

Annual Report

Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. Article 3: Everyone has the right to life, liberty and security of person. Article 4: No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Article 6: Everyone has the right to recognition everywhere as a person before the law. Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

2009

Contents

Introduction	4
PRIORITY 1 > Protect human rights defenders	6
PRIORITY 2 > Protect and promote women's rights	15
PRIORITY 3 > Promote the rights of migrants, displaced persons and refugees	20
PRIORITY 4 > Promote the administration of justice and the fight against impunity	25
PRIORITY 5 > To strengthen respect for human rights in the context of globalisation	42
PRIORITY 6 > Strengthen international and regional instruments and mechanisms of protection	49
PRIORITY 7 > Support respect for human rights and the rule of law in times of conflict, emergency and political transition	59
> Africa	59
> Americas	65
> Asia	71
> Europe and Central Asia	78
> North Africa and Middle East	84
Internal Challenges	
> Reinforce interaction with member and partner organisations	91
> Develop the professionalisation of FIDH	94
> Strengthen FIDH's capacity for public mobilisation	96
> Consolidate the increase in and the sustainability of financial resources	99
Appendix	
> Financial Report 2009	101
> Support for FIDH in 2009	102
> 2009 Missions	103
> 2009 Publications	107
> Interfaces before International Governmental Organisations	109
> Member Organisations	111
> International Board	113
> International Secretariat	114

Introduction >

“Human rights are part of the air we breathe and to give up knowing, understanding and acting means to completely renounce one’s self, others and the future of what we will be.”

This definition by Roberto Saviano of the capacity and freedom of defenders of liberty and their organisations to take action reflects who we are and what FIDH is, at heart, about. In 2009, the Observatory for the Protection of Human Rights Defenders dealt with 170 cases involving 719 defenders and 100 organisations in 72 countries and authorised 15 missions of enquiry, solidarity, judicial system monitoring and defence. This mobilisation led to 90 defenders being set free, but many challenges remain: the death of Natalia Estimirova in Chechnya and of her friends in Colombia, Guatemala, Honduras, Iraq, Kenya, Mexico and Sri Lanka are a reminder of just how crucial such mobilisation continues to be.

FIDH has continued its work with member organisations to help promote women’s rights and the rights of migrant, displaced and refugee people, administer justice, fight against impunity, strengthen respect for human rights in the context of globalisation and ensure observance of international and regional instruments and mechanisms for protecting the individual.

Several successes were recorded in 2009 as a result of ongoing mobilisation. One example to highlight is the important ratification of the Protocol to the African Human Rights Charter relating to women’s rights in Africa by the Democratic Republic of Congo (DRC) in February, and by Cameroon in May. Another is the adoption in April by Burkina Faso of a law on gender quotas that requires a minimum of 30% of candidates on municipal and legislative lists to be women and, similarly, the adoption in December in Uganda of a law prohibiting female circumcision.

The release of Shalva Ramishvili and Shasha Davtyan, political prisoners arbitrarily held in Georgia and Armenia respectively, the adoption of a bill to abolish the death penalty and to establish a Truth, Justice and Reconciliation Commission in Togo and the first-ever request from the UN special reporter on Burma to UN institutions concerning the setting up a commission of enquiry on war crimes and crimes against humanity committed in that country, together mark major advances with regard to respect for the right to truth, justice and reparation. The same applies to the condemning of the former president of Peru, Alberto Fujimori, in April 2009 to 25 years in prison following a fair trial, and the arrest warrant issued for the Sudanese president, Omar El Bachir, for war crimes and crimes against humanity.

FIDH has developed and implemented a varied and complementary range of initiatives aimed at responding more effectively to the needs of those working locally in order to support respect for human rights and the rule of law in times of conflict, emergency situations and periods of political transition in particular. Such initiatives have focused notably on the DRC, Sudan, the Central African Republic, Somalia, Guinea, Niger, Togo, Colombia, Honduras, Peru, Burma, China, Iran, Russia, Uzbekistan, Belarus, Israel, Palestine, Syria, Yemen and Tunisia.

