been a priority. In addition, FIDH, with its member organisations, continued its documentation and advocacy work at the international and European levels in order to strengthen the legal framework that can be used against States and non-State actors, especially businesses. Finally, it continued to encourage companies directly to put into practice their commitment to social responsibility, especially in their supply chain.

Regarding trade liberalisation, FIDH's work is directed towards raising the awareness of European institutions about the potential effects of free trade agreements negotiated with third countries. In 2010, FIDH continued to lobby key players in the European Parliament and the Commission on the usefulness of carrying out human rights impact assessments of trade agreements.

Finally, FIDH pursued its efforts to obtain full recognition for economic, social and cultural rights and was actively engaged in

the campaign to ratify the Optional Protocol to the International Covenant on Economic Social and Cultural Rights (ICESCR).

Context

Global competition for access to markets and the utilisation of resources – whether natural resources or agricultural land – is becoming ever greater, exacerbating the tensions between populations and the economic operators who are often supported by States. The economic crisis – together with the food and climate crises – have made even more obvious the loss of confidence in economic decision-makers and the need for economic actors, especially companies, to respond to the legitimate aspirations of societies by adopting more responsible corporate behaviour. The attacks on human rights and the environment remain serious and numerous however, and the emergence of BRIC (Brazil, Russia, India, China), and of transnational companies from these countries that operate in many southern countries in particular, poses important challenges in relation to the respect for human rights.

Intergovernmental or private initiatives in the field of corporate responsibility have increased substantially in the last few years, necessitating greater efforts by civil society to ensure that they really contribute to better corporate practice in practice. 2010 and 2011 are decisive years in that many corporate responsibility instruments are to be revised or adopted. The work of the Special Representative of the UN Secretary-General on the issue of human rights and transnational corporations and other business enterprises, whose mandate comes to an end in June 2011, greatly helped to move the debate in this area forward, providing a common framework of analysis around which actors involved – States, private actors and civil society – are now articulated and which is based on three pillars: the State's obligation to protect human rights, the responsibility of companies to respect human rights, and the victims' right to an effective remedy. The challenge now lies in ensuring that these principles are implemented both in law and in reality and in conformity with international human rights standards.

The recognition of the value and importance of ESCR has grown strongly in the last few years thanks especially to the assertion of their justiciability in many countries and internationally via the adoption of the Optional Protocol to the ICESCR. At the same time, economic, social and cultural rights are being researched in practice and in theory, and civil society organisations specialised in these thematics have developed in recent years.

In general, the mobilisation of society in favour of respect for economic, social and cultural rights intensified in 2010 in northern countries affected by the financial crisis and the increasing social inequalities as well as in emerging countries such as China or countries in Latin America, or in the Maghreb and the Middle-East where mobilisation has suddenly escalated. This growing mobilisation, especially when it affected economic interests, was matched by increased repression. The events in the Arab world in early 2011 showed the extent to which social demands were indissociable from demands for respect for individual freedoms and the rule of law, thus confirming the

inextricable links between civil and political, economic, social and cultural rights.

Actions and challenges

Documenting the impact of corporate activity, and attributing responsibility in particular to the various companies, States and other operators involved in an economic project remains a complex matter. It is even harder to grasp the direct and indirect effects of free trade agreements on human rights and to determine the extraterritorial responsibilities of actors involved. The investigation and advocacy capabilities of FIDH member organisations remain largely uneven and many human rights defenders feel poorly equipped to work either on ESCR in general or on corporate accountability. FIDH therefore undertakes efforts to strengthen the capacity of its member organisations through joint investigations - especially corporate impact case studies carried out by local teams over several months - through an exchange of information about international developments and through joint advocacy.

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OUTPUTS

Fact-finding missions / case study support

- India: mission concerning labour rights in the supply chain (January).
- Algeria: mission concerning economic, social and cultural rights (February).
- Brazil: support mission and meetings with authorities and companies during the case study on the mining and steel industry (September).
- Cameroon (December): fact-finding mission concerning the banana plantations.
- Cambodia: fact-finding mission concerning the impact of hevea plantations on indigenous communities (December).
- Ecuador: advocacy mission and publication of the case study about mining (January 2011).

Publications

- *Large-scale mining project in Ecuador: urgent need for a moratorium to prevent human rights violations*, January 2011. Full version of the report in Spanish, summary version in English, French and Spanish.
- *Corporate Accountability for Human Rights Abuses: a practical guide for victims and NGOs on recourse mechanisms* (July 2010), July 2010, in French and English.

- *EU Member States under the spotlight: including human rights in financial strategies: Non-financial rating of the 27 EU Member States*, July 2010, in French and English.
- *Poor-quality life in Algeria*, economic, social and cultural rights report, May 2010, (French and Arabic).

Advocacy

Trade and Human Rights: FIDH was heard on several occasions by various European Parliament Committees working on the environmental and social clauses in free trade agreements; it also presented a position note about the consistency of EU policies to the Working Party on Human Rights (COHOM) in October 2010 during the strategic review of EU human rights policy.

Corporate responsibility: with the aim of strengthening the standards applicable to companies and the remedies available to victims, FIDH, together with Human Rights in China (HRIC), lobbied the Human Rights Council in June; with several of its member organisations (Finland, Russia), it took part in the Consultation organised by the Office of the High Commissioner for Human Rights on business and human rights and in the EU Multi-Stakeholder Forum in November 2010, where FIDH submitted a

position paper and was invited to intervene in the plenary session. FIDH also participated in several meetings organised by the Organisation for Economic Co-operation and Development (OECD) and OECD Watch concerning the revision of OECD guidelines for multinationals.

Use of recourse mechanisms

- European Committee of Social Rights: in October 2010, FIDH and the Belgian Human Rights League lodged a collective complaint alleging violations of the European Social Charter in respect of "travellers". The complaint was declared admissible on 1 December 2010.
- United Nations Committee on ESCR: submission of reports on Algeria, Kazakhstan (migrant workers)
- Inter-American Commission: request for a hearing in 2011 on the mining companies and the criminalisation of social protest in Ecuador.



In Ecuador, the Niuchide River (meaning “colour birds” in Kechwa), where people from the neighbouring village la Victoria bathe, has been contaminated by oil pits and oil leaking from nearby pipelines. © Natalie Ayala

With regard to investigative work, FIDH undertook different fact-finding missions in Algeria (see section on North Africa and Middle-East), in Brazil, Cambodia, Cameroon and Ecuador. In Brazil, Ecuador and Cameroon, FIDH used a methodology based on human rights impact assessment of direct investment projects from a community perspective. The diverse capacities and resources of organisations, the important amount of coordination work needed to realise these case studies and obstacles in accessing information forced FIDH to adapt its means of action on these issues. In Cameroon for example and despite FIDH’s important support to its member organisation to undertake the case study, FIDH had to organise a fact-finding mission to complete the investigative work.

The role of companies in emerging countries is a big challenge for human rights defenders, because the dialogue, started many years ago with companies in northern countries sensitive about their reputation, often clashes with the aggressive competitiveness of businesses less sensitive to public pressure. For example, while FIDH had initiated a constructive dialogue during the case study in Ecuador with the Canadian company in charge of the mining exploration, both with its head office in Vancouver and with the local teams in Ecuador, the purchase of the Canadian company (and therefore of the concessions in Ecuador) by a Chinese consortium interrupted for a time the link thus established. This acquisition illustrates the difficulty met by affected communities and their representatives in establishing the responsibility of the different actors involved, in particular between the exploration and exploitation phase in the mining industry, thereby rendering the possibility to influence the company on the basis of the case study report more difficult. In view of the growing importance of companies head-quartered in emerging countries, FIDH decided in 2010 to undertake work on a Brazilian multinational company, Vale.

In view of their impact on thousands of workers across the world, FIDH also continued to engage with Carrefour and multinational companies in the retail sector members of the Global

Social Compliance Programme (GSCP) and aiming at ensuring respect for labour rights in their supply chain.

To strengthen the legal framework on corporate accountability, FIDH actively participated and provided critical feedback to the work of the Special Representative of the United Nations Secretary-General on the issue of human rights and business who was been working on the drafting of guiding principles on business and human rights. At the European level, through its involvement in a Coalition of European NGOs, the European Coalition for Corporate Justice (ECCJ), FIDH continued to advocate the need for greater transparency, parent companies’ liability vis-à-vis their subsidiaries and suppliers, and for access to justice for victims. In this context, FIDH took part in the European public campaign “Rights for people, rules for businesses” launched by ECCJ in 2010.

The work of human rights defenders is particularly difficult when it affects major economic interests, as shown by the increasing tendency to criminalise social protest. Through the Observatory for the Protection of Human Rights Defenders, FIDH responded in 2010 to many cases of trade unionist repression (Bahrain, Algeria, Guatemala, Cambodia, Tunisia...) and mobilised in favour of those defending the right to a healthy environment (Guatemala, Russia, Ecuador), the right to health (China) or denouncing other corporate abuses (Peru, DRC, Zimbabwe). There is a blatant imbalance between the resources deployed by the economic players and by those denouncing what they are doing. FIDH will have to develop its activities of protection and denunciation in the coming years.

Finally, through the International Coalition for the Optional Protocol to the ICESCR – still not in force – FIDH contributed to the production of advocacy and research papers to mobilise those organisations in its network most able to lobby national authorities in favour of the ratification of this instrument. This action must continue in order to get a ratification as wide as possible.

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Bhopal: an environmental industrial catastrophe. A toxic cloud escaping from a chemical plant operated by a subsidiary of Union Carbide Company (USA) led to the death of more than 25 000 people. © CC-BY-SA-2.0. / Simone.lippi.

FOCUS

A practical guide on business and human rights to support NGOs and victims in their fight against impunity

The idea of publishing a guide exploring the different legal instruments came from FIDH's 2007 Congress as a result of both the persistent gaps in access to justice for the victims of human rights abuses by trans-national companies and the difficulties FIDH member organisations and local NGOs generally have in identifying existing mechanisms through which to assert their rights.

FIDH published this guidebook on recourse mechanisms in cases of corporate-related human rights violations in 2010. With the support of legal experts, FIDH worked for over 2 years on the drafting of this 600-page document which deals with international and regional intergovernmental mechanisms, mechanisms established by the OECD Guidelines for Multinational Enterprises, financial institution mechanisms and voluntary corporate social responsibility initiatives that victims and their representatives may use to challenge the practices of multinationals. The guide is based on the experience of civil society and lawyers. It was published in French and in English and launched on 7 July 2010 on the occasion of a public debate in Amsterdam entitled "Corporate Justice? In search of effective remedies for victims of corporate abuse" co-organised with the Business and Human Rights Resource Centre and OECD Watch.

The guide was circulated to the 164 FIDH member organisations and presented throughout 2010 on a number of occasions: in Africa, at the African Commission on Human and Peoples' Rights in November 2010, to representatives of European institutions especially during the Multi-Stakeholder Forum on CSR, to national human rights institutions meeting in Edinburgh in November 2010, during a consultation organised by the Office of the High Commissioner for Human Rights in Geneva, in October 2010.

Numerous requests for wider distribution have been made to FIDH by non-governmental organisations and lawyers as well as by companies, academics and students. A number of university lecturers have told

FIDH that they have used the guide in their classes, and it is also frequently used in NGO training courses. In a speech about corporate responsibility for human rights abuses on 20 October, 2010 at the BPP Law School, Bianca Jagger relied heavily on the guide. Many links to the guide have been created by leading websites directed at diverse audiences, including the UN Global Compact website, HURIDOCs (Human Rights Information and Documentation Systems) and on the wiki (BASESwiki) on dispute resolution mechanisms set up by the UN Special Representative of the Secretary-General on the issue of business and human rights.

In the French version, the guide has been viewed 2127 times on the FIDH website, and 6800 times in the English version.

"This guide is a fantastic accomplishment, both in terms of the content and the form. I would not even attempt to estimate the work that this has represented, but the result is worth the investment." - Olivier de Schutter, UN Special Rapporteur on the right to food.

In a letter addressed to FIDH, its member organisation in Tanzania expressed its gratitude towards FIDH for this "excellent and well-documented publication, which is so much useful in our work on corporate accountability." - Francis Kiwanga, Executive Director, The Legal and Human Rights Centre (LHCR).

FIDH also plans to revise the guide in view of the numerous developments during 2010 and 2011.

Case study of the mining and steel industry in Brazil

FIDH's member organisation in Brazil, Justiça Global, sought FIDH's support in carrying out an assessment of the impact of the operations of the Brazilian multinational Vale, one of the largest mining companies in the world. In January 2009, in the margins of the World Social Forum at Belem, FIDH was able to take part in a visit organised by the Landless Rural Workers' Movement (MST) to Carajas, the location of Vale's biggest open-cast iron mine. Given the size of the company's activities in Brazil, and the already considerable

mobilisation in relation to the company, it was decided that the investigation should focus on communities in Maranhao State affected by steel-making activities.

In March 2010, a representative of Justiça Global was able to attend a training course organised by Rights & Democracy in Montreal about case study methodology and thus benefited from exchanging experiences with people who had taken part in similar projects, especially members of the team that had carried out a similar study with FIDH in Ecuador. The research team was established in the spring of 2010, including members of Justiça Global and the Justiça nos Trilhos Coalition with the active participation of community members, and collected information and testimonies on the spot during the summer, focusing on the right to health. An FIDH mission was organised in September 2010 and included one person who had taken part in the Ecuador study. This mission enabled a meeting with the national, provincial and local authorities to take place, and a dialogue to be started with the company. Both affected communities and FIDH partners in the project have noted that FIDH's involvement has contributed to shedding light on the situation at the national, provincial and local levels. In addition, it helped to impulse a negotiation process aimed at providing reparation for one of the two affected communities. A public hearing was convened by the Public Prosecutor of the State of Maranhao to accelerate discussions on the resettlement of this community to obtain concrete engagements from all responsible actors.

Edvar Cardeal and William Santos, de Piquiá de Baixo

"We thank FIDH for its support. For several years, we have been claiming our rights, but very few people have listened to us thus far. Thanks to you, our struggle has gained publicity and strength. We are very proud to have the opportunity to represent our community before the authorities and we feel that we have gained more respect thanks to FIDH's support."

Results

Advocacy at the European Union level had a positive impact:

- A European Parliament report recommended to the European Commission that Human Rights Impact Assessments (HRIA) of trade agreements on human rights be carried out, the Commission said such assessments could be done.
- The European institutions are increasingly receptive to the demands to regulate businesses. In 2011 for example, the European Commission announced that it was considering making environment, social and governance (ESG) reporting by European companies mandatory.

In terms of the strengthening of the international human rights protection framework:

- 36 States have signed the Optional Protocol to the ICESCR and 3 have ratified it;
- The guiding principles on business and human rights presented by the UN Special Representative to the Human Rights Council in June 2011 recognise the corporate responsibility to respect human rights and the obligations on States to regulate businesses. Some of FIDH's concerns were taken on board, especially regarding the specific protection of migrant workers, but some crucial issues including the extra-territorial reach of State obligations and the obstacles to accessing justice are inadequately reflected.

FIDH's action is also important at the national level:

- In Algeria, civil society will be better equipped to claim economic, social and cultural rights if it bases its claims on the final observations of the Committee on ESCR.
- In Ecuador, the realisation and publication of the case study has contributed to gathering different civil society actors around a common project, in addition to allowing for inter-governmental discussions on the development of large-scale mining in Ecuador. The case study has notably contributed to feed the work of the governmental Ombudsman, who subsequently published a report on the criminalisation of social protest, including a focus on the mining sector.
- In Cambodia, FIDH investigative mission helped local civil society organisations involved to obtain key information from different ministries and from the company under investigation. The mission also helped to investigate and obtain clarification on the different processes to grant economic land concessions as well as on collective land titling for indigenous peoples in Cambodia.
- Following its mission to India, FIDH gave Carrefour a strong warning about the violations of workers' rights induced by the Sumangali scheme. Carrefour set up cooperation with a local NGO to improve the ability of female workers to ensure their rights are respected.



Roma settlement near Krasnodar, Russia, September 2004. © Joakim Eskildsen.

Priority 6

Mobilising the Community of States

Strategies and Objectives

Alongside its member and partner organisations, FIDH develops its mobilisation of intergovernmental mechanisms, through international or regional, political and legal mechanisms and instruments, with a view to contributing to their impact on human rights change in countries throughout the world.

The objectives of such mobilisation is two-fold:

- To support and strengthen a strategic interaction of human rights defenders with international mechanisms, to seek protection and foreign policy levers on situations of human rights violations;
- To strengthen the international community's mobilisation and implementation of human rights policies, mechanisms and instruments.

The modalities of such intervention are daily advocacy and *interfaces*. The interfaces consist of a series of meetings between human rights defenders and representatives of the targeted institutions. Beyond these meetings, FIDH undertakes direct advocacy, to further the mobilisation. Both modalities take form through the production of public advocacy letters, reports and briefings, through the participation to public hearings, or through oral interventions, and through some media work. They target:

- the UN mechanisms and institutions for the protection of human rights in Geneva and New York (the Human Rights Council, its Special Procedures and the Universal Periodic Review, the Treaty Bodies, the General Assembly's Third Committee), or UN institutions likely to influence human rights due to their mandate (the UN Security Council);
- European Union policies towards third countries, and in particular its human rights policy instruments (guidelines, human rights dialogues and sanctions), as defined, implemented and evaluated by the European External Action Service, the Council of the European Union, the European Commission and the European Parliament;
- Regional intergovernmental organisations dealing directly or indirectly with human rights (the African Union, the sessions and mechanisms of the African Commission on Human and Peoples' Rights (ACHPR), the League of Arab States (LAS), the Organisation for Security and Cooperation in Europe

(OSCE), the Council of Europe, the Inter-American Commission on Human Rights (IACHR), the ASEAN Independent Human Rights Commission);

- Influential diplomacies in capitals, such as France and other members of the Security Council (Brazil, Turkey). In 2010, FIDH has furthered its outreach to the United States foreign policy institutions, and held its first interfaces in Washington to the State Department, the White House, the House of Representatives and the Senate.

The present chapter of this report will focus on the mobilisation led at the international level through the United Nations and through the European Union, while the mobilisation of regional human rights institutions will be dealt with under Priority 7.

Context

In 2010, the mobilisation of international institutions was influenced by several significant trends, which had an impact on their work, and on their subsequent influence on human rights in the field.

- **Reduction of the protection mandate:** As the UN human rights mechanisms have become more effective, several States mobilised in reaction to reduce their protective capacities. This had a significant impact on the consideration of country situations in response to grave human rights violations by the UN Human Rights Council (see Focus). In addition several attempts targeted the independence of the UN Special Procedures and of the Office of the High Commissioner for Human Rights. As an illustration, a global report on secret detentions by the Special Rapporteur on the protection of human rights while countering terrorism was subject to intensive lobbying to prevent its presentation to the Human Rights Council. It took several months for it to be scheduled, debated and adopted.
- **Challenges to human rights norms:** Another trend, sustained from the previous years, was the attempts by some States to challenge the existing body of international human rights norms. Attempts to codify the “defamation of religion” or “complementary norms”, through concepts which promote the “rights” of religions at the expense of protecting individuals, were maintained, in spite of its evacuation from the

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Shirin Ebadi, 2003 Nobel Peace Prize winner, founder of the Centre for the Defence of Human Rights in Iran, with Javier Solana, European Union High Representative for Common Foreign and Security Policy, in Brussels in 2009. © FIDH.

Durban Review Conference outcome document. In addition, the practice of the Universal Periodic Review (UPR) witnessed interventions by some States on the occasion of their assessment of other States' behaviour, to negate the legal validity of discrimination on grounds of sexual orientation, support for the death penalty, and praise dictatorial practices.

- **Mainstreaming human rights into the mobilisation of the UN Security Council:** The UNSC's consideration of human rights is in gradual development. It made its first reference to human rights defenders in a resolution on the MONUC in December 2009. Its work on counter-terrorism is also gradually considering human rights, notably in response to the European Court of Justice's rulings which challenged the compatibility of the UN 1267 "Sanctions" Committee's listing procedures with due process rights. The nomination, late 2009, of an ombudsperson to oversee the listing procedures, is in this regard a significant evolution.
- At the European Union level, the implementation of the 2009 Lisbon treaty brought **the setting-up of the European External Action Service (EEAS)** and the nomination at its head of the High representative of the EU on Foreign Affairs and Security Policy, Catherine Ashton, provided a redefinition of roles and responsibilities within the EU's Foreign policy. It also triggered an evaluation of the existing foreign human rights policy, which confirmed the anchoring of human rights as an important component of the Common Foreign and Security Policy, notably through the establishment of a strong unit of the EEAS. The Lisbon Treaty also provided that the European Parliament (EP) would have a strengthened role in the EU's foreign and trade policies. Its application was debated throughout 2010, with specific hearings and reports being produced to feed a policy the EP would pursue in application of its role in trade policies.
- **Challenges to an effective EU Foreign policy on human rights:** While the elaboration of the EU's human rights guide-

lines and dialogues represents a significant improvement, their implementation does not necessarily bring about expected or significant change in the field. Human rights policy tools have often been instrumentalised by third countries, which see a way to channel human rights concerns into a small box, enabling the rest of the bilateral exchanges to develop unaffected. At the EU level, a perceived divergence of interests remains, between promoting human rights, and securing energy, trade, economic interests or fighting against terrorism. Thus, the strict implementation of the EU's dedicated human rights "tool-kit" requires thinking beyond, notably through the elaboration of dedicated country human rights strategies, through a coherent methodology, in order to produce more tangible results.

- Globally, the renewed consideration by the **United States** for multilateral organisations had an impact on the UN Human Rights Council. Their accession to its membership was rapidly followed by dedicated initiatives as early as September 2010, which promoted the consideration of countries (Guinea-Conakry), themes (freedom of association), and to respond to challenges to human rights norms (initiatives to counter the "defamation of religions" resolution). Beyond the USA, 2010 also saw the development of another major actor, **Brazil**, which engaged in a new foreign policy on key issues such as the protection of human rights defenders.

Actions and Challenges

In reaction to this context, FIDH's activities at the **United Nations** focused on three main areas:

- **Strengthening the consideration of country situations** by the UN Human Rights Council and the General Assembly, notably through the organisation of interfaces. (see Focus)
- **Supporting independent and expert based human rights instruments against inter-State and political dynamics.** The attempts to re-consider the existing human rights norms (notably through initiatives on the defamation of religions) and the dynamics of the inter-State Universal Periodic Review both call for a stronger role to be given to expert-based human rights mechanisms. FIDH strengthened its mobilisation to this end:
 - it sustained a strong utilisation of **UN treaty body mechanisms** (9 interfaces to UN treaty bodies), and developed follow-up initiatives on their conclusions, mainly through media work, briefings in preparation of **UPR sessions** (6 interfaces) and through the feeding of EU bilateral human rights dialogues.
 - It mobilised against attempts to limit **human rights norms**, notably through the resolution on defamation of religion and in the follow-up to the Durban review process, via briefings and advocacy to delegations in Geneva and in capitals. It further supported the recognition and ratification of **international human rights instruments**, in campaign for the ratification of the Convention on enforced disappearances, the Optional protocol of the International Covenant on Economic, Social and Cultural Rights, and for the lifting of reservations to the CEDAW.

- It worked in support of human rights *UN Special procedures*, notably against attacks on their reports (e.g. the reports of the UN special rapporteur on counter-terrorism and human rights). It further strengthened its use of Special procedures in follow-up to the publication of FIDH fact finding reports. It also advocated for their development (notably on freedom of association and on discrimination of women).
- **Strengthening the consideration of human rights by the UN security Council.** FIDH sustained its mobilisation around this goal, both on country and thematic situations. It advocated for the UNSC's consideration of human rights and of the rule of law in their assessment of the MONUC's work, and within the context of the establishment of the MONUSCO. To this end, it notably ensured that UNSC ambassadors' visit to the DRC included a meeting with civil society organisations. It strengthened its interaction with counter terrorism working groups (3 interfaces), to provide evidence on challenges to counter-terrorism effectiveness as a result of human rights violations in Yemen, the Philippines and Russia. (See Chapter on Administration of justice)

At the **European Union**, in the context of the implementation of the Lisbon treaty, FIDH's work focused on three specific directions:

- **evaluating the human rights policy instruments:** FIDH followed up on its advocacy to strengthen the format of the EU-China Human Rights dialogue to support human rights change in the field. It also launched and published an evaluation of the EU-Russia dialogue. It further fed the overall

review of the EU's foreign human rights policy, among EU member States, within the EEAS and at the European Parliament (see Focus).

- **Strengthening Human rights defenders' contribution to the EU's foreign policy:** The development of interfaces (19 interfaces with 36 human rights defenders), contributed to increasing the influence of their assessment and recommendations in the EU's foreign policy on country specific situations.
- **Bridging the European human rights approach throughout the foreign policy areas:** FIDH developed public interventions, evaluations and briefing notes which document the challenges to the effectiveness of the EU's human rights policy and call for its mainstreaming into other policy areas: trade, enterprises, counter-terrorism and development. The post-Lisbon environment provided an opportunity for debate and reports on this issue. (see Focus)

At the level of the **United-States**, FIDH developed its advocacy through interfaces on Yemen, the Philippines, Russia, Pakistan, Peru and Colombia, obtaining a significant number of meetings with the Obama Administration at the State Department, the Trade department (Peru) and the White house's national Security council, as well as at the Congress.

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OUTPUTS

Interfaces

At the international level, in 2010, FIDH enabled 120 human rights defenders to participate in 64 interfaces to the UN, the European Union and the United-States' institutions.

- UN institutions in Geneva – 67 human rights defenders trained / 28 interfaces.
- UN institutions in New York and US administration in Washington – 17 human rights defenders / 9 interfaces.
- EU institutions in Brussels – 36 human rights defenders trained / 19 interfaces.

Hearings / public interventions / oral statements

- UN institutions in Geneva – 23 oral statements at the Human Rights Council sessions and special sessions, 10 side events, public briefings or panel interventions.

- UN institutions in New York and US administration in Washington – one public conference on the Goldstone Report.
- EU institutions in Brussels – 4 hearings in European Council Working Groups, one hearing with the COPS, 4 hearings at the European Parliament, 5 interventions in public conferences.

Reports / Position papers / Open letters

- UN institutions in Geneva – 9 shadow reports to Treaty bodies, 11 submissions and briefing notes to the UPR.
- UN institutions in New York and US administration in Washington – 4 briefing notes and 5 open letters to the Security Council, 2 briefing notes to the UNGA and 2 shadow reports to Treaty bodies.
- EU institutions in Brussels – 4 position papers and 19 open letters to the EU institutions.

Press releases and press conferences

- UN institutions in Geneva – 12 press releases and 5 press conferences.
- UN institutions in New York and US administration in Washington – 4 press releases and one press conference.
- EU institutions in Brussels – 8 press conferences.

Results

- The development of country-specific initiatives within UN human rights bodies: a resolution on Guinea-Conakry, special sessions on the situation in Haiti and Côte d’Ivoire. The continuation of country mandates of the Human Rights Council or of the GA’s Third Committee on Burundi, Cambodia, Haiti, Iran, Myanmar, the Occupied Palestinian Territories, and Sudan.
- The establishment of pertinent thematic Special procedures’ mandates at the UN Human rights council (a working group on fighting discrimination against women and a Special rapporteur on Freedom of Association)
- The interfaces to UN Treaty Body mechanisms systematically resulted in FIDH and its partner organisations’ recommendations being reflected in the conclusions addressed by Treaty bodies to the concerned country. As an example, on the occasion of the review of France by CERD, key recommendations on Roma deportations, on discriminatory laws against migrants and refugees, and on official and public statements inciting to hatred, were taken up by Committee Experts in their Concluding Observations. The media alert organised in parallel led to a strong visibility of the Conclusions, the news appearing on all TV channels’ evening news.
- The resolution on “Combating defamation of religions” obtained a considerable decrease in support, demonstrating the gradual understanding that it does not respond to disproportionate restrictions to freedom of religion. Attempts to draft binding norms and complementary standards to the ICERD to further protect the expression of religious identity in societies, in contradiction to clear expert recommendations on the issue, were rejected.
- In December 2010, the Counter terrorism Executive directorate’s mandate was specified to enable receiving briefings from civil society, a significant step to further ground its evaluation of policies and practices throughout the world, and a result of the first-ever *interfaces* organised by FIDH to the CTED, weeks preceding the resolution.
- FIDH’s interfaces resulted in the first hearing of a human rights defender on the situation in the DRC, in the framework of an Arria briefing. The subsequent advocacy enabled the inclusion of the “protection of human rights defenders” in the UNSC resolution 1925 creating the MONUSCO (replacing the MONUC).
- Nobel prize laureate Shirin Ebadi and FIDH Vice President Karim Lahidji were able to brief the EU’s Political and Security Committee (COPS) and meet with the EU High representative Catherine Ashton. Their recommendations formed the basis of an “options paper” on Iran, an internal strategic document which reaches out across EU policy sectors, to strengthen the impact of its mobilisation on the human rights situation in Iran.
- The European parliament called for all trade agreements to include human rights impact assessments. At the level of the European Commission, the draft directive on Smart Regulations, called for human rights indicators to be developed, opening the door for all future EU regulations to be evaluated through their human rights impact.



Soldiers exhume unnamed bodies found in common graves in order to identify them. Six bodies of women have been exhumed, some with their feet and wrists bound, Osh, 26 June 2010. © Ales Bialitsk / FIDH.

FOCUS

The UN Human Rights Council's consideration of country situations

The UN Human rights council has witnessed over the past years a strong trend to limit country specific responses to human rights crises. With the establishment of the Universal Periodic Review, and considering that countries traditionally supporting country resolutions have become a minority, the past years had seen the downgrading or termination of specific mandates or the absence of resolutions in response to grave human rights crises.

FIDH supports the development of country specific instruments in situations where there is a serious pattern of violations, as they are often the only opportunity to trigger accountability and prevent abuses. As a consequence, FIDH strengthened its advocacy on country specific initiatives, notably in scheduling interfaces around the sessions of the Human rights council or of the General Assembly (8 interfaces, on Burundi, DRC, Haiti, Iran, Côte d'Ivoire, Myanmar, the Occupied Palestinian Territories, Sudan). Indeed, the information, testimony and expertise of local human rights defenders remain important assets to influence UN member States' representatives, and raise media awareness.

In 2010 members of the Human Rights Council refrained from introducing any initiative on the human rights situation in Iran, despite a severe pattern of repression, nor to upgrade their consideration of Myanmar through the establishment of a commission of inquiry into the crimes perpetuated against ethnic minorities. The consideration of crises in the African region was, with the exception of Sudan, tailored along the terms of agreement with the government authorities responsible for the violations. For example, the mandate of the Independent expert on the Democratic Republic of the Congo was terminated and replaced with an action plan to be prepared by the Congolese authorities, to follow-up on the recommendations formulated by the High Commissioner for Human Rights, the Independent expert and other Special Procedures.

In spite of such environment, sustained advocacy enabled the continuation of a number of country-specific mandates at

the HRC on Burundi, Cambodia, Haiti, Myanmar, North Korea, the Occupied Palestinian Territories, Somalia and Sudan, and at the UNGA on Iran, Myanmar and North Korea and the OPT. Special sessions were convened on Haïti and on Côte d'Ivoire. Lastly, the United States negotiated the introduction of a new resolution, which reflected the crisis in Guinea Conakry, more than six months after the crisis. In New York at the General Assembly, the results of the votes on the country resolutions on Iran, Myanmar and North Korea, obtained the largest support ever gathered.

This certainly confirms that the negative trend is progressively being outnumbered. FIDH believes that sustained advocacy, and the repeated interaction of local human rights defenders with UN member States representatives contributed to it.

Strengthening the EU's foreign human rights policy

The FIDH delegation to the EU, which had been contributing to the definition, the implementation and the evaluation of the EU's human rights policy, took an active part in its overall evaluation and fed it, through three specific position papers, and hearings to the COHOM or to the European Parliament.

An overall evaluation of the EU's foreign human rights policy was released, "bridges and ladders", which draws and develops on three challenges which FIDH believes the EU has to address. The first challenge is the implementation of the existing human rights policy instruments, its "tool-kit", composed of the guidelines, dialogues, sanctions, etc. The second challenge is ensuring the coherence between the activities related to human rights in dialogue with third countries, and the issues raised at the highest level of the EU's hierarchy on the occasion of such dialogues. The third challenge is to ensure an effective mainstreaming of human rights throughout all the components of the EU's foreign policy.

Following 5 years of human rights "consultations" conducted between the EU and Russia, FIDH published an assessment of the exercise it has participated in. This document followed the previous evaluation FIDH had carried out with the EU-China

human rights dialogue. It concludes that there is an absence of significant progress as a result of the dialogue. The document recommends that the dialogue be indexed to public indicators of progress, that the modalities of the dialogue be reformatted, and that it be followed by public substantial assessments of progress. FIDH was able to present its conclusion to the European parliament's sub-committee on human rights, which supported its conclusions.

Priority 7

Support the respect for human rights and the rule of law in conflict and emergency situations, or during political transitions

> Sub-Saharan Africa

Strategies and Objectives

Considering the specific context of conflicts and political crises, FIDH is developing its support activities for its member organisations who are sometimes insufficiently equipped, hampered in their freedom of action or even threatened because of their activities. Such support activities are aimed at documenting situations of serious human rights violations and better circulating information to clear targets including through the use of social networks.

FIDH's strategy is also based on increasing its interaction with national authorities to encourage them to take concrete measures to protect human rights particularly in the fight against impunity.

For several years now, the use of national judicial mechanisms to protect victims has been prioritised in order to further strengthen the rule of law. FIDH is increasingly intervening before regional and international judicial bodies when the relevant jurisdictions are unwilling or unable to act (See section on the fight against impunity). To this end, FIDH intends to use the new African Court on Human and Peoples' Rights and to develop a strong lobby to counter the negative perception that certain states have of the ICC's activities in Africa.

The mobilisation of IGOs is also a priority action area. FIDH is stepping up its presence and influence before the African Union

(AU) bodies regarding their action for the settlement and prevention of conflicts in line with their mandate to protect human rights. Hence the need to work towards the creation of forums for dialogue with AU institutions, who were initially resistant to any interaction with independent civil society and to take into account their concerns and recommendations. Furthermore, FIDH is developing significant advocacy activities within the United Nations Security Council in order to strengthen peacekeeping and peacebuilding operational mandates in favour of the protection of the civilian population and the fight against impunity.

Context

At the beginning of 2010 numerous armed conflicts continued to tear apart the continent. The civilian population in the east of the Democratic Republic of Congo (DRC) remained hostage to clashes between the army, rebel groups and self defence militias. The struggle for the control of the Kivus region, whose highly desirable natural resources were still being illegally exploited, continued to maintain the region in a state of instability despite the presence of the largest United Nations mission. In Somalia the situation continued to go from bad to worse. In Darfur, in the west of Sudan, serious human rights violations were constantly being perpetrated against the civilian population with complete impunity as those involved in the conflicts were incapable of agreeing on the provisions of a peace agreement.

2010 was also a dangerous year as a result of the high-risk elections that were to be held in several countries.

Burundi was set to pass an important test of its democracy with the organisation of five votes including the presidential election, the first to be put to the popular vote since the end of the civil war and the 2000 Arusha peace agreement. In Guinea, the National council for democracy and development (*Conseil national pour la démocratie et le développement*), led by Sékouba Konaté after the forced exile of captain Moussa Dadis Camara who was responsible for the 28 September, 2009 massacre, had the difficult task of organising a presidential election before the end of the year. The perpetrators of a coup d'état in Niger which ousted President Tandja also showed signs of wanting to hand power over to civilians at the beginning of 2011. Finally, the prospect of a presidential election in Côte d'Ivoire planned for November after six successive adjournments as well as the holding of a referendum on self-determination for South Sudan planned for January 2011 showed worrying signs of potential conflict.

In this context the situation for human rights defenders at the forefront of reporting serious human rights violations and irregularities in the election processes was particularly dangerous.

Actions and Challenges

Documenting the human rights situation in conflict zones remains complicated particularly given the refusal of certain authorities to allow FIDH on their territory as is the case with Sudan and Somalia. For this reason, FIDH and its member organisations wanted to pay particular attention to the situation in Darfur by constantly updating the international community in order to make sure that the fight to protect the civilian population and prevent impunity for those who perpetrate the most serious crimes continues as a method of sanction and prevention.