“The matters dealt with by your organisation are vital for reducing poverty in developing countries. I would like to express my gratitude for your professionalism and your continued commitment,” stated Bert Koenders, outgoing minister for international cooperation in the Netherlands in February 2010.

FIDH operates in a complex, shifting international environment. The organisation is duty bound to reflect on its future, taking into account its identity, the evolving content of human rights and related actions and the changing context in which it works. The debate is now opened. What will FIDH be in 10 years time? In responding to these challenges, the quest for universal, effective human rights constitutes a guiding principle that should enable FIDH to embody a universal movement for the defence of human rights.

Souhayr Belhassen
President

Priority 1 >

Protect and support human rights defenders

In 2009, forthcoming elections and resurgent armed conflict provided a pretext for many States to stigmatise or even imprison human rights defenders on the basis of their peaceful commitment to basic freedoms.

This year as well, many States adopted, or attempted to adopt repressive legislation aimed at unduly restricting the freedoms of defenders. The law is therefore diverted from its primary goal and is used against those who call for its application. The worsening conditions in which defenders' carry out their actions are a reflection of the general deterioration of civil liberties in those countries.

FIDH, through its programme the Observatory for the Protection of Human Rights Defenders, created in 1997 with the World Organisation Against Torture (OMCT), attempted to respond to multiple forms of repression targeting defenders by using various and complimentary intervention approaches (urgent interventions, field missions, material assistance, mobilisation of intergovernmental organisations and of the wider public), of which the combined or unique use makes it possible to address all types of situations. In 2009, the Observatory provided support to 719 defenders and 100 organisations in 72 countries.

In conjunction with the Observatory's work, FIDH developed activities in the area of material assistance, as well as in the area of training and opportunities for networking, as the latter do not fall within the mandate of the Observatory.

Objective 1 > To alert on violations of defenders' rights

Activities

The Observatory issued 424 public urgent actions (urgent appeals, press releases and open letters to authorities). Urgent actions constitute one of the Observatory's main means of action. With great expediency, and on the basis of information duly verified by local organisations, urgent actions are used to alert authorities in targeted countries, various effective regional and international intergovernmental institutions and local, regional, and international civil society

organisations, in order to create a solidarity movement that can support the defenders whose rights have been violated and bring these violations to an end. Thereafter, these urgent actions can be used as the basis for developing advocacy actions, targeted mobilisation and urgent assistance that can be further developed if violations continue.

This year the focus has been on the situations prevailing in Colombia, Iran, the Democratic Republic of Congo, Uzbekistan, Syria and Tunisia, countries where the activities of defenders are systematically repressed. The Observatory also improved the follow-up of situations or of individual cases upon which it had previously reacted (40.3% of the urgent interventions concern situations being monitored).

Testimony

"I am very pleased to see that, during these difficult times, CACIT is not alone and that human rights activists the world over are supporting us. I can confirm that we fully agree with the statement you drafted. Indeed, our actions are seriously impeded but our determination remains unchanged. We will remain in contact and keep each other informed."

A thank you note from the Secretary General of the *Collectif des Associations contre l'Impunité au Togo* (CACIT) following the publication of an urgent intervention by the Observatory denouncing the break-in at the association's offices.

Results

These activities have contributed to the release of several defenders such as Jean-Paul Noël Abdi, President of the *Ligue djiboutienne des droits de l'Homme* the day after his arrest in April 2009 in Djibouti; four lawyers and 32 trade unionists in Turkey; the release of four human rights defenders in Iran, J. Sobhani, A. Soltani, M. Ali Dadkhah and S. Sadr, arrested in the context of post-electoral repression; or the release of the President of the *Comité permanente por la defensa de los derechos humanos de Colombia*, after six months of detention on the pretext of an "act of rebellion", as well as the release of Arshaluys Hakobyan in Armenia who was arrested after attempting to participate in observation of municipal elections in Yerevan.

In 2009, the Observatory also worked to strengthen the legal framework for freedom of association in a number of countries (Egypt, Ethiopia, Jordan, Uganda, Rwanda and Zambia). Thus, the Observatory contributed to the re-registration of Human Rights associations (Ethiopia) and to their non-dissolution (Peru) In November 2009, for example, the Peruvian authorities officially announced the withdrawal of the dissolution order for the *Asociación Interétnica para el Desarrollo de los Pueblos Amazónicos* – AIDSESEP, following urgent interventions by the Observatory and recommendations made in early November during a hearing before the Inter-American Commission on Human Rights on the situation of human rights in Peru.

Challenges

Adapting methods of alert, awareness raising and mobilisation on the most alarming situations is still a major challenge because of the closed nature of certain regimes, combined with either the reluctance of third-party states to exercise their potential influence, or by the strict control of the means of communication or the serious risk of exposing local players to reprisals. Efforts, to facilitate and secure exchanges and recourse to audiovisual media that began in 2009 must be reinforced and applied more systematically in 2010.

Objective 2 > Legal Observation and Defence Activities

> Monitoring and defence activities

Emphasis was placed on legal observation missions, 11 of which were carried out in 2009. These focused on 8 cases involving 46 defenders and 2 associations (Belarus, France, DRC, Russia, Syria, and Tunisia). These missions fulfil a growing need to provide daily support for harassed defenders, while the justice system is increasingly being used as a weapon to violate defenders' rights.

Résultats

These activities yielded results at several levels:

- They contributed to the reduction of prison sentences or to the release of arbitrarily detained defenders, such as the release of 4 Congolese trade unionists, and this following a judicial observation mission mandated during the preliminary hearing, which resulted in an extensive mobilisation of local actors (diplomats, media, legal authorities).
- They provided an opportunity for experience-sharing and the development of legal strategies necessary in order to carry forward these cases in the long term. In this regard, the 3 missions conducted in Tunisia, in collaboration with the Euro-Mediterranean Human Rights Network (REMDH) and the Paris Bar, the lawyer mandated by the Observatory had the opportunity to discuss points of procedure and international standards for human rights protection with Tunisian lawyers. This brought out supplementary information of use in analysing the specific situation of the victims. These missions allowed FIDH to document serious violations of the basic rules of the right to a fair trial that emerged during the hearings.
- The missions contributed to developing solidarity among lawyers through the mobilisation notably of Bar Associations, and participated in strengthening alliances with international lawyers' organisations (*Conférence internationale des barreaux* (CIB), and *Union Internationale des Avocats* (UIA)). In this regard, the Observatory was the catalyst of extensive mobilisation of international associations defending the interests of lawyers, of Bar Associations of various continents, calling on them to support Syrian lawyers who are victims of repression because of their involvement in supporting human rights.

Challenges

The Observatory intends to pursue the aforementioned activities and to strengthen its network and partnerships with Bar associations and French, English, Russian and Spanish legal firms, in order to improve its coverage in Eastern Europe, the Americas and Asia.

> Fact-finding activities

In 2009, the Observatory mandated or co-organised 3 international fact-finding missions in France, Guatemala, and Mexico.

Focus – Mission in France

An international fact-finding mission was carried out in April 2009 in France in closed cooperation with the *Ligue française des droits de l'Homme* (LDH), to evaluate the type and extent of the obstacles encountered by defenders of migrants' rights. The mission identified the legislation and rules that were used in an abusive manner to intimidate or criminalise the defenders of migrants' rights, and drew up a list of the violations committed against these actors. The resulting report was submitted, in partnership with LDH, to the French authorities and the appropriate international and European mechanisms, and was widely distributed in France, thanks to a partnership with a major retailer, and through local associations.

The report fuelled a debate on a burning issue in France, about the necessity to reform legislation currently in force. In November 2009, the *Commission nationale consultative des droits de l'Homme française* (CNCDH) adopted a recommendation on assistance to migrants upon entry and during their stay in France, stressing the fact that French legislation contradicted international and European principles, and asserting that selfless assistance to undocumented foreigners by an individual, whether the person is themselves a foreigner or French, or by an association, especially associations whose purpose is to provide shelter, food aid, access to healthcare, access to legal services, etc. and who offer an unconditional welcome, should not be liable to charges of violating rules on rendering assistance during the unlawful entry, travel and irregular visits.