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OUTPUTS

Missions

- Burundi: Fact-finding mission in the run up to the election (March).
- Burundi: Observatory fact-finding mission on the situation of human rights defenders (November).
- The Gambia: Observatory fact-finding mission on the situation of human rights defenders (May).
- DRC: Observatory judicial observation mission for the Firmin Yangambi case (May).
- DRC: Mission to Béni on international justice (December).
- DRC: Observatory solidarity mission for the case regarding the murder of human rights defenders Floribert Chebeya and Fidèle Bazana (June).
- Guinea Conakry: Fact-finding mission on the fight against impunity (May/June).
- Cameroon: Fact-finding mission on corporate social responsibility (December).
- Senegal: Advocacy missions for the Hissène Habré case (May, October, November).

Publications

Reports

- Niger: Support of the ANDDH's report: Democracy confiscated (February); FR.
- Burundi – 2010 elections: An opportunity not to be missed to consolidate peace (May); FR/ENG.

- Sudan: Re-engaging the Guarantors to the Sudanese Comprehensive Peace Agreement (July); ENG.
- DRC: The Congolese judiciary sentenced Firmin Yangambi to death despite a flawed trial (August); FR.
- Guinea Conakry: A year after the 28th September 2009 massacre – New power, hope of justice? (September); FR.
- DRC/CAR: The Bemba Case – Questions and Answers (November); FR/ENG.
- Senegal: Support of the civil organisations' report on the rights of migrant workers; FR/ENG.

Guides

- Practical guide on the African Court for Human and People's Rights republished (May) – FR/ENG.
- Dossier of Claims for the campaign Africa for women's rights (March) – FR/ENG.

Urgent interventions by the Observatory

- 90 urgent appeals, press releases and open letters in FR and 50 in ENG.

Judiciary actions

Support for victims' participation in the ICC case on the situation in the DRC, support for victims in the proceedings against the former Chadian president Hissène Habré, in Senegal, against the Mauritanian captain Ely Ould Dah, in France, against alleged

perpetrators of genocide, in France, against the alleged orchestrators of the Brazzaville Beach massacre, in France, support for the victims of the 28 September, 2009 massacre to appear in the Guinean courts, support for Sudanese human rights defenders through a communication against Sudan filed before the ACHPR.

Advocacy

Representatives from 50 FIDH member organisations in Africa (from Burundi, Niger, Guinea Conakry, the DRC, Sudan, Kenya, Côte d'Ivoire, Zimbabwe, Senegal, Rwanda and Mauritania) participated in the following: ACHPR sessions held in May and November, a regional conference for the ACHPR working group on the death penalty, the January and June sessions of the AU Heads of State summit, three meetings of the AU Commission, United Nations Human Rights Council sessions and the Universal Periodic Review, four interfaces at the Human Rights Council, two interfaces in The Hague before the ICC, the ICC Review Conference in Kampala and the OIF Summit in Montreux.



Stadium (Guinea-Conakry) where on 28 September, 2009 Putschist Captain Dadis Camara's presidential guards massacred 167 people. FIDH and OGDH support the victims before Guinean jurisdictions.
© Martin Pradel / FIDH.

For the situation in the DRC, the problems encountered were not the same given that the human rights violations in the context of the conflict in the east of the country had been fairly well documented. FIDH therefore wanted to put the emphasis this year on lobbying the national authorities to achieve concrete actions in the fight against impunity for the perpetrators of the most serious crimes. FIDH also wanted to lobby the United Nations Security Council with a view to strengthening the operational mandate of the United Nations mission (MONUSCO) tasked with protecting the civilian population.

In light of the fragile security situation of countries in transition and post-conflict, the challenges in terms of human rights protection and the risk of conflict due to the holding of elections, FIDH decided to closely monitor the situations in Niger, Guinea and Burundi. Fact-finding missions were conducted in these countries in order to assess the conditions in which the elections were being organised and to suggest concrete actions to improve the protection of human rights. To maintain particular attention on these situations, FIDH organised activities of advocacy to mobilise the regional and international governmental institutions as well as institutions working to protect rights, particularly the African Union and the African Court on Human and Peoples' Rights. The aim of the advocacy was to mobilise these institutions in order for them to contribute to protecting rights in the targeted countries.

Finally, in order for FIDH to support human rights defenders and ensure their safety in these specific contexts it has expanded its methods of acting: strengthening the lobbying before national authorities in order to obtain guarantees in terms of protection, following-up of legal proceedings involving the assassinations of human rights defenders (DRC, Burundi), training in secure methods of communicating and storing of data for representatives of its member organisations, supplying of equipment to ensure the continuation and visibility of their activities of denunciation, and material aid support (particularly support for the relocation process).

Results

At the national level:

- Action taken by the Congolese authorities (DRC) in favour of the fight against impunity such as the presentation of a draft law on adapting Congolese legislation to the Statute of the ICC and the drafting of a bill on the creation of a Specialised Mixed Court to try the perpetrators of international crimes.
- Reintroduce the Guinean trial regarding the case of the 28 September 2009 massacre by supporting 67 victims who are civil parties to this case and by establishing FIDH and its member organisation OGDH as civil parties in this case as well.
- Statements from the Guinean authorities in favour of the fight against impunity.
- Protection by the diplomatic services in Bujumbura, Burundi of several human rights defenders at risk and the restoration of the FORSC, a civil society platform whose legal registration had been annulled by the Minister of the Interior.
- The use of secure communication and data-storage techniques by around twenty representatives from FIDH member organisations.

At the international and regional levels:

- The adoption by the United Nations Security Council of a strengthened mandate for MONUSCO to protect the civilian population, including human rights defenders at risk in the DRC.
- The renewal of mandates of the Human Rights Council's independent experts for the situations in Burundi and Sudan.
- The adoption by the ACHPR of resolutions initiated by FIDH on the 2010 Elections in Africa and the fight against impunity for sexual crimes in DRC.
- The adoption by AU Heads of State and Government of resolutions condemning human rights violations in Sudan and on respect for democracy in Niger, Guinea and Côte d'Ivoire.
- Several statements from the United States and the European Union calling for the holding of the referendum on South Sudan in legitimate and peaceful conditions.

FOCUS

FIDH activities and their impact on the situation in the Democratic Republic of Congo

Dismas Kitenge Senga, President of the Groupe Lotus, Vice President of FIDH.

"Thanks to FIDH, representatives of its member organisations in the DRC were able to alert all the relevant IGOs and influential diplomats on the serious human rights violations that were being committed in the armed conflict in the east of the country. For the first time, members of the Congolese civil society were able to express their concerns over impunity, summary executions and sexual violence to the African Union bodies during the Heads of State and Government Summit.

Under our insistence these bodies condemned these crimes and demanded that the Congolese government react. On the basis of one of our projects, the ACHPR adopted a resolution calling for the fight against impunity for the perpetrators of sexual crimes.

With the help of FIDH we managed to get all member countries of the Security Council to sit down around the same table in New York (first meeting of this type for members of the Security Council and NGOs) to urge them to strengthen MONUSCO's mandate to protect the civilian population including human rights defenders at risk. This was duly accomplished.

Our advocacy before of the Congolese authorities, especially the Minister of Justice, for the fight against impunity has also achieved results. In line with our expectations, a draft law for adapting national legislation to the Rome Statute has been submitted and considered admissible by the National Assembly. Furthermore, the minister has stated his agreement for setting up a Specialised Mixed Court for the trials of perpetrators of international crimes. We must continue to monitor these achievements in 2011".

Dismas Kitenge Senga, President of the Groupe Lotus, FIDH Vice President.

FIDH activities and their impact on the situation in Guinea Conakry

On 28 September, 2009 a peaceful demonstration made up of opposition parties and civil society was held to contest the putschist captain Moussa Dadis Camara's desire to run in the presidential elections despite his previous declarations. The demonstration turned into a massacre: the security forces killed at least 156 civilians, several dozen are said to be missing and at least 109 women or girls were the victims of rape, sexual violence and sexual enslavement.

FIDH and its member organisation, the Guinean Organisation for Human and Citizen Rights (*Organisation guinéenne de défense des droits de l'Homme et du citoyen* – OGDH) undertook a fact-finding mission to Conakry in May to assess the progress of the legal proceedings that began in February for the 28 September case and also to ensure that the victims' right to justice was respected.

Sensing a possible collapse of the trial, FIDH and OGDH as well as two lawyers from the Legal Action Group have launched a civil action to represent the interests of 67 victims, to support and help move forward

the trial and if necessary demonstrate that there has been a lack of willingness on the part of the political and legal authorities to carry through with this case. Since then several steps have been taken.

Moreover, the interventions of OGDH's representatives before the ACHPR (in May) and the AU (in July) as well as the multiple recommendations to the Guinean authorities on this matter, based on our fact-finding mission report, have resulted in the commitment of the candidates for the second round of the November presidential election, for the fight against impunity of those responsible for the most serious crimes, including the massacre of September 28, 2009.

FIDH will continue to support the victims in the Guinean trial and if the case is blocked in any way will make sure that the International Criminal Court, which follows this case, opens an enquiry.



49th Session of the African Commission on Human and Peoples' Rights (The Gambia). Mr. Sidiki KABA, FIDH Honorary President presents the general human rights situation in Africa before the NGO Forum. © FIDH.

> The Americas

Strategies and Objectives

In Latin America, with the exception of Cuba, dictatorial regimes are things of the past and only one internal armed conflict persists, in Colombia. Nonetheless, the high levels of homicides in many countries in the region are a reminder of how much democracies are weakened by the omnipresence of violence and organised crime (for example, in Mexico, Guatemala, El Salvador, Honduras, Colombia, Venezuela and in Brazil). The links the latter can maintain with the State authorities has a profound impact on the functioning of the rule of law and justice. It is for this reason that, following the FIDH Congress in Armenia, its member organisations confirmed that the improvement of the administration of justice and the fight against impunity for the gravest human rights violations would be one of the principal bases of action in combating escalated violence in the region.

Another blatant pattern of human rights violations observed in the region and which exacerbates tensions and incubates possibilities for conflict, resides in the criminalisation of social protest. FIDH seeks to develop a dynamic strategy to fight against this phenomenon through activities aimed at the improvement of the administration of justice, the development of an Inter-American jurisprudence on the subject and a regional analysis of the issue.

The classic work of FIDH in its mission to establish facts and responsibility is aimed at enriching advocacy efforts before national and international authorities in the hopes of proposing concrete measures for the respect of rights. In its advocacy before intergovernmental bodies, FIDH seeks to insist that the European Union place human rights at the heart of the cooperation agreements that it is in the process of drawing with multiple countries in the region.

Investigative reports also serve as a resource for national, regional and international judicial bodies. Special emphasis is placed on using the procedures of the Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights, having become privileged mechanisms in the effort to make authorities meet their obligation of protecting human rights.

Finally, those who denounce human rights violations in situations of conflict, tension or political crises are particularly in danger. Therefore, the protection of human rights defenders in this specific context constitutes a primary objective of FIDH.

Context

The year 2010 was notably marked by the events of January 12, 2010. Thirty-five seconds were enough to set off an unprecedented humanitarian catastrophe in Haiti. More than 200,000 people were found dead after an earthquake, 300,000 were injured and 1.9 million displaced. Institutions that were already weak before the earthquake were completely collapsed after the disaster.

In Colombia, the conflict between the army and paramilitary (now called “Bacrim,” or “criminal gangs” by the government) against the guerrillas continues. Colombia remains the country with the second highest number of internally displaced persons and the first in the number of murders of union activists. All parties to the conflict are responsible for grave violations of human rights and humanitarian law. The election of Juan Manuel Santos in August 2010 as President of the Republic could mark a new stage after a period of eight years, characterised by a policy of attacking human rights defenders and anything that could represent opposition to President Uribe, including judges from the highest courts. In fact, the new head of State seems to want to mark a certain break, at least in appearance, from the stigmatisation and polarisation that characterised the former president.

In Honduras, the continued impunity for crimes committed during the coup d’état as well as a very large political polarisation in society have led to an increase of violence, particularly in the form of homicides that have taken place throughout the year. Indeed, it is following the coup d’état of June 2009 and elections that did not respect the principles of free and democratic elections when President Lobo took office.

In Nicaragua, the progressive degradation of the rule of law was highlighted this year with an increase in obstacles to the freedom of expression and association and a character attack on the rights to choose ones representatives and participate in free elections.

In 2010, although the fact that in a large part of the world, the rates of growth are at half-mast, the continent of Latin America has shown very positive economic drivers. Nonetheless, the vast majority of the population is not reaping the benefits of this growth. On the contrary, it is often suffering intensive exploitation of natural resources and even sees itself deprived of the most fundamental rights, such as the right to food, health or education. This is particularly true for indigenous and rural communities. In many countries such as Peru, Colombia, Ecuador, Brazil or Chile, the result is an increase in social protest

favouring, among other things, the right to land or the right to a clean environment. These situations carry risks of conflict and generate violence as States, unfortunately, often respond through repression, stigmatisation and criminalisation.

Actions and challenges

Three months after the earthquake in Haiti, FIDH carried out a mission in hopes of assessing the need for humanitarian aid and to present human rights challenges to the reconstruction. This mission was also the occasion for FIDH to express its solidarity with the human rights movement which was also greatly affected and to evaluate the needs of its three member organisations. FIDH also served as an advocacy tool before the IACHR.

As it still faces the obligation to denounce grave human rights violations committed throughout the conflict in Colombia and to fight against impunity for its perpetrators, in May 2010, FIDH published a report demonstrating the involvement of the government of former president Uribe, with the Colombian

secret service, in carrying out attacks against human rights defenders, judges and opponents to the government during his presidency, all while continuing to demand that the ICC open an investigation into the country.

FIDH and its member organisation in Honduras continued throughout the year to denounce the presence of instigators of the coup d'état in State institutions, the stigmatisation of judges, journalists and other defenders who reported crimes committed during this coup. In 2011, FIDH plans to carry out an investigative mission on the numerous killings in the region of Bajo Aguán, a particularly alarming phenomenon in light of the tensions between entrepreneurs and the farmers whose lands are being used for the single-crop farming of palm oil.

FIDH sent a joint mission with the Observatory and the World Organisation Against Torture (OMCT) to Nicaragua in May 2010 in hopes of investigating the state of freedom of expression and association and political rights. It presented its preliminary conclusions in a hearing before the IACHR in March 2011.

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OUTPUTS

Missions

- Colombia: Judicial observer mission in the case of Jorge Noguera (DAS) (February).
- Colombia: Judicial mission – sending lawyer to follow the DAS trial (July -December).
- Panama: Emergency mission – request for asylum by DAS officials (November).
- Brazil: Fact-finding mission on the impact of metallurgic industries located close to two villages (March).
- Haiti: Fact-finding mission following the earthquake (April).
- Nicaragua: Fact-finding mission on freedom of expression and assembly and political rights (May).

Reports

- Guatemala: The right to food in Guatemala. (March) SP.
- Haiti: *Haïti, une nation ébranlée: Pour une reconstruction fondée sur les droits humains incluant le peuple haïtien* (May) SP, FR.
- Colombia: State intelligence activities used for criminal interests and political persecution (May) ENG, SP.
- Chile: Report of the observer mission of the judgment of Ms. Pascale Bonnefoy (June) SP.

Mexico: Progress report on the fact-finding mission on the situation of human rights defenders (November) SP.

Urgent interventions by the Observatory

180 urgent appeals, press releases and open letters, SP.

Advocacy Activities

- Five hearings before the IACHR with the governments of Haiti, Canada, Colombia, Nicaragua and Mexico present and with the participation of seven human rights defenders.
- The participation of three human rights defenders in the Human Rights Council for the Universal Periodic Review (UPR) of Honduras, Nicaragua and an interface on the implementation of the recommendations of the UPR for Colombia.
- Six interfaces in Brussels (Haiti 2, Colombia 2, Honduras 2) with the participation of 6 defenders.

Judiciary actions

- Haiti: Support for lawyers working on complaints against Duvalier for crimes against humanity.

- Colombia: formation of a civil party in Colombia in several complaints concerning the DAS.
- Colombia: formation of a civil party in Belgium in a complaint against X regarding the interception of communication, theft of documents relating to the work of FIDH in Colombia and intimidation committed on Belgian territory.
- Chile: FIDH and its member organisations in Chile plaintiffs in the trial regarding four missing French-Chilean nationals, trial held in France.
- Chile: Applications submitted to the IACHR in 2008 on the use of prescription and half-prescription to reduce the sentences of those responsible for crimes against humanity. Admissibility phase.
- Chile: Two applications submitted to the IACHR on the application of the Terrorism Act to members of the Mapuche community.
- Honduras: in representation of some of the victims, filed a petition with the IACHR for violations of the American Convention on Human Rights during the coup. This request is in the admissibility phase.



A delegation from the "Committee of sterilised women from Anta - Comité des femmes stérilisées d'Anta" in the village of Izcuchaca to meet a town representative. July 2006, Anta, Peru.

In addition, FIDH has responded to various cases of criminalisation of social protest with the publication of a follow-up note and communications on negotiations following the tensions present in the Amazonian region of Bagua in Pérou or with communications on the tensions in Oyon and Islay, also in Peru. FIDH has also contributed with its member organisation to the withdrawal of the law reforming the code pertaining to mineral resources in Panama that was contrary to international norms as well as to the liberation of the indigenous Shuars groups of Ecuador, who protested against the reform of the hydraulic law, the latter, nonetheless, remain the targets of prosecutions. In Ecuador, the investigation and report on large-scale mines published by FIDH in January 2011 allowed for certain cases of criminalisation to be placed in context.

Furthermore, as the criminalisation of social protest must be understood as a regional phenomenon to which it no longer makes sense to respond on a case-by-case basis, in 2010 FIDH prepared, in alliance with its member organisations, a strategy to combat it the best way possible, including through the use of regional remedies when States derogate from provisions of international law calling for the protection of human rights. A first step of this strategy will be developed in 2011 constituted part of the preparation for the case of the Mapuche. In fact, in 2010, FIDH remained mobilised on the Mapuche conflict and, as it had done in the past, specifically called for the repeal of the sentences declared against ten representatives of this community based on the application of an antiterrorist law, the end to the application of this law to other groups as well as the reform of the law itself. Thus, FIDH has continued the process of coaching eight Mapuche convicted under the antiterrorist law before the IACHR. The Commission released a substantive report following the reasoning of FIDH. If the State does not implement its recommendations, the IACHR would have to transfer the case to the Inter-American Court of Human Rights. This will be the first case asking the Court to decide on the criminalisation of the Mapuche protests.

Results

At the international level:

- Following an FIDH hearing before the Inter-American Commission for Human Rights (IACHR) denouncing the dramatic situation of camps for the internally displaced and the few advances in reconstruction in Haiti almost ten months after the earthquake, the regional body issued two press releases on the subject and requested a moratorium on government evictions of internally displaced persons.
- Informed by FIDH of the serious crimes committed during the coup d'état in Honduras, the Prosecutor for the ICC placed the situation under preliminary investigation, the stage of assessment preceding the opening of an investigation.

At the national level:

- FIDH with its member organisation contributed to the repeal of a law reforming the code governing mineral resources in Panama which was contrary to international norms.
- The initiation of judicial proceedings in Colombia against the official identified by FIDH as being responsible for the espionage of foreign NGOs, particularly in Belgium.
- The Colombian government's request for extradition of María del Pilar Hurtado, ex-director of DAS, who was granted asylum in Panama.
- In response to the deficiencies identified in the mandate of the National Commission for Truth and Reconciliation established in Honduras following the coup d'état, particularly with respect to the fight against impunity, FIDH actively participated in the establishment of an alternative truth commission in Honduras, seeking to guarantee the opening of impartial and effective investigations of violations committed during the coup d'état as well as the trial and punishment of those responsible.



Memorial to those who disappeared or were executed under the Pinochet dictatorship. General Cemetery, Santiago, Chile.

FOCUS

COLOMBIE

In May 2009, a scandal broke revealing the illegal activities of the Colombian secret service (DAS) who depend directly on the presidency. Specifically, it became known that the DAS, acting as a sort of political police, intercepted communication, harassed and held assemblies against judges of the highest courts, journalists, political opponents, human rights defenders, and human rights organisations. All of these discoveries put in perspective the judicial proceedings currently under way in Colombia against Jorge Noguera Cotes, director of the DAS under the first term of President Alvaro Uribe Vélez, for three aggravated homicides and conspiracy.

In February 2010, FIDH, within the framework of the Observatory, sent a lawyer to act in solidarity with the victims' lawyers who were being threatened as well as to observe the trial of Jorge Noguera Cotes. Then, in May 2010, FIDH published a mission report describing in detail the information discovered and its importance as well as establishing a series of recommendations. In Europe, the press conference presenting the report took place at the European Parliament. Meanwhile, FIDH decided to bring a civil action in Colombia and to promote, in Belgium, a joint complaint with numerous other international and Belgian NGOs concerning the interception of communication, theft of documents and acts of intimidation committed on Belgian territory. FIDH also organised an interface before European Union institutions and UN permanent representations and special procedures in order to denounce the actions of the DAS and their persistence. The dialogue with the Colombian government resulted in a meeting with the vice president and the director of the DAS and letters sent by the DAS detailing their comments on the report published by FIDH.

In November 2010, claiming a lack of guarantees on the part of the Colombian justice system, several DAS officials sought to flee the country. They were supported by the former Colombian president who in a press release urged his loved ones to flee the "justice cabal." Thus, on November 19, María del Pilar Hurtado, ex-director of the DAS, was granted territorial asylum in

Panama. Having been informed of other applications for territorial exile previously submitted, FIDH sent an emergency mission to Panama in order to remind the country's government that under the Geneva Convention of 1951, political asylum should not be granted to people for whom there exist serious bases for believing that they have committed a serious crime under common law or those who have been found guilty of actions contrary to the purposes and principles of the United Nations. In an effort to prevent other requests for political exile from being granted, FIDH brought a campaign including the aforementioned mission as well as the signatures of twenty-five members of the European Parliament in a letter asking Spanish-speaking countries not to grant exile to DAS officials, which was transmitted by various FIDH member organisations in the Americas to their respective governments.

Results

- The initiation of proceedings in Colombia regarding the illegal activities of the DAS
- A dialogue with the Colombian authorities resulting in the opening of judicial proceedings against the official identified by FIDH as being the head of espionage of foreign NGOs, particularly in Belgium.
- The campaign on the requests for asylum has allowed for the effective fight against other derogations of justice. The Colombian government for its part, following the hearing of FIDH before the IACHR in April 2011, requested the extradition of María del Pilar Hurtado.
- Litigation in Colombia and the hearing before the IACHR have both contributed to the questioning of the presidency, through the opening of an investigation of Bernardo Moreno, former Secretary General of the Presidency, as well as a preliminary investigation by the Commission of Accusations of the House of Representatives against President Uribe, although he was only interrogated for wiretapping and not for the totality of the human rights violations perpetrated by the DAS under his two terms.
- The safe return of the Secretary General of FIDH after a decade of exile thanks to the presence of a Belgian diplomat upon his arrival to Colombia and the acquisi-

tion of an armored car accompanied by Peace Brigades International.

Testimony of Pierre Espérance, Executive Director of the Réseau National de défense des droits de l'Homme (RNDDH)

"I want to underline the prompt reaction and involvement of FIDH in light of the tragic consequences of the earthquake. Indeed, FIDH quickly sent a mission to Haiti during which it met with then President René Préval, among others, and visited several camps for persons affected by the disaster in order to assess the magnitude of the humanitarian crisis and to ensure the inclusion of human rights in the reconstruction process.

In parallel, FIDH has allowed us to intervene before international institutions, notably the UN Human Rights Council, the Inter-American Commission for Human Rights and European institutions, and to call their attention to the human rights situation in Haiti following the earthquake and the need to establish their protection as priorities of action.

Finally, thank you to FIDH for supporting our lawyers in the complaint against Duvalier for crimes against humanity."

> Asia

Strategies and Objectives

In Asia, FIDH has to take into account very disparate human rights situations and to adapt its strategy and objectives accordingly.

Several countries are affected by internal conflicts or other situations of violence, leading to international crimes and gross human rights violations.

Documentation of such violations is very difficult in countries such as Afghanistan due to a very volatile security situation. In other countries, authorities impose a strong control over local NGOs, which are often forced to reside and operate in exile. And some governments also restrict the presence of international NGOs. Besides, effective and independent domestic investigatory, redress and accountability mechanisms are often non-existent, which led FIDH to campaign, for instance, for the establishment of a UN Commission of Inquiry (CoI) on the situation in Burma.

In this specific context, FIDH supports its member organisations in their lobbying at the level of international organisations as well as other key international policy-makers, such as the European Union and the United States, to provide them with credible information and to ensure that all possible actions are taken to enhance the protection of basic human rights even in highly insecure environments. It also aimed at mobilising intergovernmental organisations to maintain a strong, coherent position with emphasis on the key benchmarks that must be met by national authorities to achieve peace and stability domestically.

A number of countries are characterised by authoritarian regimes that inhibit and/or repress any criticism of government policy and action. In such context, human rights defenders and their families are at the forefront of repression, therefore their protection constitutes a priority of action for FIDH. FIDH, together with its member organisations, also documents human rights violations and informs intergovernmental bodies of the widespread and systematic abuses perpetrated by the authorities, e.g. by organising fact-finding missions and advocacy interfaces. Also, it stresses to key intergovernmental institutions the importance of publicly defending human rights and the rule of law in their engagement and dialogue with authoritarian regimes, especially China, which was also increasingly defiant of international pressure as its own political and economic clout strengthened.

FIDH also encourages dialogue between national authorities and NGO representatives to consolidate the recognition of their

work, to influence national reforms in accordance with international human rights standards, and indirectly contribute to their protection.

Many countries are also characterised by a high-level of impunity in the face of past and on-going human rights violations. FIDH thus calls for genuine accountability for violations perpetrated by state security forces, in particular in the context of the fight against terrorism.

For that purpose, FIDH shares its strong expertise on international justice, notably on universal jurisdiction, the International Criminal Court (ICC) and truth and reconciliation commissions, with member organisations to enhance their capacity and knowledge in seeking accountability. In line with FIDH's current priorities with regard to international justice mechanisms, FIDH has been consistently and actively advocating for stronger and more effective mechanisms for victims of international crimes to access justice before international or hybrid tribunals.

To enhance FIDH support to its member organisations in the region as well as to consolidate its capacity to influence national policies in favour of the protection of human rights, FIDH also established since February 2010 a presence in Bangkok. In line with these objectives, the FIDH office in Thailand conducts advocacy before the Association of Southeast Asian Nations (ASEAN) and aims at facilitating members' access to its various entities, notably to its Human Rights Commission created in 2009.

FIDH works on strengthening the level of cooperation between its different member organisations in Asia. Based on a 2010 Congress decision, it organised in January 2011 its first regional workshop in Bangkok in the presence of all member organisations in Asia to facilitate the sharing of their experiences on common challenges such as human rights in conflict and urgent situations but also women's rights, the administration of justice and corporate accountability for human rights abuses.

Context

In China, the government continued to strictly control and repress civil society and protest movements, in spite of the development of new forms of activism ranging from demonstrations on economic and social rights, to the use of the Web 2.0. to mobilise civil society. The persecution of human rights defenders reached a peak following the sentencing of Liu Xiaobo in December 2009. It then further escalated when the Nobel Peace Prize was awarded to him in October 2010. Additionally, the situation in Tibet and other regions with a large concentration of minority groups continued to deteriorate with a lack of respect for economic, social and cultural rights. Following

the 2008 demonstrations of Tibetan monks against Chinese authorities, repression is on the increase.

In Burma, where a military junta is in place and an internal conflict is on-going between government forces and ethnic rebel groups, there have been numerous allegations of serious violations of human rights such as forced labour, rape or extra-judicial executions. 2010 was marked by persistent impunity and the sham general elections in November. Aung San Suu Kyi was released when the duration of her house arrest ended days after the November elections, but more than 2,100 political prisoners remained behind bars.

In Afghanistan, a country torn by war for thirty years and the poorest in Asia, the situation remained extremely volatile and even deteriorated as clashes between Taliban-affiliated groups and the Afghan army (backed by the coalition forces) continued to grow, with a very negative impact on civilian populations and human rights records, especially on women. The conflict had strong regional spill-over effects. In North-West Pakistan, following the armed conflict between the Pakistan Armed Forces and religious groups including Al-Qaeda militants in 2009, military offensives and terrorist attacks continued.

Other authoritarian and extremely repressive regimes, such as Vietnam, Laos and Iran, continued to restrict and violate basic freedoms. In Iran, repression of human rights defenders, democracy activists, and members of opposition groups following the 2009 presidential election carried over into 2010 and escalated. Death sentences continued to be handed down and executions occurred in waves.

Several Asian countries were characterised by post-conflict situations or other situations of violence marked by a high level of impunity and/or on-going repression of anti-government movements, especially in the context of the war against terrorism: these included countries such as Bangladesh, Cambodia, Indonesia, Malaysia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand. Extra-judicial killings or enforced disappearances as well as assaults against human rights defenders were widespread. In Thailand, the political crisis deepened in 2010, with supporters of the former prime minister, Thaksin Shinawatra, taking to the streets in a protracted occupation of some of the major intersections in Bangkok. Emergency laws were put in place before, during and after the demonstrations, granting the government broad powers to restrict fundamental freedoms,

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OUTPUTS

Missions

- Bangladesh: Fact-finding mission to inquire on the application of the death penalty and the administration of criminal justice, with a focus on people convicted for so-called terrorist offenses (April).
- Indonesia: Fact-finding mission to examine the progress of democratic reform since the fall of Suharto, with a focus on the role of State security forces, human rights abuses perpetrated in the framework of the fight against terrorism, and the rise of radical religious fundamentalism (May/June).
- Cambodia: Fact-finding mission of the Observatory to examine the situation of human rights defenders, freedom of expression, association and assembly (February). Follow up mission in September to present the report and its recommendations.
- The Philippines: Political dialogue mission to assess the extent to which the recommendations included in the FIDH 2008 report have been taken into account by the Filipino authorities (July).

Reports

- Bangladesh: Criminal justice through the prism of capital punishment and the fight against terrorism, (October), ENG.
- Indonesia: Shadows and Clouds: Human Rights in Indonesia – shady legacy, uncertain future, (December), ENG.
- Viet Nam: From 'Visions' to Facts: Human Rights in Vietnam under its Chairmanship of ASEAN, (September), ENG.

Judiciary actions

- Extraordinary Chambers in the Courts of Cambodia (ECCC) – A major breakthrough was achieved with the conviction in July of Kaing Guek Eav, aka Duch, for war crimes and crimes against humanity, making him the first Khmer Rouge official to be brought to justice. FIDH's Legal Action Group continues to represent victims from Cambodia residing in France and civil plaintiffs before the ECCC in Case 002.

Urgent interventions by the Observatory

134 urgent appeals, press releases and open letters, ENG.

Interfaces

- Bangladesh: interface for one human rights defender with the UN Human Rights Council (September).
- Burma: interface for two defenders and three FIDH officers at the European Parliament in Brussels and the UN in New York (September and October).
- China: interface for two human rights defenders with the Human Rights Council (June).
- Iran: interface for four human rights defenders with the Human Rights Council ahead of the Universal Periodic Review (February), the European Union institutions (September), the UN Committee on Economic, Social, and Cultural Rights (pre-session in November), and the UN institutions in New York in November.
- Pakistan: interface for one human rights defender and one FIDH officer with US policymakers in Washington DC (May).
- Philippines: interface for two human rights defenders and two FIDH officers with UN offices, missions to the UN in New York and key US policymakers in Washington DC (November).



Dhaka Central Jail, Bangladesh.

censor the media, and detain and interrogate protesters and others who were critical of government policies. The election of Benigno Aquino III as president of the Philippines and his campaign promises to end impunity was a promising development. However, such commitments were difficult to translate into concrete actions, as key cases of extrajudicial killings or enforced disappearances implicating state actors remained unresolved or stalled in the judicial process.

India, usually considered as a stable though complex democracy, still faces serious human rights challenges, especially related to on-going conflicts between the Indian army and separatist groups as well as the lack of respect, in many regards, for economic, social, and cultural rights, resulting in strong political tension and social instability.

At a regional level, the newly established ASEAN Intergovernmental Commission on Human Rights (AICHR) operated largely behind closed doors in 2010, with scant information released to the public and refusing to formally consult and engage with civil society in the region.

Actions and challenges

FIDH concentrated its actions in the 17 countries where it has member organisations and/or partners. A major challenge was to operate in contexts where authoritarian regimes were in place, which did not allow the presence or severely restricted the activities of independent human rights groups on their soil. Seven FIDH's member organisations concerned were therefore compelled to operate in exile and adapt their actions accordingly.

In Iran, for example, a joint campaign was launched in June 2010 with Reporters Without Borders (RSF) for the release of prisoners of conscience in Iran to mark the anniversary of the 2009 post-elections crackdown. A campaign kit in four languages (English, French, Spanish and Persian) was developed to support this campaign and a special page was created on FIDH's website.

FIDH and its member organisations also continued to document and respond publicly and quickly to an evolving and complex situation in countries like Iran, with a large number of statements and urgent appeals on persecution of human rights defenders. FIDH also sustained its international advocacy through interfaces with the UN in both Geneva and New York, the various treaty bodies and special procedures, as well as with key institutions of the European Union.

With regard to Burma, FIDH continued to monitor the situation of political prisoners and lobby for the establishment of a Commission of Inquiry (CoI) jointly with its partners and other NGOs, including the European Burma Network (EBN), Burma Lawyers' Council (BLC) and the Alternative ASEAN Network on Burma (Altsean-Burma). FIDH continued to use its August 2009 report, *International Crimes Committed in Burma: the Urgent Need for a Commission of Inquiry*, to campaign for a UN CoI. In addition, FIDH worked on building up the capacity and knowledge of Burmese activists in mobilising and using international standards and mechanisms such as the Rome Statute and the International Criminal Court for their advocacy. In January, FIDH supported the organisation by the Women's League of Burma of a three-day workshop on the topic in the border town of Mae Sot, Thailand for Burmese activists.

When possible, FIDH organised fact-finding missions, with a focus on priority areas such as the situation of human rights defenders as well as freedom of expression, association and assembly (Cambodia), the death penalty and the administration of criminal justice (Bangladesh), democratic reforms and counter-terrorism policies (Indonesia). FIDH published its first full report on Indonesia, which was presented to the Indonesian authorities in Jakarta in February 2011. The report also was presented to key members of the diplomatic community, especially the United States, Australia and the European Union.

Political dialogue missions were organised, such as in the Philippines to follow up on the national implementation of recommendations made during the Universal Periodic Review of the Philippines in 2008 or by the fact-finding mission FIDH conducted in the country in 2007 on counter-terrorism and human rights. As part of this mission, a workshop designed for human rights defenders and lawyers was organised to introduce the concept of universal jurisdiction and the potential for its invocation in the Philippine context.

To ensure the protection of human rights defenders, FIDH employs a range of strategies and tools, including urgent appeals, open and closed letters to the authorities, material support to defenders and their organisations, and communications with intergovernmental bodies to urge their involvement in providing protection and in pressuring other governments to cease violations of the rights of defenders. Interfaces with intergovernmental bodies are also arranged for local human rights defenders in order to inform these bodies of the specific threats facing defenders in a country and the measures that all stakeholders can take to enhance protection.

At the regional level in ASEAN, FIDH participates as an observer in the Solidarity for Asian People's Advocacy and its Task Force on ASEAN and Human Rights, which is an active regional coalition of civil society organisations in Southeast Asia who work to engage ASEAN on human rights issues. Also, FIDH's Bangkok Office, individually and jointly with other civil society organisations, communicates with individual Commissioners of the ASEAN Intergovernmental Commission on Human Rights (AICHR) to relay concerns and recommendations, including the need for transparency, genuine and institutionalised consultation with stakeholders, and the strengthening of protection mandate.

Results

At the international level:

- FIDH's consistent call for a Commission of Inquiry (CoI) was taken up by the UN Special Rapporteur on the human rights situation in Burma in his report to the Human Rights Council and a CoI was supported by more and more countries.
- Adoption of the strongest UN General Assembly Resolution on Iran yet, and the adoption by the Human Rights Council of a historic resolution on Iran in March 2011 together with the appointment of a Special Rapporteur on the human rights situation in Iran; the European Union decided to consider individual sanctions in an "option paper" in early 2011.