The combined action of LDH and FIDH, members of CNCDH, largely contributed to the unanimous adoption of this recommendation.

> Documentation and awareness-building activities: 2009 Observatory Annual Report

In June 2009, the Observatory published its report, entitled "Steadfast in Protest" on the situation of defenders in 2008, in French, English and Spanish. Russian and Arabic versions, covering the Russian and Arabic speaking geographic zones respectively, were also published in the following months. The contents of the report were further improved with the introduction of regional analysis, and more in-depth analysis of the context and potential for repression in 66 countries.

Some fifteen press conferences were organised, in cooperation with member or partners organisations of FIDH and of OMCT, in several parts of the world, including in Amman, Bogotá, Bujumbura, Cairo, Geneva, Guatemala City, Nairobi, Bamako, Mexico, Nouakchott, Katmandu, Kinshasa, Lima, New Delhi, Rome and Tbilisi. These conferences received excellent media coverage in all regions, particularly in Africa. The Observatory's Annual Report serves as a reference tool for a large number of actors, especially for the defenders themselves, but also for NGOs, intergovernmental organisations, States, the media, scientists, as well as legal professionals.

Objective 3 > Support human rights defenders and their organisations

Specific Objective > Provide material support to defenders

In 2009, the Observatory provided material assistance to 23 defenders and/or their family members, as well as to 4 associations in Azerbaijan, Burma, Colombia, Georgia, India, Kazakhstan, Kyrgyzstan, Uzbekistan, Democratic Republic of Congo (DRC), Russia and Sudan.

This year the assistance covered legal expenses, relocation expenses, costs incurred for monitoring the conditions of defenders' incarceration and communication expenses.

Testimony

"High Commission for Refugees told me that the file was closed. I had a visa and plane ticket for Sweden. From one moment to the next I was starting a new life. I was very sick but could cope. Best regards and a big thank you for your continued support."

Acknowledgement of Thomas Bengantundu, DRC human rights defender, relocated to Sweden thanks to sustained support from the Observatory, because of threats against him in DRC and the sub-region.

In addition to the support provided by the Observatory, FIDH has also granted assistance to a certain number of human rights defenders, in particular in the DRC, Uzbekistan, Burma, Sudan and also in Tunisia. Support was also provided to the families of Iranian prisoners arrested during the post-electoral violence, and to a certain number of Russian defenders, suffering from ongoing attacks carried out in an environment of complete impunity.

Specific Objective > Capacity building and experience sharing

Focus : Russia

In 2009, several Russian defenders were the victims of extreme violence, some of which resulted in death. All of these attacks remained unpunished at the end of 2009.

In this context, and at the request of local partners, FIDH decided to organise a workshop for some twenty Russian human rights defenders from the field (notably from the North Caucasus region), in order to facilitate networking and experience-sharing between these defenders and others fighting for human rights on their continents (Zimbabwe, Sudan, Colombia, Mexico). Special emphasis was placed on means and tools of protection used by the various participants in order to build their capacities and to reduce the threats to their personal integrity. Contributions by external consultants specialised in security matters and capacity-building for defenders provided substantial responses to some problems. Following this seminar, the organisation Memorial decided to re-open its offices in Grozny, on the basis of a clearly defined, shared plan. The offices had been closed after a certain number of defenders had been assassinated in summer 2009.

Challenges

In the future, FIDH intends to respond to local needs on other continents by holding inter-regional meetings of this type and to simultaneously develop a system component.