At the national level:

- In Bangladesh, FIDH's fact-finding mission report on criminal justice and the fight against terrorism in October garnered

widespread media attention and revitalised the national debate and abolition movement, as well as greater public awareness on the respect for human rights in the fight against terrorism. It also provided a platform for renewed domestic advocacy by FIDH members and partners.

- In Cambodia, FIDH successfully applied pressure on the Cambodian authorities through public appeal to the authorities and through international buyers of Cambodia apparel, who stepped back from threats of legal persecution of workers and trade unionists who held strikes demanding higher minimum wage in September 2010.
- FIDH and its partners in Cambodia have been consistently advocating for improvement in the Chamber's rules of procedures to enhance victim's rights and participation. As a result, in September the Extraordinary Chambers in the Courts of Cambodia introduced an additional avenue for awarding moral and collective reparation to Civil Parties in the Internal Rules. The Chambers also generally accepted the proposals on reinforcing collaboration between the Victims Support Section, Civil Party Lead Co-Lawyers and non-governmental organisations with regard to the implementation of collective reparations and non-judicial programmes.
- The US Congressional Research Service's new country report on the Philippines incorporated a number of key human rights concerns raised by FIDH and two human rights defenders from its member organisation, the Philippine Alliance for Human Rights Advocates (PAHRA), during the interface with CRS in November in Washington DC.



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FOCUS

Advocacy campaign for the establishment of a Commission of Inquiry (Col) for Burma

This year, FIDH's active efforts in the campaign for a UN Commission of Inquiry (Col) bore fruit first in March, when the UN Special Rapporteur on the human rights situation in Burma for the first time recommended in his report to the Human Rights Council that the UN should consider creating a Col to look into allegations of war crimes and crimes against humanity. Secondly, the number of countries supporting a Col steadily increased to 14 at the end of 2010, including many European Union Member States and the United States.

In 2010, FIDH and its partners issued 14 public statements on Burma, created a special dossier page on Burma on FIDH's website ahead of the November elections, and produced two reports in English: *SPDC Election Laws Set the Stage for Sham Elections* and *Advancing Human Rights and Ending Impunity in Burma: Which External Leverages?* FIDH and its member organisation Altsean-Burma issued a joint submission in July 2010 for the Universal Periodic Review of Burma in January 2011.

FIDH also held two press conferences in Paris (September) and in New York (November) on human rights issues in Burma to enhance media exposure and international attention. FIDH also co-sponsored a public event on 13 November at the Parisian City Hall to appeal for the release of Aung San Suu Kyi.

On 15 different occasions, interfaces and lobby meetings with intergovernmental bodies and key countries were arranged, including with missions to the United Nations in New York and Geneva, UN agencies, and the European Union institutions.

UNGA resolution on Iran

Sustained advocacy before the UN and EU resulted in the strongest UN General Assembly Resolution on Iran yet. Such progress resulted from intensive FIDH lobbying at the UN in both Geneva and New York, as well as with diplomatic missions. During the autumn of 2010, Brazil, which had always been opposed to any country-focused resolution, called for a meeting with representatives from 15 'swing' states in order to convince them to support the resolution. The Human Rights Council then adopted a historic resolution on Iran in March 2011 and appointed a Special Rapporteur on the human rights situation in Iran who will monitor human rights abuses and interact with Iranian authorities. FIDH contributed to advocacy efforts that led to this new mandate, in close collaboration with Shirin Ebadi, President of FIDH's member organisation Defenders of Human Rights Center (DHRC), who organised meetings in Geneva to brief various ambassadors and diplomats whose support was instrumental in the appointment of a new special rapporteur on Iran. FIDH's mobilisation for Iran in 2010 had another primary objective: obtaining the adoption of individual sanctions against those primarily responsible for human rights violations. It is in large part thanks to pressure on the part of FIDH and in particular its interfaces with Shirin Ebadi, that in September 2010, the European Union decided to consider the adoption of individual sanctions in an "option paper." These sanctions were adopted at the beginning of 2011.

> Eastern Europe and Central Asia

Strategies and Objectives

The grave human rights violations committed in armed conflicts, political crises (especially during elections) and the reign of authoritarian regimes in the region are often unknown to the international community and public opinion because they are ignored by national authorities.

Also, one of FIDH's aims is to publicise these violations through the organising of international fact-finding missions in coordination with national organisations, and through a process - as systematic as possible - of encouraging intergovernmental institutions and proceedings and human rights protection, often the last levers for a stifled civil society. A bridge is thereby established to allow for regular exchanges between civil society and regional and international fora. Particular emphasis is given to advocacy before European Union bodies as well as certain European countries and the United States that have the diplomatic and economic clout necessary to take sanctions against States that violate human rights.

Creating spaces for dialogue between national authorities and advocates is also a priority objective of FIDH. In the region, State officials are often impervious to any cooperation or consultation with civil society, who are perceived as political opponents and terrorists. Yet these contacts are necessary to inform the authorities of violations and discuss appropriate measures to deter or fight against the impunity of their perpetrators. FIDH aims to contribute to opening up these dialogues through fact-finding or solidarity missions, or through workshops at which the FIDH and its member organisations and partners request the authorities' attendance in order to meet and interact with them.

Such exchanges contribute to the recognition of the work of human rights defenders in the region and, consequently, helps ensure that their recommendations for the respect for human rights are taken into consideration. In this regard, FIDH also seeks to enhance the visibility of the work of local NGOs through advocacy and media activities. These actions should promote the positive image of NGO work in an often hostile context.

The third general objective of the activities of FIDH dealing with situations of conflict and political crises is to strengthen the capacity of NGOs to respond to emergencies and to protect human rights defenders. Several methods developed include material support to local NGOs, workshops and seminars for trade policy to help support the work of independent advocates

and the recommendation of courses of action based on good practices.

Context

In 2010, in Eastern Europe and Central Asia, tensions related to past crises persisted, as in Chechnya, all the while new conflicts emerged.

In Russia, notably in the Republic of Chechnya human rights defenders lives are at extreme risk and they are threatened daily. This territory is characterised by almost total impunity for the perpetrators of multiple human rights violations, most of all violations to the right to life.

In addition, a number of suspended conflicts persist in the region, notably between Armenia and Azerbaijan with Nagorno Karabakh and between Georgia and Russia over South Ossetia, with the constant risk of renewed hostilities resulting in significant migration and, thus, placing a growing number of people in a situation of lawlessness within a context of widespread impunity and corruption.

Several major political crises were triggered in the region accompanied by serious violations of human rights. In Kyrgyzstan, significant opposition protests brought down the regime in April 2010 and clashes broke out that resulted in several dozen deaths and hundreds injured. In June, clashes between Kyrgyz and Uzbek communities in the South in the city of Osh and in the region resulted in the deaths of hundreds of people and displaced hundreds of thousands of others.



An Uzbek family combs through the ashes of their former home in search of bones, teeth and identifiable remains of their relatives, Osh, July 27, 2010. © Ales Bialiatski / FIDH.

In Belarus, the tension was high throughout the year in preparation for presidential elections in December 2010. Marked by serious irregularities, the elections that brought President Lukashenko back to power were followed by a large crackdown on peaceful protests organised by the opposition and civil society, a growing number of political prisoners and harassment of all critical voices.

The absence of pluralism in most of the region's countries (Azerbaijan, Belarus, Georgia, Kazakhstan, Uzbekistan, Russia, and Turkmenistan) strengthens the authoritarian governments that consider all dissent a threat to the stability of their regime. In Uzbekistan, for example, 16 defenders, including 9 members of FIDH member organisation Human Rights Society of Uzbekistan (HRSU), are in prison facing long sentence terms while many others were forced into exile. This is also true of Russia, where 9 activists were murdered in 2009 alone. No investigation of these murders was carried out, with one exception that led to the conviction of the perpetrators.

In a context where authoritarian regimes make up the majority, serious and undeniable threats of terrorism have served as a pretext for arbitrary arrest, torture and extrajudicial executions, particularly in the North Caucasus and Central Asia. Monitoring human rights violations in this area is particularly important in order to be able to reposition the fight against terrorism within the framework of international human rights. The operation of certain regional mechanisms, sometimes in violation of international agreements and treaties, as is the case of some of the measures of the Shanghai Cooperation Organization, must be given particular attention.

Actions and challenges

In light of the urgent situation, FIDH led an important fact-finding mission to shed light on the serious human rights violations committed during the riots in Kyrgyzstan in June. The report of this mission was used to plead before intergovernmental bodies to fight against the impunity of the perpetrators of these crimes and was presented to the Kyrgyz authorities to this same end, during a monitoring mission in December.

FIDH also documented and condemned the growing phenomenon of political prisoners in the region, especially in Armenia and Georgia. This issue will be addressed as a priority for all countries in the region through activities developed by the office for the coming years. FIDH has also remained mobilised on the issue of the fight against terrorism and respect for human rights (particularly in Russia), see part on anti-terrorism.

FIDH also sought to respond to intensified repression of human rights defenders carrying out solidarity missions and who voiced criticism of authoritarian regimes, such as in Kyrgyzstan and Kazakhstan, and expressed its support of the defenders and called on the authorities to ensure their protection. Judicial observation missions in Russia were used to follow the proceedings against defenders to demand the right to a fair trial



FIDH President, Souhayr Belhassen and FIDH Vice President and President of HRC Viasna (Belarus) Ales Bialiatski with Kyrgyz ombudsman Tursunbek Akun, December 2010. © Dimitri Mokhin.

in accordance with international conventions. Prison visits on emblematic cases, including those against defenders Evgeniy Zhovtis, director of the Kazakhstan International Bureau for Human Rights and Rule of Law (Kazakhstan) and Azimzhan Askarov (organization Vozdukh, Kyrgyzstan) have also been conducted. FIDH has, moreover, worked to strengthen and secure the capacity for action of its member organisations and partners. In 2010, FIDH was forced to exfiltrate several members of its member and partner organisations to ensure their physical safety.

With the goals of strengthening dialogue between civil society actors and national authorities as well as consolidation of the visibility and recognition of the work of NGOs in the region, in April 2010, FIDH organised its first congress in a country in the former USSR, Armenia. On this occasion, Armenian human rights defenders were able to voice their concerns about the human rights situation in the country, at a level the country had never seen before.

Finally, to support the work of human rights defenders, FIDH developed joint advocacy activities with its members and partners. FIDH will continue its assessment of existing mechanisms for the protection of human rights, including the Organization for Security and Co-Operation in Europe (OSCE), the European Union (EU) and the Council of Europe, some of which have experienced major crises in recent times. The OSCE has undergone a major political crisis, and in 2010 under the chairmanship of Kazakhstan, a summit of member States was convened for the first time in a decade. Civil society organised a parallel summit to restore human rights and the "human dimension" within the heart of the concerns of the OSCE and to this end has made numerous recommendations to OSCE member States. Following the summit, the latter were satisfied with a "commemoration" to the official human dimension. The EU remains a key player in the region and the issue of consistency of its policy in the field of human rights remains central, especially the issue of sanctions it levies against States not having fulfilled the required conditions, such as Uzbekistan, whose sanctions were lifted in late 2009.

FIDH will seek to restore the priority of human rights at all levels of relations between these institutions and member or partner countries as well as to make effective use of all existing mechanisms.

Results

At the international level:

- Unprecedented and continuous attention of the international community, including the Human Rights Council via the Universal Periodic Review (UPR) and the EU on the situation of human rights in Belarus as well as statements against the repression.
- The visit of the Rapporteur of the Parliamentary Assembly of the Council of Europe (PACE) to the territory of the North Caucasus in March 2010 after months of systematic refusal of the authorities, thanks to joint advocacy by international human rights organisations, including FIDH. This visit was followed by the unprecedented adoption of a resolution in June by the Russian delegation condemning the human rights situation in the North Caucasus.
- The recommendations of the UN's CEDAW, released on July 30, 2010, after considering the report of Russia reflected a significant number of concerns expressed by FIDH and its partners. Notably, the Committee addressed the issues of honor killings against women, abduction of brides and the unequal status of women in the family in some parts of

the country. Among other important recommendations, the Committee called on Russia to adopt a law against violence against women and to criminalise marital rape and honor killings.

- The inclusion of individual cases raised by FIDH in the European Union's list on Uzbekistan.
- The issue of political prisoners was first put on the agenda in 2010 for the sessions of the Human Rights Dialogue EU-Georgia.

At the national level:

- The 2011 release of all Armenian political prisoners arrested after the events of March 2008 in Armenia.
- The safeguarding of 4 families of human rights defenders from the North Caucasus (Chechnya, Ingushetia) and Uzbekistan through exfiltration and support in obtaining visa and refugee status.
- In Kyrgyzstan, the international commission of inquiry resumed its analysis of the FIDH mission report on the inability of the Kyrgyz government to fulfill its responsibility of protecting the population in its final report published in May 2011.
- The unprecedented mobilisation of Armenian public opinion on issues of human rights as a result of the FIDH Congress in Yerevan in April 2010.

OUTPUTS

Missions

- Armenia: Mission on the administration of justice (February).
- Kyrgyzstan: Fact-finding mission on the violent clashes in southern Italy (June)
- Monitoring mission and presentation of the report to the authorities and civil society (December).
- Kazakhstan: Solidarity mission with human rights defender Eugeni Zhovtis, (July).
- Russia: Judicial observation missions in the case of Kadyrov v. Orlov (Chairman of the Centre for Human Rights Memorial) (September and November).
- Russia: Judicial observation missions in the case of the arbitrarily condemned human rights defender, Mr. Sokolov (March and May).
- Austria: Judicial observation mission in the case of Israilov (Chechen refugee murdered for having testified about the torture carried out by the President of the Chechen Republic) (November 2010 to June 2011).

Reports

- Report of the regional seminar "International Migration: Migrant workers, asylum seekers and refugees in Eastern Europe, Central Asia and South Caucasus", (April) FR, ENG, RU.
- Russian report on violence against women, of the Anna Centre with the support of FIDH, (July) ENG.
- Belarus, Joint Report prepared with a group of NGOs in Belarus for the UPR of Belarus (February), ENG.
- Kyrgyzstan, report from the emergency fact-finding mission, (September) FR, ENG, RU.
- Uzbekistan, Report on forced labor in Uzbekistan of the Association of Human Rights in Central Asia, with the support of FIDH, (March) ENG.

Urgent interventions by the Observatory

13 reports and urgent appeals in FR; 106 in ENG and 19 in Russian.

Advocacy

Participation of 20 representatives of FIDH member organisations (Russia, Kyrgyzstan, Kazakhstan, Uzbekistan, Turkmenistan, Georgia, and Belarus) in the sessions and meetings of UN treaty bodies in Geneva and New York, the Office for Democratic Institutions and Human Rights (ODIHR) in Warsaw, OSCE, Council of Europe in Strasbourg and the French Ministry of Foreign Affairs during 17 interfaces and 11 public advocacy meetings (parallel events, briefings...) before European, UN and OSCE institutions.

Judicial actions

Preparation of two individual complaints against Uzbekistan for CIMIT of Human Rights of the UN (including one with a partner organization, REDRESS).

FOCUS

FIDH activities regarding the situation in Kyrgyzstan

Tolekan Ismailova, President of the NGO "Citizens Against Corruption", Kyrgyzstan *"Since the overthrow of President Bakiyev's regime in April, we have been able to appreciate the support of FIDH through the adoption of a motion of its Congress. An emergency mission of FIDH has been dispatched since the dramatic events of June. This mission led by the Vice-President of FIDH, Ales Bialiatki, was seen as a mark of solidarity in this difficult time for our organisations and even as the country sank into extreme violence. A symbol of the surrounding danger, the mission was the victim of an attempted sabotage of its vehicle, but the work was nonetheless completed.*

The mission report including numerous testimonies of victims of serious crimes was submitted to the Kyrgyz authorities and regional and international intergovernmental organisations. Thanks to our mobilisation, the crimes committed were not met with silence.

One of the official representatives of FIDH even incorporated the International Commission of Investigation and contributed very effectively to its report. The prison visit in December by the President of FIDH, to our colleague, Azimzhan Askarov, condemned to life imprisonment in September for activities relating to human rights advocacy in the South helped get the international community to pay attention to his case as well as to several convictions in southern Kyrgyzstan following the events of June".

The First FIDH World Congress in a country of the Former Soviet Union

In April 2010, the first FIDH Congress in a country of ex-USSR was held in Armenia.

Additionally, an FIDH Forum held prior to the Congress brought together over 350 people, including representatives from the FIDH member organisations and international experts, around the theme "Justice: New Challenges - The right to an effective remedy before an independent court."

The Forum was dedicated to the memory of Natalia Estemirova, a Chechen human rights defender murdered in July 2009.

Among the guests were the Prosecutor of the International Criminal Court Luis

Moreno Ocampo, Janez Lenarcic, Director of the Office for Democratic Institutions and Human Rights (ODIHR) of the OSCE, Mr. Abdou Diouf, Secretary General of the Organisation Internationale de la Francophonie, Ms. Françoise Tulkens, Judge at the European Court of Human Rights, Ms. Shirin Ebadi, 2003 Nobel Peace Prize winner.

The Forum provided a unique opportunity to work on different remedies for victims of human rights violations in their struggle for truth, justice and reparation at national, regional and international levels as well as to address the issue of prevention of international crimes through exchanges and the sharing of experiences between NGOs from all continents.

In a country like Armenia, in the midst of its institutional development and still marked by the 2008 crisis around the disputed presidential election, the holding of this Forum has opened spaces for dialogue between authorities and civil society on the situation of human rights in the country, particularly regarding political prisoners.

A demonstration by the opposition condemning the existence of political prisoners was held on the opening day of the Forum. Public meetings were held with families of the victims of March 1, 2008 and the wives of political prisoners. FIDH made a visit to political prisoners placed in the prison hospital due to health concerns. Ms. Shirin Ebadi, a Nobel Peace Prize winner, was also able to make an official visit on behalf of the Congress to Mr. Nikol Pashinyan, editor of the opposition newspaper, in the "Nobarashen" prison.

Finally, a meeting with the President of Armenia was the occasion for the exchange of new ideas on human rights and democracy in the country and gave the Armenian civil society the opportunity to express its concerns to the head of State regarding the presence of political prisoners in the country. As a direct impact of this dialogue, the Armenian political prisoners were all released in 2011.