Objective 4 > Mobilise intergovernmental bodies and strengthen their protective capacity

Specific Objective > Call for the protection of human rights defenders

Activities

In 2009, the Observatory for the protection of human rights defenders continued to be a privileged partner of the competent mechanisms for the protection of defenders, by addressing all its urgent actions, thematic and geographic briefs, as well as its reports to the Special Rapporteurs of the United Nations and of the African Commission on the Situation of Human Rights Defenders, to the Unit for Human Rights Defenders of the Inter-American Commission on Human Rights, to the Human Rights Defenders Focal Point of the OSCE Office for Democratic Institutions and Human Rights, to the Commissioner of the European Commission of Human Rights, and to European institutions on the basis of the guidelines of the European Union for Human Rights Defenders.

Testimony

"I would like to express my gratitude for the essential work carried out by the Observatory for the protection of human rights defenders. I am also very pleased with the partnership we have formed."

Thomas Hammarberg, Commissioner of the European Commission of Human Rights.

Results

In 2009, the Observatory continued to conduct a series of activities aimed at supporting the actions of these mechanisms. Communications that the Special Rapporteurs of the United Nations and of the African Commission sent to the States were based, for the most part, on information provided by the Observatory. This is clearly demonstrated in the United Nations Special Rapporteurs 2009 Annual Report under communications to the States, which includes a large number of individual cases that are based on information provided by the Observatory.

In many cases, the actions taken by the mechanisms lead to results. For example, in 2009, the Observatory was particularly involved in the Iranian situation, by denouncing the detention of many defenders arrested in the context of post-electoral violence. Following the mobilisation of the Observatory through a large number of urgent actions directed towards the institutional mechanisms of protection, many activist members of the Iranian Defenders of Human Rights Centre as well as Women's Rights activists were released.

Specific Objective > Strengthen the mechanisms for the protection of human rights defenders

In 2009, the Observatory was mobilised by a large number of institutional issues by playing an active role at various inter-governmental meetings (namely OSCE, UN, ACHPR, European Commission). These activities allowed FIDH to present specific recommendations to member States, requesting that the protection of human rights defenders be fully guaranteed at the national and regional levels, that the mechanisms be invited on a permanent basis to member countries of the organisations in question, and that sufficient resources be granted to these mechanisms to enable them to conduct their missions.

Another series of actions was conducted in 2009 before the mechanisms themselves, in order to address a number of recommendations and suggestions aimed at strengthening their protective capacity (such as the European Union, Commissioner of the European Commission on Human Rights).

> United Nations (UN)

In 2009, the Observatory emphasised two key issues:

- The need to protect defenders of economic, social and cultural rights (ECOSOC)
- Preparation of country visits for the Special Rapporteur (in DRC and in Colombia)

The Observatory had in fact drafted, in November 2009, a brief on the situation of defenders of ECOSOC human rights defenders in DRC, and circulated a brief on the situation in question. Because of this mobilisation, the United Nations Committee on Economic, Social and Cultural Rights added the issue of the protection of human rights defenders to its list of concerns.

> African Commission on Human and Peoples' Rights (ACHPR)

In 2009, the African continent was faced with two main issues concerning the protection of human rights defenders:

- The need to reinforce the mandate and the visibility of the actions of the Special Rapporteur of the African Commission on the situation of human rights defenders
- The need to consider a legally binding instrument for the protection of human rights defenders in Africa.

The Observatory's actions addressed these two issues, firstly, by making a number of recommendations to the States during the ACHPR session in May 2009, calling for support for the mandate of the Special Rapporteur; secondly, by drafting a strategic brief carefully assessing the need and opportunity for a legally binding instrument for the protection of human rights defenders on the African continent, as well as the conditions required to ensure more effective protection for human rights defenders on the African continent in the current context.

> European Union (EU)

In 2009, the Observatory was particularly active during the review of the "Shelter cities" initiative, a proposal put forward by the Czech Presidency of the EU as a tool to implement the guidelines of the EU for the Defence of Human Rights.

The Observatory's contributions – both written and oral – underlined the necessity of clearly identifying the actors who would be involved in implementing the initiative as well as their

respective roles, in keeping with the EU guidelines for Human Rights Defenders. Since the initiative had not been launched by the end of 2009, a specific follow-up will be carried out in 2010.

Testimony

"A special thank you to FIDH who provided us with an in-depth analysis that we were able to use in updating the appendix."