The Forum also provided an opportunity to strengthen ties between FIDH member organisations in the region and gave rise to important symbolic steps, including a meeting between Turkish and Armenian human

rights NGOs to discuss the very complicated process of ratification of Protocols between the two countries and the role of civil society. FIDH member organisations from these two countries adopted a joint resolution on the Armenian genocide. On April 24, the day of the 95th year of the commemoration of the genocide, an event of remembrance was held for the first time in Istanbul, where over a hundred people gathered at the call of the FIDH member organisation.

Testimony of Aliaksandr Bialiatki, President of the Center for Human Rights (Viasna, Belarus) and Vice President of FIDH

"In 2010, in preparation for the December presidential elections, we had great fears that the authoritarian regime of Lukashenko would multiply the violations of human rights. We received the active support of FIDH with the aim of getting the international community to pay close attention to the respect for human rights in Belarus before, during and after the elections. This support is essential to our work, the election observation we conducted being a particularly risky activity, and the threats against us possibly occurring well after the election. Inquiry on the part of the EU has not prevented the serious violations of human rights perpetrated by the government during the presidential elections, however European countries have widely condemned and punished their perpetrators, and the increased support FIDH will bring us in 2011 is key to the sustainability of our activities."

> North Africa and Middle East

Strategies and Objectives

In pursuing its objective of contributing to democratic transformation in the Arab world, and considering the persistence of policies of systematic repression, FIDH has set as its top priority to support human rights defenders in order to enable them to carry out their documentation of human rights violations and advocacy at national, regional and international levels.

In pursuing its activities to promote freedom of association and one of its corollaries, freedom of expression, FIDH also aims to help strengthen the dialogue between NGOs defending human rights and other important actors of civil society, those being specialized NGOs, trade unions and, to some extent, political parties and religious movements.

In addition, FIDH decided to work more in-depth on the reasons for social protest and its repression by investigating the particular violations of economic, social and cultural rights.

The improvement of national justice and the fight against impunity is a focal point in this region marred by serious conflicts and exacerbated political tensions, to prevent and punish the most serious crimes, to make truth triumph, and thus contribute to the establishment of a more just and sustainable peace.

Besides the pursuit of activities aimed at strengthening international mechanisms for protection, interaction with regional mechanisms has remained a key issue in 2010. The entry into force of the Arab Charter on Human Rights and the establishment of a committee of experts responsible for assessing its implementation by States parties was an important turning point in 2009. FIDH also continues to support the participation of its member and partner organisations in the sessions of the African Union and the African Commission on Human and Peoples' Rights (ACHPR) and encourage them to submit communications relating to serious violations of human rights perpetrated in their respective countries. Finally, FIDH is continuing its efforts to promote the contribution of civil society organisations to the EU policy for institutional reform in the Arab region and to develop a regular and in-depth dialogue between human rights NGOs and European institutions, particularly at the local level.

Context

Once again, the year 2010 set itself apart in many countries of the region through the pursuit of repression, driven by security bodies, opponents to authoritarian regimes and human rights defenders.

The crackdown has taken various forms, such as arbitrary arrests and prosecutions, travel bans, incitation in the form of pressure or threats to abandon activities in support of human rights, or the systematic obstacles to freedom of association. The attempted isolation of activists by strictly controlling all means of communication (telephone, internet...) was systematised through the development of methods of increasing sophistication, particularly in Egypt, Syria and Bahrain. (For example in Egypt, the mobile phone lines of some activists have been cut by operators and never restored during the time of the revolution).

This year, once again, the question of ensuring respect for human rights in the implementation of anti-terrorism policies and its implications on the administration of domestic justice, as for example, the use of special military courts to try civilians previously produced before the ordinary courts (in Syria, Bahrain, Egypt, Lebanon) marked this region. The excesses of judicial systems during state of emergency highlight blatantly weaknesses in judicial independence and lack of training of judges and lawyers in the region in the fundamental principles of human rights and fundamental freedoms.

The Israeli-Palestinian conflict has largely continued to dominate regional news in 2010, especially with respect to the inter-Palestinian tensions arising from disagreements between Hamas and Fatah and the siege of Gaza that keeps the population of Gaza under the yoke of leaders democratically elected by it on one side, and that of the *de facto* occupation carried out by Israel on the other. Furthermore, the implementation of the recommendations of the UN Commission of Inquiry ("the Goldstone Report") regarding serious human rights violations committed during Operation Cast Lead in January 2009 in the Gaza Strip, remained a dead letter. The fight against impunity for the perpetrators remains a battle to be fought in the coming months.

Moreover, large segments of the population continued to face significant economic difficulties creating major tensions and emergencies. Movements of social protest more or less organised had tried over the past two years to be heard by their government. These claims when they took the form of demonstrations have been largely repressed in 2010 (Algeria, Western Sahara, Tunisia, Egypt...) but reached a point of no return in Tunisia on December 17, when Mohamed Bouazizi, a mobile vendor of fruit and vegetables, set himself on fire after being humiliated and beaten by a police female officer. This sacrificial spark marked the beginning of an unprecedented popular uprising called the Jasmine Revolution that in January 2011 will lead to the fall of President Ben Ali, before inspiring the





*Aytham al-Maleh, Prominent Human Rights defender.
On the 4th of July 2010, in a flagrant violation of his right
to a fair trial, he was sentenced to three years imprisonment.*

Egyptian people who, too, had been choked under the yoke of an autocratic regime for three decades.

After several decades of apparent stability, the popular uprisings of early 2011, certainly unpredictable, but probably inevitable given the accelerating spiral of oppression-protest-repression-violence during the previous two years, have transformed the regional landscape. These movements, most of which have their roots in economic and social demands, have developed into broader popular movements seeking freedom. After seeing the downfall of President Ben Ali in Tunisia and Mubarak in Egypt, the pro-democracy wave has spread throughout the Arab world, particularly affecting certain countries, plunging the population into the chaos of bloody repression.

With Egypt and Tunisia, where the optimism still reigns over visions of democratic transition, and Libya, Syria or Yemen where the fear of state's collapse and violence largely dominate, the region must face changes and numerous and unprecedented challenges just as the regimes in place confront movements of popular protest whose objective is to make them fall and to obtain the establishment of fundamental democratic reforms.

Actions and challenges

A work of documentation and advocacy:

To clarify the situation of human rights in the region and call on States to respect their international commitments, international fact-finding and judicial observation missions were conducted in Algeria, Western Sahara and Syria. High-level advocacy missions have also been carried out by FIDH President, including in Israel and the Occupied Palestinian Territories.

To contribute to capacity building of FIDH member and partner organisations seminars and workshops have been organised or supported, especially for Yemeni, Tunisian and Moroccan human rights defenders on subjects such as judicial reform or the protection of human rights in the fight against terrorism.

Finally, many interfacing activities have been organised between the human rights defenders of the region and the regional and international inter-governmental bodies, be they UN bodies in Geneva and New York, European institutions in Brussels or the ACHPR. Awareness activities and advocacy have also been conducted successfully for the first time with respect to FIDH organisations in this region before the U.S. administration and Congress: This was the case for Yemeni organisations alongside international conferences on the fight against terrorism in Yemen.

The lack of cooperation from authorities:

In the context of the growing repression against movements of social protest during the year 2010 and indeed since the beginning of 2011, FIDH has faced several challenges related to non cooperation, without necessarily being expressed refusal, by several states in the region.

Thus, an international fact-finding mission which was to be conducted in Bahrain in October 2010, following the arrest, arbitrary detention and alleged torture against opponents, including several human rights defenders had to be postponed and ultimately canceled because visas were not issued to members of the mission and requests of political appointments were not answered.

Similarly, initially scheduled for September 2010, a training seminar on economic and social rights in Algeria for civil society organisations, lawyers and journalists from Algeria, had to be postponed until the first quarter 2011 after the hostile remarks geared toward FIDH in the Algerian press by the President of the National Consultative Commission for the Promotion and Protection of Human Rights (Advisory Commission). This media campaign was in response to the report of the mission on the situation of economic and social rights as well as the annual report on human rights defenders.

This situation calls for reflection on ways to strengthen the dialogue between the authorities and national and international NGOs as well as on alternative means of action/intervention by FIDH in countries where its presence is not desired.

Inefficient regional mechanisms:

In 2009, FIDH had welcomed the implementation of the Arab Committee for Human Rights, the treaty body responsible for ensuring compliance with the provisions contained in the Arab Charter on Human Rights.

This new mechanism, which concerns 395 million people, cannot be neglected by regional civil society organisations. Therefore, for the last four years, FIDH has opted to support the establishment and functioning of this committee and the FIDH delegation in Cairo is in regular contact with the various stakeholders (the Committee, the Human Rights Department and the Office of the Secretary General of the League of Arab States (LAS)).

Under the provisions of the Arab Charter on Human Rights, the Committee shall establish its own rules of procedure and in the absence of details, it seems difficult for members of the

Committee, the Human Rights Department and the Secretary General of LAS to find common ground on the modus operandi and terms of independence of the Arab Committee for Human Rights. The activities of the latter are thereby permanently affected and its relationship with the LAS Human Rights Department significantly degraded.

It is therefore extremely difficult time for civil society organisations, and FIDH in particular, to develop interaction between its member organisations and the Arab Committee for Human Rights since it is not fully operational. Only advocacy with the Office of the Secretary General has been carried out in 2010, including on the situation in Darfur and cooperation of the LAS with the ICC, and the situation in the Occupied Palestinian Territories.

Another challenge, advocacy before the Council of the Gulf Cooperation Council (GCC) has remained extremely difficult to conduct in 2010. The Council, through its mandate, has in fact very little sensitivity to human rights issues; called on by FIDH ahead of talks between the EU and the GCC, the council ignored FIDH's appointment requests.

Facing the region's new challenges:

Human rights and civil society organisations must now face two types of situations: situations of transition in Tunisia and Egypt and situations of uprisings, often violent, in several countries in the region. The political and general security remains extremely

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OUTPUTS

Missions

- Morocco: Follow up mission of the seminar on the reform of the judiciary (March).
- Morocco: International fact-finding mission in Western Sahara (December).
- Algeria: International fact-finding mission on situation of ESC rights in Algeria (February).
- Tunisia: International fact-finding mission for the appeal trial of Khaled Ben Said (May).
- Egypt: Follow up mission of the report on the practice of torture in the fight against terrorism (June).
- Israel / Palestine: High-level mission over one year after the military operation "Cast Lead" led by the Israeli army in Gaza in January 2009 (January).
- Bahrain: Judicial observation mission on the trial of 25 opponents accused of terrorist activities (November).

Reports

- Algeria: Mission Report "la mal vie: situation des droits ECOSOC en Algérie" (March); FR & ARA.
- Tunisia: Shadow Report submitted to the CEDAW Committee (October); FR & ENG.
- Egypt: Mission Report "Counter-Terrorism Against the background of an endless state of emergency" (March); ENG & ARA.
- Syria: Report "On the compliance of The Trial of Muhannad Al Hasani Before the Second Criminal Court in Damascus With international standards of fair trial" (June); ENG & ARA.

- Yemen: Report of fact-finding mission "In the name of national security - Human Rights Violations in Yemen" (January); ENG & ARA.

Press releases, open letters, urgent appeals of the observatory: 103

Seminars / Interfaces

- Morocco: Seminar on Reforms of the judiciary (January).
- Algeria: Interface with the Committee on ESCR (May); interface on the eve of the Association Council EU-Algeria (May 31 and June 1); interface with the African Commission on Human and Peoples' Rights (ACHPR) (May).
- Tunisia: Interface between FIDH and Special Rapporteur for the promotion of human rights and fundamental freedoms in the fight against terrorism (January); Interface in Brussels with the European Commission and the Council of the European Union (June); interface with the CEDAW Committee (October); Training Workshop for Tunisian lawyers involved in the fight against impunity (November).
- Egypt: A Briefing of UN official and diplomatic missions in Egypt prior to the UPR session (January); interface with assistants of Special Rapporteurs on torture, violence against women, independence of judges and lawyers and counter-Terrorism (January); Post-UPR Press Conference in Geneva (February); Presentation of conclusions and recommendations of the mission report to the European Union Delegation in Cairo (May).

- Israel / Palestine: Interface in The Hague before the International Criminal Court on the follow up of the analysis of the situation in Gaza (February); Involvement of FIDH, PCHR, and PCATI to the Review Conference of the Rome Statute in Kampala (June); Interface in Kampala with the UN SR on the situation of human rights defenders; Interface for reviewing the report of Israel by the Human Rights Committee (July 2010); Meeting with the UN Special procedures alongside the session of the Human Rights Committee (July).
- Bahrain: Interface in Brussels (September)
- Yemen: Interface New York / Washington with the State Department, the White House, Congress and the UN (August 30 to September 4); Interface with the European Commission and Council; Civil Society Parallel Conference in Yemen alongside the London Conference on the fight against terrorism (January); Strategic meeting in Sana'a on the implementation of recommendations of UN bodies (June); Training Seminar on the documentation of torture in Sana'a (November).

Judicaciary actions

- Joint Communication with CFDA before the African Commission on Human and Peoples' Rights on Enforced Disappearances in Algeria.
- Transmission of information to the Office of the Prosecutor at the International Criminal Court on the status of the Occupied Palestinian Territories.

precarious and unpredictable, which requires greater flexibility in the appropriate treatment of each situation.

In the context of transitional process initiated in Tunisia and Egypt since January 2011, the civil society in general, and independent organisations specifically promoting human rights, that brought the popular movement that overthrew the regime must now forge and accompany the transition. Human rights organisations are now moving in a radically different context and must be able to adapt very quickly. This adaptation requires a strengthening of their capacity from an organizational point of view as much as a strategic one. Human rights NGOs must be actors of transition and change, positioning themselves as a force for proposals that represent the various components of civil society, while pursuing and adapting their work of documentation and monitoring. FIDH will accompany its member organisations down that road in 2011.

With respect to the violent repression of demonstrations in Bahrain, Syria, Yemen and Libya, where the situation has degenerated into civil war, human rights defenders and opponents, often the source of and actors in these uprisings are the first victims targeted by the crackdown.

Here again, civil society organisations should be supported in their ability to monitor, document and report violations of human rights. The main aim of FIDH must be to strengthen the voice of its partners in countries where the demonstrators are facing the most severe punishment.

This goal should also involve local partners in countries where popular protest has not yet emerged in practice or is limited (in Algeria, Morocco, Lebanon, the Palestinian Territories, for example). Strengthening their role and, consequently, the capacity of stakeholders is a key element of the pressure that could be exerted on the authorities so that they will put an end to human rights violations and act in conformity with international human rights standards.

Results

- Recommendations of the Committee on Economic, Social and Cultural Rights on Algeria which incorporate the recommendations forwarded by FIDH, CFDA and LADDH. It was mentioned that the FIDH report was virtually the unique source of alternative information.
- Recommendations of the UN Committee on Human Rights on Israel, which largely incorporate those sent to the experts by FIDH and its organisations prior to the session of the committee.
- Submission of information and regular meetings between the Office of the Prosecutor of the ICC, FIDH and its Palestinian organisations contributing to the monitoring of its preliminary analysis on the situation in the Occupied Palestinian Territories
- Meeting in January 2011 between the Secretary of State Hillary Clinton and civil society organisations in Sana'a (Yemen), following interfaces conducted by FIDH in Washington between Yemeni HR defenders and the State Department and the U.S. Congress.
- Final recommendations made by several Member States (including France, USA) under the Universal Periodic Review of Egypt, which accurately reflect the concerns of FIDH.
- Decision on admissibility of the joint communication of FIDH-CFDA against Algeria on Enforced Disappearance adopted by the African Commission on Human and Peoples' Rights.



Egypt 2011. © fidh

FOCUS

Algeria: investigation into the situation of economic, social and cultural rights and the repression of social protest

As the government report of Algeria on the status of economic, social and cultural rights had to be reviewed (ESC) by the treaty body of the International Covenant on Economic, Social and Cultural Rights in May 2010, FIDH conducted a fact-finding mission in February 2010, in coordination with the Collective of Families of the Disappeared in Algeria and the Algerian League for the Defense of Human Rights in order to submit a report to the UN committee.

The fact-finding mission, conducted by lawyers and journalists, aimed to gather information through interviews with NGOs, trade unions, institutions, researchers on the main obstacles to the realisation of ESCR and major violations.

In the report, submitted to the UN Committee in April and distributed widely to the African Union and League of Arab States organs, FIDH and its member organisations address to the Algerian authorities a large number of recommendations, including with respect to housing rights, the right to work, gender equality in access to economic and social rights, the right to health, right to social security, right to education or access to economic and social rights by the families of victims of enforced disappearances.

As an extension of this activity, in early 2011, FIDH and its member organisations in Algeria organised a training and exchange workshop in order to strengthen the mobilisation of civil society organisations around the Algerian question of the realisation of ESC rights and in order to allow monitoring at the national level of the committee's recommendations at a time when social protests in the country intensify and when similar movements have resulted in the fall of authoritarian regimes in some neighboring countries.

A joint statement by the participating organisations was issued after the seminar, stressing the need to treat and protect economic, social and cultural rights in the same way as civil and political rights and the need for civil society in Algeria to be better organised to raise awareness and mobilise the population on the promotion of ESCR.

The organisations present at the seminar expressed the wish to establish a listserv that would be hosted by member organisations of FIDH and publish a booklet on ESCR. Several organisations also called for more training on this subject and strategy-building that would allow them to use existing technical instruments.

Tunisia, the fall of Ben Ali

The pattern of systematic repression of any form of opposition has once again been confirmed in 2010 in Tunisia. This was particularly apparent at the time of presidential and legislative elections at the end of October 2009 that resulted in journalists and human rights defenders becoming victims (of prosecutions, in the form) of arbitrary judicial proceedings and virulent smear campaigns. There has been no surprise to the reelection of incumbent president since 1987 and an overwhelming majority of representatives of the ruling Democratic Constitutional Rally, after the legislative elections. The multiparty system remains a facade. The denial of fundamental freedoms by the Tunisian authorities, however, did not dampen the ambitions of the latter to obtain advanced status before their European partner.