Message from the Czech President, 22 June, 2009.

> Organisation for Security and Cooperation in Europe (OSCE)

In 2009, the Observatory systematically circulated information on its urgent actions and its reports to the OSCE Office for Democratic Institutions and Human Rights (ODIHR), particularly to the Focal Point on the Defence of Human Rights and National Institutions, created in January 2007 as a result of Observatory mobilisation. Constant contact was also maintained in order to discuss individual cases or to prepare for visits to countries, which demonstrated the strengthening of the Focal Point's activities with regard to the protection of defenders.

> Organisation Internationale de la Francophonie (OIF)

In 2009, the OIF was alerted about crisis situations in Guinea and Niger, and in particular the situation of human rights defenders. Similarly, information was systematically conveyed about individual cases of threatened human rights defenders, by OIF member or observer states. A dialogue with the authorities was also undertaken, in particular with the General Secretariat and the Delegation for Peace, for Human Rights and Democracy (DDHPP) on the Bamako+10 perspective and on the issue of the necessary guarantee of freedom of association and expression of human rights defenders. The Observatory finally invited the OIF to cooperate in its efforts to interact with other IGO mechanisms. (cf. *Infra*).

> Council of Europe

In 2009, the Council of Europe developed a number of activities on how to implement the Declaration for Human Rights Defenders, adopted by the Council of Europe Ministers Committee in 2008.

The Observatory actively participated in the following processes:

- Firstly, in the development and consolidation of a regional strategy for the protection of human rights defenders, at the initiative of the Commissioner for Human Rights, calling for complete implementation of the Declaration and collaboration with the Committee of Ministers on the subject.
- Secondly, in the context of the adoption by the European Commission Steering Committee for Human Rights of a report on the application of the Declaration – by emphasizing the need for States to regularly report to the public on how they are putting the Declaration into practice.

> Commonwealth

In 2009, the Observatory participated in strengthening consideration of the issue of defenders within the Commonwealth, namely at the Civil Society Forum level (which was held at the same time as the meeting of government heads), and the Commonwealth Secretariat Unit for Human Rights.

At these two levels the Observatory underlined the necessity of strengthening the resources and capacity of the Secretariat, to create more effective mechanisms for the protection of human rights defenders and to obtain a commitment from member States to make the protection of human rights defenders a Commonwealth policy priority. These recommendations were reflected in the resolution of the Civil Society Forum.

Specific Objective > Increase cooperation among the various international and regional mechanisms for the protection of human rights defenders

In 2009, the Observatory continued to promote increased coordination among existing mechanisms for the protection of human rights defenders, in spite of legal constraints, practices, and limited resources. The Observatory has continued to support the effectiveness and efficiency of these mandates by strengthening their links with the field and also by encouraging joint and/or coordinated activities. Initiatives intended to strengthen institutions and the development of the protective capacity of mechanisms were also undertaken by the Observatory in order to respond to a genuine need from the mechanisms.

> Second inter-mechanism meeting for the protection of human rights defenders

On 21 and 22 October, 2009, the Observatory organised a second « inter-mechanism » meeting, bringing together, for the second time, almost all of the currently existing mechanisms for the protection of defenders. The *Organisation Internationale de la Francophonie* (OIF) participated for the first time. The first meeting took place in October 2008 in Brussels. This second meeting provided an opportunity to reflect on the means for overcoming obstacles encountered by the various mandate holders, namely at the legal level, financial level and in matters of human resources, and to maximize the effectiveness of the current possibilities for protection through strengthened coordination. All participants were in favour of the idea of the Observatory organising further « inter-mechanism » meetings on a regular basis. As a result, the Observatory is becoming a corner-stone for the coordination of mechanism activities, encouraging constructive initiatives that strengthen actions for protection.