FIDH and its partners were particularly active during the preparation for the adoption of the amendment to Article 61a of the Tunisian Criminal Code, finally published in the Official Journal on 1 July 2010. The new provisions arising from this amendment are, in effect, a new threat to obstruct the activities related to the promotion and protection of human rights carried out by the human rights defenders in Tunisia. This amendment is likely to allow the prosecution and imprisonment of human rights defenders cooperating with foreign organisations and multilateral organisations, including the European Union (EU) and the UN. In addition, more generally, witnesses or victims of serious violations of human rights could also be affected by this new offense in the event that they communicate with "foreign entities".

FIDH's support to its member and partner organisations has been varied to cover all violations (women's rights, justice, freedoms of expression, association and demonstration, fight against torture...) and provide the

means for member organisations to monitor human rights (material assistance, training young lawyers to the rules of a fair trial...).

In a country where persistent obstacles to the independence of the judiciary are also manifested by the almost systematic lack of recognition of the use of torture and the rights of victims as well as the impunity largely granted to perpetrators of such acts, and in light of recent legislative development, FIDH in collaboration with one of its member organisations, the National Council for Liberties in Tunisia, found it necessary to highlight in a briefing note the miscarriages of justice that have greatly dented the confidence of the litigant. A report entitled "Instrumentalisation de la justice en Tunisie : ingérence, violations, impunité" harbinger of a society on the brink of explosion, was published in January 2011, at the beginning of the Jasmine Revolution and just days before the fall of the regime of President Ben Ali. At the justice stage, the conviction of Ben Said, former vice-consul of Tunisia in France to 12 years imprisonment for having given instructions to commit crimes of torture, also contributes to this denunciation of the prevailing impunity in this country.

Early in the Tunisian popular uprising following the self-immolation of Mohammed Bouazizi on December 17, 2010, FIDH has mobilised significantly in terms of warning activities and advocacy. Many press releases were issued in the days that followed the events of Sidi Bouzid, relayed by the President and Secretary General of FIDH, both Tunisian, thus raising a special interest of media. The first "hot topic" was created on the website, soon to be relayed on the organisation's Facebook page and Twitter, thus increasing the visibility of FIDH on social networks.

As an illustration, during the first three months of the Tunisian revolution, the visits on FIDH's website by Tunisian Internet users increased 487%, thanks partly to the lifting of censorship and liberalisation of Tunisian Internet and, secondly, to the fact that Tunisians in search of quality targeted information have easy access to the French page of the FIDH website.

Internal challenge 1

Strengthen interaction and proximity with member and partner organisations

Objective 1

Support the means for enhanced interaction between FIDH and its members

Strengthening the strategic reflection between the member organisations, the International Board and the International Secretariat

The FIDH +10 reflection process which began in 2008 (see box) allowed for several developments in 2010:

– on the interaction between the member organisations and their FIDH on strategy

Inter-member organisation strategic meetings were organised. FIDH's Congress provided a unique opportunity in this regard, however, occasions for this type of exchange increased, notably for example during sessions of the African Commission on Human and Peoples' Rights where several member organisations were present. A meeting with the totality of FIDH's member organisations in Asia was organised in Bangkok in January 2011 to exchange on the needs and expectations of member organisations in the region on three issues (women's rights, justice and economic and social rights)

– on the interaction within the International Board (IB) on the FIDH strategy

The format of IB meetings was revised to allow for an in depth review on a region or theme during each strategic meeting.

– on the interaction between member organisations, the IB and the International Secretariat (IS)

"Integrated" operations were strengthened with regard to communication, awareness raising before intergovernmental organisations and the organisation of missions (method regarding the preparation and follow up); the participative adaptation of management tools (including: the geographic desks of the Secretariat's communication tools were devel-

oped with the member organisations, the platform for the exchange of documents was opened up to the IB members but the conditions in the field often make its use difficult).

– on the interaction between the member organisations and the IS

The organisation of the secretariat evolved in order to strengthen the strategic interaction with FIDH's member organisations: strengthening of the executive management into a general executive management, creating of a group of managers to complement the piloting committee in feeding strategical reflections; operational reflection of the IS on the interaction with the member organisations.

Governance bodies

The FIDH Congress 2010 was held for the first time in the zone of Eastern Europe Central Asia in Armenia, from April 6th to 10th 2010. It brought together 125 member organisations of FIDH. The Congress adopted the report of the president, treasurer and their teams, voted 11 ordinary resolutions including one on justice in connection with the Forum held in expectation of the internal Congress, 14 emergency resolutions and two special motions on the "Joint declaration of the member organisations of FIDH in Armenia and Turkey", the serious ongoing violations in Burma, Cuba, Syria, Vietnam, Iran, Somalia, Sudan, Libya, Kyrgyzstan, in the occupied Palestinian territories, DRC, the situation of risk facing human rights defenders throughout the world, unconstitutional changes of government and violations of democratic principles in Africa, and xenophobia and discrimination in Europe.

Congress has admitted 15 new members to FIDH: African Center for Justice and Peace Studies (Sudan), Observatorio Ciudadano (Chile), Center for Justice and Accountability (USA), Centro de Investigacion y Promocion de los Derechos

Humanos (Honduras), Armanshahr / OPEN ASIA (Afghanistan), Altsean Burma (Myanmar), Committee on Prisoner's Rights (Japan), International Campaign for Tibet (Tibet), Free Legal Advice Centres Limited (Ireland), Legal Clinic "Adilet" (Kyrgyzstan), Social Found Kylym Chamy (Kyrgyzstan), Citizens Against Corruption (Kyrgyzstan), The Anti-Discrimination Centre "Memorial" (Russia), Collective of Families of the Disappeared in Algeria (Algeria), and Cairo Institute for Human Rights Studies (Egypt). Six leagues were delisted or excluded. FIDH now comprises 164 national human rights associations. The Congress elected a new International Board (see IB chart) that reflects the diversity of the movement of the FIDH with 19 nationalities represented, the vast majority being countries from the South. Nine members of the International Bureau, out of a total of 22 members are women (41%).

It debated and approved strategic mobilisations linked to the FIDH +10 process.

In 2010, three meetings of the International Board were held in Yerevan and in Paris at the headquarters of the FIDH. In application of the FIDH+10 process, it was decided to strengthen the strategic component of these meetings. Also, in addition to a full day devoted to meetings of the geographic teams, it was decided, first, to establish four working groups on issues critical to the development of FIDH (FIDH + 10, the articles of the FIDH, communication and funding FIDH) and, secondly, to organise a strategic meeting at each session on a theme and region with the aim of exchanging good and bad practices, strengthening the interaction between different regions of the world and to be able to meet the many challenges faced by defenders and FIDH.

The FIDH + 10 process

The Congress has debated the first line of thinking on the "FIDH in 10 years" initiated in 2008 by the International Board, on the link between the FIDH and its leagues (mapping out).

A time of reflection was needed after the FIDH experienced a period of rapid expansion, of diversification of its means of action, and while the national and international situations evolve as do the weight and role of regional and international bodies. The goals: to consolidate gains and identify areas of development: FIDH, which movement in 10 years? In what context will the FIDH evolve? What strategies to achieve its objectives?

The first step in this process was the completion in 2009 of an analytic mapping of the expectations of FIDH's member organisations whose goal was to obtain a detailed description of national organisations (structure, budget, method of operation, priorities for action, etc.), ask them about their links with FIDH and their desire for changes in the organisation (111 or 80% of members organisations were involved in this first phase). This step was followed by interviews conducted by an external consultant with, on one hand, members of the IB and, on the other, members of the International Secretariat.

The results were presented and debated in the Congress during which it was decided to continue the process of reflection with the aim of strengthening the identity, visibility and impact of

the FIDH, an equation based on a strengthening of articulation of the three pillars that make up the FIDH, namely: the member organisations, the IB and the International Secretariat.

Based on this, the first International Board following the congress (held in July 2010) decided to set up its working group within the FIDH + 10. Three interconnected axes will govern the group's activities, covering issues related to the history of the FIDH, its governance, and the new environment and new actors which FIDH faces. As regards the preliminary exchanges on governance, the group has deepened the discussions on the challenges of effectiveness and of prioritising, in light of a volume of needs and of requests. The group's methodology is participatory. The results of this work will be presented at the next triennial Congress of the FIDH in 2013.

The FIDH+10 process has, as of today, already produced its first results, and justified the adjustments of the internal organisation, with a view to strengthening the interaction between member organisations, the IB and the IS.

Objective 2

Support grass roots organisations in situations at risk

Human rights defenders collect crucial information on violations of human rights directly from the field, but are not always in a position to store or communicate the collected information easily and securely. Grassroots organisations may lack the proper and secure equipment, and dedicated resources. In an attempt to meet this dual challenge, and to promote freedom of movement and expression of human rights defenders, FIDH has developed a set of tools.

Regarding the aspect of securing exchanges, and considering the uncertainty associated with the use of certain messengers (Yahoo, Hotmail, etc.), FIDH, in 2010, provided 31 member organisations and human rights defenders with access to the secure messaging platform it had created in 2009 (based on open source software). The platform now has an interface available in several languages (20 languages including Arabic and Russian). The accounts are open and aim to reach 45% of our member organisations and partners in Africa, 35% in the Arab world, 10% in Asia and 10% in Eastern Europe, Central Asia and Latin America. According to recent assessments, 51% of accounts are active. Training for the beneficiaries of this platform must be continued.

Meanwhile, confronted with increasingly sophisticated methods used by States to restrict access to the Internet, FIDH surrounded itself with specialist partners (Sesawe and Internews) to choose a limited number of carefully selected member organisations in hopes of providing them with the means to circumvent Internet censorship. For example, FIDH in partnership with the Euro-Mediterranean Network of Human Rights has

■ ■ ■

organised a training session on digital security in Madrid in April 2010 for human rights activists in Tunisia.

Moreover, FIDH has been able to respond to specific requests of its member organisations and partners regarding the digitisation of documents (Human Rights Commission of Pakistan) and securing the offices of local NGOs as in Afghanistan and Kyrgyzstan.

These requests were met in 2010 with the provision of equipment. Mainly, computers were provided to member organisations or FIDH partners in Afghanistan, Tunisia, Colombia, Guinea, Pakistan, Russia, Israel, Algeria, Syria as well as ad hoc support for a broadband Internet connection (as in the DRC, Afghanistan and Uzbekistan). In addition, Linux / Ubuntu USB key components of the security device have been the subject of trainings and regular optimisations. This type of sophisticated and innovative tool impacts an informed public and requires a significant degree of ownership for certain audiences.

To this end, FIDH has developed a training program (70 people trained for 14 months from 34 countries mentioned) and established teaching tools (including a guide to the basics of computer security published in May 2011 in 4 languages).

These developments have enabled FIDH, as far as possible, to support its members and partners during the revolutions in the Arab world in early 2011 and immediately thereafter. For example, in February 2011, FIDH created the website for the ATFD, a Tunisian organisation, and put the organisation in touch with young bloggers who were able to monitor locally. Well throughout 2010 and until mid 2011, FIDH supported the Damascus Center for Human Rights Studies so that their site could be restructured to better relay information from national and international NGOs on the human rights situation in Syria.

Objective 3

Expand the presence of the international secretariat in regions

The office of FIDH before the ASEAN in Bangkok (Thailand) was opened in February 2010 after those opened in Cairo in 2007 and Nairobi in 2008. These offices are intended to strengthen ties with member organisations and regional partners, develop FIDH advocacy strategies before targeted regional bodies (the Intergovernmental Commission on Human Rights in ASEAN, the African Union and African Commission on Human and Peoples' Rights and the League of Arab States), and continue to strengthen contacts with the media in the concerned regions.

An initial assessment has been done on the activities of the offices in Cairo and Nairobi, which confirms the potential and usefulness of such offices to the FIDH and its member organisa-

tions. A number of actions are still limited as a result of the lack of willingness of some IGOs to interact with civil society.

Objective 4

A new seat adapted to the FIDH: "House for Human Rights Defenders"

In 2010, FIDH continued to host many human rights defenders at its headquarters to support their advocacy with the French authorities and international organisations. Twenty-six press conferences around local players were held at the headquarters of FIDH, but also in its various delegations, in order to best convey the voice of its members and partners to its influential contacts.

FIDH also continues to temporarily host defenders harassed in France. The latter may well continue to operate from the headquarters of the FIDH, benefit from training in terms of securing data, become familiar with new technologies that will then benefit the local players at home, and obtain, if necessary, psychological support. In 2010, this support has benefited our Russian and Uzbek partners.

With respect to the project for a "House for human rights defenders", the City of Paris is a key partner. It has also proposed that meetings of the International Bureau be held at its premises built in March 2011. Discussions have taken place on the draft project and the issue should be revisited in greater detail. In the meantime, the extension of the Headquarters premises since 2009 has greatly improved the conditions in which FIDH receives visitors and in which leagues and visitors work.

Internal challenge 2

Expand the professionalisation of FIDH

Objective 1

Strengthening the International Secretariat (IS)

Consolidation of the IS

FIDH has continued its efforts to strengthen the International Secretariat, in application of the 2009-2011 triennial plan. Two posts, one in the global office and the other in the office covering the geographic area of Eastern Europe and Central Asia have been consolidated into permanent contracts. FIDH was also able to recruit a permanent representative to ASEAN, based in Bangkok and a computer technician for a specified period.

In its recruitment policy, FIDH has worked to continue the internationalisation of the International Secretariat to benefit from diverse experiences. The number of nationalities represented in the secretariat staff rose to 13 out of a total of 46 employees at December 31, 2010. This increase has also reinforced the linguistic diversity among staff.

FIDH has a policy of equality and non-discrimination in hiring and treatment of its employees. Women outnumber men in the International Secretariat of FIDH, including the team's steering committee, which includes all directors. The secretariat has prepared a gender charter to be adopted by the International Bureau in 2011.

FIDH has for several years, been able to strengthen its resources and developed a sustainable wage policy. Thus, an overwhelming majority of employees receive contracts of indefinite duration. This constitutes a guarantee of professionalism and sustainability.

In 2010, the managing structure of the Secretariat was further strengthened with the appointment of a deputy director of operations and the creation of an Executive Branch with a Chief Executive Officer and Executive Director. In addition, a group of managers was created, to complement the piloting committee, which is composed of directors, strengthens and feeds the strategic reflections.

The management of human resources is coordinated by the Executive branch and the head of Human resources. Regular meetings are held between the 4 staff representatives and an annual workshop is held on working conditions.

The International Secretariat is facing an important period in its development both in terms of adapting its organisation and as a result of increasing constraints it experiences (business volume, financial constraints compounded by the crisis). End of 2010, a working group of the IB, including members of the staff and management, was created to make a progress report on the management of human resources and develop opportunities. The participatory adaptation of management tools was pursued.

Programming, reporting and evaluation

In recent years, FIDH has developed a unique tool for planning and reporting activities. The training process is ongoing and, as expected, a more specific follow-up was made with the Departments of IGOs and Communication.

Programmes of Actions are set by area and theme, and are regularly evaluated and adjusted based on daily contact with the member organisations on the ground, and members of the International Bureau. Moments of exchange between the three strategic pillars of the FIDH (IS, IB and members) are also unique opportunities to synthesise the various field experience of the members and the expertise of the International Secretariat. By being in constant interaction with local civil society, FIDH can quickly identify local barriers to planned actions and take steps to adapt activities.

Assessment meetings are held after main actions are completed, taking into account feedback from beneficiaries. Between 2010 and 2011, five FIDH programs were evaluated by external consultants mobilising all teams. These assessments help FIDH to analyse the effectiveness of actions and evaluate their relevance to the objectives of its Strategic Plan.

Yet, the dilemma between the multitude of needs and requests on the one side, and the requirement of prioritisation on the other, remains pregnant. As much as an imperative for strategic

effectiveness, prioritisation is an imperative for the management of human resources. An important effort remains to be pursued, as the challenge of prioritising concerns of all IS, IB and member organisations.

Risk management

FIDH applies a principle of “maximum security” ensuring confidentiality of its sources and not carrying out activities that would expose members of the International Secretariat, defenders or organisations to increased risk. All planned activities are implemented with member organisations and partners, who themselves are best placed to assess risks associated with each activity. FIDH draws on its experience to tailor strategies to specific situations in which its members and partners work. FIDH works to establish secure communication techniques, which contributes significantly to reducing these risks. In 2010-2011 a training module on the security of missions was established and allowed for the development of guidelines which are now in the “mission kit”.

Training and strategies

A program of strategic meetings was strengthened and systematised. The main subjects addressed concerned fundraising and developing a “mission kit” (including in particular a *Vademecum* for the preparation of missions, model terms of reference, and a handbook on collecting evidence from victims).

Information sharing within the International Secretariat is also encouraged through an Intranet, to which all staff have permanent access.

FIDH has continued its commitment to training. In 2010, 28 people were trained through a variety of modules (language, methodology for project development, psychological support to victims and advocates, office tools, web tools, and data security).

Similarly, FIDH continues to be a source of training through its hosting of 46 interns on six sites of FIDH (18 nationalities are represented).

Objective 2

Addressing the need for professionalism when internal expertise is insufficient

In addition to the project officers, volunteer experts from all continents participate in all field missions of FIDH. In 2010, FIDH solicited the assistance of outside professionals in certain aspects of these activities.

In face of the needs of member organisations and the International Secretariat for new technologies, FIDH has relied on several providers in the field of data security, the Intranet, the Web and social networks.

FIDH has also increased its use of *pro bono* law firms within its Legal Action Group (LAG) to meet the technical challenges it faces.

FIDH also solicited an agency to collect donations and to develop fundraising projects.

Finally in order to support its development, FIDH decided to adopt a new management system (GIS) to process all the analytical and budgetary accounting as well as the reporting to donors. To do this and assist its task, the organisation uses the services of an external accountant.

Internal challenge 3

Build the capacity to mobilise the public and develop the protective impact and influence of FIDH

Objective 1

Strengthening FIDH Communication Strategy

Initiated in 2009, FIDH developed a communication strategy, based on a consultation with its member organisations (mapping-out), with the support of a communication agency. It aimed at strengthening FIDH's public mobilisation capacities. It resulted in the elaboration of a communication scheme. It identifies the strategy and the directions to serve and reinforce FIDH's mark. The first phase of implementation of this scheme included the following:

- branding FIDH's name:
The progressive withdrawal of the use of the full name *Fédération internationale des ligues des droits de l'Homme* and its replacement with its sole acronym FIDH, should enable a greater recognition, uniformness in the languages used, and facilitate its international use.
- the signature:
A study initiated in 2010, which should be released in 2011, should launch a campaign for FIDH's 90th anniversary, and help identify a signature, a "claim", a sign of recognition, which could be used in all languages used by FIDH.
- a logo endorsed by member organisations:
A logo has been developed in 14 languages and proposed to members early 2011. It should enable organisations to display their membership to FIDH throughout their communication tools. About 10 member organisations have integrated the logo on their websites or other communication tools.
- interaction with the members:
The establishment of a task force on communication within the IB has enabled to take stock off, identify good practices,

mobilise and sensitise members of the IB and their leagues in their role of animation, of handing over and echoing, and of multiplication. In 2011, a last of targeted activities will be organised with members to strengthen FIDH visibility.

Objective 2

Strengthening communication with the media

Regularly soliciting media through press releases (459 press releases in 2010, against 389 in 2009) or through direct contact with journalists on specific topics, FIDH has played a role again this year as a news agency specialised in human rights. Considered a source that can provide expertise on current topics, FIDH has been approached by about 300 journalists (mostly French but also English, Hispanic and Arabic) with requests for information or interviews.

The year 2010 was a year of transition, matching press strategy with the expressed commitment of FIDH Congress to increase the visibility of FIDH as a symbol of protection. While retaining its role as news agency, the FIDH must be better equipped to "make the news", and expand its network, its presence in partnership with its members. Also to respond to its challenges, the FIDH has refined its goals in media communication and created new tools (updating the journalist database, images database)

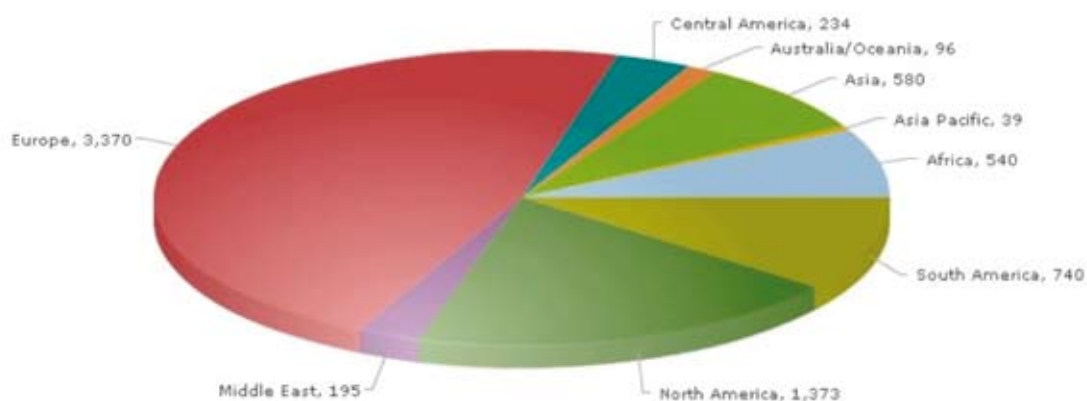
In addition, increasing the visibility of FIDH, in France and internationally, requires a more proactive form of communication involving the development of interaction: with FIDH member and partners organisations (domino effect), and with

IB members; it requires better prioritisation: better targeting of operations and media, and development of partnerships; it requires ensuring the quality of information disseminated and,

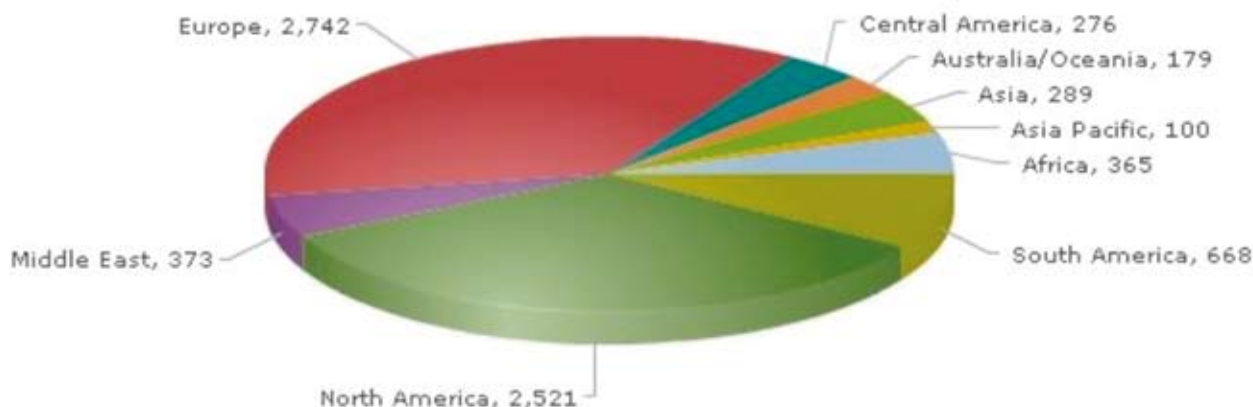
finally, it requires the development of other communication channels, notably through social networks and the development and rationalisation of audiovisual production.

Analysis of press coverage on the internet

Internet press coverage by region, 2010 – Meltwater Statistics



Internet press coverage by region, 2009 – Meltwater Statistics



In 2009, the amount of coverage on sites hosted in North America¹ received (2521) was almost equal to the amount on the European sites (2742). This trend changed in 2010, where the instances of press coverage on sites hosted in Europe is rising (3370) while there is decline on sites in North America (1373). The increase in Europe can be partly explained by the Congress in Armenia, which generated a lot of press in the region in English, French, Russian and Armenian. But it was mainly due to the growing status of the FIDH in the French and francophone press, where it has its headquarters.

Press coverage in Latin America increased in 2010 (from 668 articles in 2009 to 740 in 2010), confirming a trend observed

for the previous four years: FIDH is guaranteed coverage of nearly all of its information in Spanish on the Latin American continent (as well as for information on other regions) through the news agencies EFE and AFP Spanish.

The elements of press coverage in Asia are also experiencing true growth (from 580 in 2010 compared to 289 in 2009). This correlates with the opening and consolidation of the FIDH office in Bangkok, the dynamic coverage of the election of a secretary-general for Asia on the region's networks and news sites and, finally, the visibility provided by Thailand's refusal to host a press conference on the situation of Vietnam in Bangkok (see review of main activities).

1. Note that coverage on sites housed in North America does not refer to sites that are necessarily American or Canadian, but that are, at least, majority Anglophone

Focus

The 37th Congress of the FIDH

The media objective set at the 37th Congress was to increase the visibility of the FIDH in Armenia and the region of Eastern Europe-Central Asia, working in tandem with the member organisations in the area and by increasing partnerships with some key regional media.

The local media coverage of this event was unprecedented, with hundreds of articles in the Armenian press. Journalists attended in large numbers to two press conferences and events organised for the occasion (opening ceremony with the authorities present, a prison visit by Nobel Peace Laureate Shirin Ebadi's, visit to the genocide memorial). The partnership with Radio Free and the Caucasian Knot has allowed for a broadcast in all countries in the region and to disseminate the interviews with participants daily.

Publication of the investigation report on Guinea-Conakry

The release of the investigation report on Guinea-Conakry had a very important media impact. Indeed, the release date of the report reflected a specific deadline - the day commemorating one year after the massacre at the stadium in Conakry. Articles were obtained in foreign media widely available in Africa (France 24, TV5, RFI, Jeune Afrique, AITV, BBC Africa) in the Senegalese press (including the Sun), Mauritania and Congo, and in major newspapers (Le Monde, Libération) and French radio stations (including France Culture).

Objective 3

Develop audiovisual

FIDH has set the following objectives: take advantage of FIDH image database, broadcast on the Internet urgent appeals or video testimonials from defenders at risk, produce and disseminate such reports on the web.

Two films have been made this year, a 10-minute documentary on the judge Garçon following a solidarity mission mandated by the Observatory as a result of the harassment he is subjected by the Spanish justice for his fight against impunity for crimes of *franquismo* and a 45-minute documentary on the disappeared in Chile. This documentary was used at a trial in France against senior officials of the dictatorship in Chile in December and screened at a Court hearing. Images of these films were transferred to TV5, TF1, Arte and France 3. They were posted on Daily Motion, the site of FIDH and Mediapart. The number of views on the Internet is still limited and FIDH has to develop its distribution strategy. Two missions in Turkey and Nicaragua were followed by cameramen / reporters, the images were later used in the publication of reports in 2011.

In the framework of the Observatory, the testimony of a Turkish human rights defender was broadcasted under a call for solidarity leading up to her trial in Istanbul.

The experiences gained in 2010 will enable FIDH to refine its strategy and methods to increase in 2011 the effectiveness of the production and use of images. In this respect, mid-2011, twelve urgent appeals and short audio-video defenders were made by the FIDH team. A film was designed and produced based on images obtained during the FIDH mission to Belarus in February 2011, of which the instances of press coverage on websites, news sites, blogs and social networks and others is particularly high.

Objective 4

Increase communication and visibility of FIDH to the general public, through its publications and the Web

FIDH publications continue to gain clarity and attractiveness. This year, the publication of several guides (Dossier of Claims on women's rights in Africa, the Guide on Corporate Responsibility and the African Court) has raised awareness of a wide and diverse public.

Despite the redesign of the official site www.fidh.org finalised in 2010, the year's statistics are paradoxical and call for increased efforts on the editorial and multilingual front but also on the strategy for dissemination of information via the social networks website. It is important to note good performance in terms of navigation (better ergonomics, clear introductory texts, better articulation of topics, more regular translations...). In addition, in 2010 a site was created as part of the Observatory, which includes information on the action and the mandate of the intergovernmental bodies for the protection of defenders. The year 2010 has been the subject of automation publications, from www.fidh.org to Facebook, which allowed FIDH to become visible on this essential tool. Facebook's statistics show a significant increase in hits and the exchange of information by users on the platform. In line with the catalytic effect of Facebook with respect to the revolutions in the Arab world, FIDH must continue its efforts in leaving its mark on Facebook.

In 2010, the decision was made to stop FIDH blog as it was too rarely visited, in the effort to focus on animation and highlighting the website's content.

To meet these challenges, FIDH requested an audit in early 2011. Improving, at first, its publications process and usability of its website www.fidh.org and optimising its presence on social networks (Facebook and Twitter), FIDH will continue all the good practices already in motion and, more importantly, secondly, will open the possibility to become fully "media". This will require some technological investment in technology (publishing platform / CMS, Facebook application development, project management platform and knowledge management) and human investment (training for these tools), but will allow FIDH to consolidate its role of amplifying the work of its members through the daily work of its offices.

Internal challenge 4

Consolidate and increase the sustainability of financial resources

Objective

Secure the activities and the development of FIDH

The resources of FIDH rose 9% in 2010. These come from 25 donors and major donors, 65% public and 35% private. The top ten contribute up to 71% of the total resources of FIDH.

The financial crisis has affected several financial partners of FIDH, both public and private, forcing FIDH to revise its development goals in order to stabilise the current situation.

The funding strategy was adjusted around the following points:

- Strengthening existing partnerships
- Developing multi-annual funding for structural and operational support
- Exploring bilateral funding agreements with certain members
- Developing strategic prospects targeting major donors.

FIDH is also developing new tools, including the development in 2010 of an institutional brochure, and the improvement of a donor database.

In addition, a task force on funding was established within the IB, whose mandate is to strengthen the further diversification of donors and identification of new sources of support; to reflect on the system of contributions of FIDH members organisations.

Within the International Secretariat, the management is directly involved in fundraising with the support of a fundraising manager. Geographical and thematic teams are fully dedicated to reporting to funders on activities implemented and to identify potential supporters. In 2010, over 30 financial and narrative reports were submitted and more than 30 grant applications adapted to the formalities of the various donors.

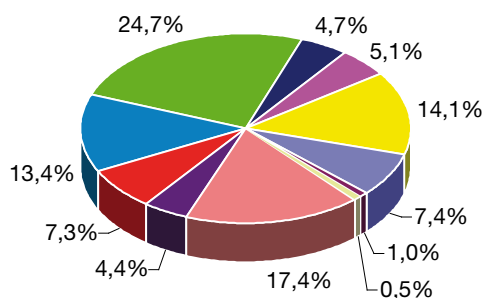
Procedures for financial monitoring of FIDH budget are carried with the support of the Treasurer, and report to the governing bodies of the Federation. Two intermediary financial situations take place on May 31st and September 30th each year, and a final financial position on December 31st. Throughout the year, an external auditor is also involved with the administrative and financial department of FIDH to audit various financial reports on specific programs and to carry out its annual audit of the financial statements.

The involvement of the various concerned FIDH bodies ensures transparent and responsible financial leadership, in conformity with adopted strategic guidelines.

FIDH is thus ready to reach a new phase in its development and become a “global movement for local change”. This new phase will nevertheless require the consolidation of its present financial situation.

Financial report 2010

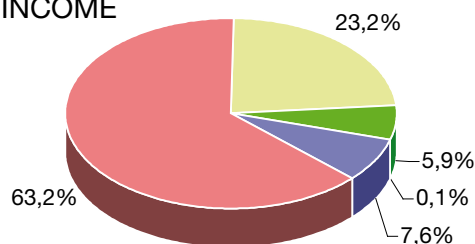
EXPENSES



	In euro	
7,4%	To protect human rights defenders	380 418
1,0%	To promote respect for women's rights	49 503
0,5%	To promote the rights of migrants, displaced persons & refugees	27 996
17,4%	To promote the rule of law & fights against impunity	898 635
4,4%	To strengthen respect for human rights in the context of economic globalisation	226 069
7,3%	To strengthen international & regional instruments & mechanisms of protection	374 900
13,4%	To support respect for human rights & the rule of law in times of conflict, emergency or political transition	692 810
24,7%	To reinforce the mobilisation capacity: FIDH network	1 273 702
4,7%	To reinforce the mobilisation capacity: External outreach	241 800
5,1%	Logistic costs for actions	261 006
14,1%	Communication, fundraising and administrative costs	725 813

Total Expenses: 5 152 652

INCOME

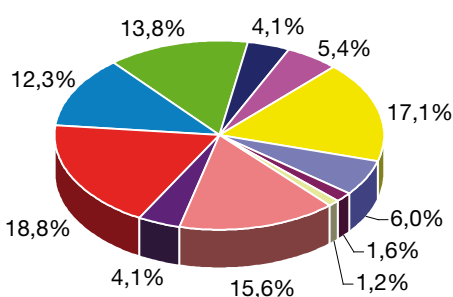


	In euro	
7,6%	Membership fees and contributions	383 154
63,2%	Earmarked grants	3 177 607
23,2%	Non-earmarked grants	1 167 155
5,9%	Reversal of provisions & other income	295 439
0,1%	Financial & extraordinary income	4 098

Total Income: 5 027 453

FINANCIAL REPORT 2009

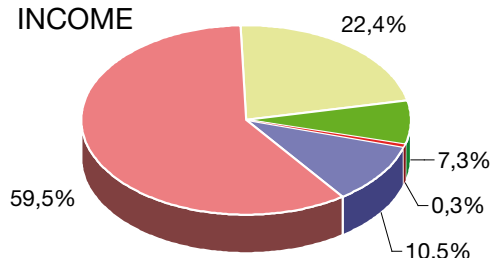
EXPENSES



	In euro	
6,0%	To protect human rights defenders	274 720
1,6%	To promote respect for women's rights	72 846
1,2%	To promote the rights of migrants, displaced persons & refugees	52 579
15,6%	To promote the rule of law & fights against impunity	711 803
4,1%	To strengthen respect for human rights in the context of economic globalisation	185 461
18,8%	To strengthen international & regional instruments & mechanisms of protection	853 335
12,3%	To support respect for human rights & the rule of law in times of conflict, emergency or political transition	557 757
13,8%	To reinforce the mobilisation capacity: FIDH network	627 570
4,1%	To reinforce the mobilisation capacity: External outreach	185 035
5,4%	Logistic costs for actions	244 042
17,1%	Communication, fundraising and administrative costs	783 155

Total Expenses: 4 548 303

INCOME



	In euro	
10,5%	Membership fees and contributions	484 956
59,5%	Earmarked grants	2 745 553
22,4%	Non-earmarked grants	1 032 496
7,3%	Reversal of provisions & other income	337 495
0,3%	Financial & extraordinary income	15 124

Total Income: 4 615 624

N.B.: The audited annual accounts are available upon request by email at fidh@fidh.org

They support us

FIDH would like to thank the institutions, foundations and corporations that support its actions, in particular:

International and national institutions

Swedish International Development Cooperation Agency (SIDA), European Commission, United Nations Voluntary Fund for Victims of Torture, Ministry of Foreign Affairs of Finland, Ministry of Foreign Affairs of France, Irish Aid, Ministry of Foreign Affairs of Norway, Ministry of Foreign Affairs of the Netherlands, Organisation internationale de la Francophonie, UNESCO, Rights and Democracy.

Foundation, association and other institutions

Paris Bar Association, Commonwealth Foundation, Diakonische Werk der EKD, Evangelische Entwicklungsdienst (EED), FACT, Ford Foundation, Fondation de France, Foundation for the Future, ICCO and Kerk in Actie, Infans, National Endowment for Democracy (NED), Open Society Institute, Sigrid Rausing Trust, The John D. and Catherine T. MacArthur Foundation, Fondation Un Monde par Tous, Ville de Paris.

Corporations

Caisse des Dépôts et Consignations, Carrefour Solidarités, Daily Motion, FNAC, Gandhi, Hermès, Kyodo, La Banque Postale, La Banque Postale Asset Management, Le Guide du Routard, Le Nouvel Observateur, Limite, Macif, Palais de Tokyo, Sego, Théâtre de l'Atelier, Tod's France, Les Visiteurs du Soir.

The Support Committee, interpreters, translators and other volunteers, as well as all the individuals, national and international non-governmental organisations who responded to its requests for support.



Photo taken in a displaced persons camp in Kenya by members of the FIDH fact-finding mission sent to report on their situation.



A woman standing in front of the ruins of her house after the ethnic violence in the South of Kyrgyzstan, Osh, July 2010. © Dimitri Mokhin.



fidh

FIDH
represents **164**
human rights organisations
on **5** continents

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