> Council of Europe Taskforce on Defenders

In May 2009, the Observatory played an active role in the taskforce for human rights defenders created at the initiative of the European Commission Commissioner for Human Rights in June 2008. These taskforce meetings permitted a dialogue to occur with the Office of the Commissioner regarding past, present and future activities, as well as on the action plans of various members of the group (Office of the United Nations Special Rapporteur on Human Rights Defenders, OSCE/ODIHR Focal Point for Human Rights Defenders, European Commission, INGOs and national NGOs), in order to improve coordination and avoid duplication.

Priority 2 >

Protect and promote women's rights

Although in the vast majority of the world women today enjoy rights they were once denied, discrimination, denial of rights and violence towards women are still the norm in too many countries.

FIDH works for the protection of women's rights and to promote the determining role of these rights in the processes of peacebuilding and development. On the foundation of the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ratified by almost all countries, FIDH carries out advocacy work alongside its member and partner organisations, to obtain legislative reforms abolishing discriminatory measures and to establish equality in the law. With this aim in mind, FIDH monitored the situation in numerous countries such as Iran and Azerbaijan, and focused its work in Africa and the Middle-East countries.

Particular attention has been given to the fight against the impunity of perpetrators of sexual crimes in periods of conflict. Indeed, from Bosnia to Sudan or the Central African Republic, women have been the targets of sexual violence, used as weapons of war. International criminal justice now recognises these acts as war crimes and crimes against humanity and itself constitutes an important tool in the fight against this plague.

In the framework of its actions aiming to protect human rights activists, FIDH also pays particular attention to the issue of protecting women activists, who are victims of repression because of their gender and the nature of their activities¹.

Finally, FIDH continues to ensure that women's rights are taken into account throughout its actions from conception to implementation.

Objective 1 > To strengthen the effectiveness of international and regional instruments for the protection of women's rights

Specific Objective > Strengthen the capacity of civil society and obtain legislative reform

The campaign "Africa for Women's Rights - Ratify and Respect!"

On International Women's Day, 8 March 2009, in cooperation with five African regional organisations (ACHRDS, FAS, WILDAF, WACOL and WLSA), FIDH launched an advocacy

1. These actions are carried out in the framework of the joint FIDH and OMCT programme, the Observatory for the Protection of Human Rights Defenders. See Priority 1 of this report.

campaign to fight discrimination and violence towards women in Africa. This unique partnership has the following principal aims: the repeal of discriminatory laws, the adoption of legislation protecting women's rights and the implementation of measures to enforce these laws.

The campaign is conducted locally by a network of over one hundred organisations based in over forty countries that, supported by the campaign coalition, will call upon their respective executive, parliamentary and judicial authorities to implement their international obligations regarding the respect of women's rights. By involving human rights organisations that are members of FIDH, the campaign aims to strengthen cooperation between these organisations and organisations specialising in women's rights.

The campaign relies on various forms of action: fact-finding missions, high-level missions, advocacy before regional and international bodies, awareness raising campaigns and communication.

Support for the Campaign

The campaign is supported by the following: Desmond Tutu, Nobel Peace Prize 1984; Shirin Ebadi, Nobel Peace Prize 2003; Wole Soyinka, Nobel Literature Prize 1986; Nadine Gordimer, Nobel Literature Prize 1991; Youssou N'Dour, musician; Tiken Jah Fakoly, singer; Angélique Kidjo, singer-songwriter; Salif Keita, singer-songwriter; Maryse Condé, author; Rachid Taha, musician; Jane Birkin, singer and Bafing Kul, singer-songwriter. The campaign is also supported by Soyata Maiga, Special Rapporteur on the rights of women for the African Commission on Human and Peoples' Rights, Yakin Ertürk, former Special Rapporteur for the United Nations on violence against women, Pramila Patten, United Nations expert from the Committee on the Elimination of Discrimination against Women (CEDAW) and Angela de Melo, Vice-president, African Commission on Human and Peoples' Rights.

This first year of the campaign focussed on two key aims: building a network of over one hundred organisations based in more than forty countries and raising awareness of the campaign among prominent actors in public life, the media and the authorities in Africa.

FIDH prepared a set of campaign tools which were distributed to all partner organisations at the national level. A blog (www.africa4womensrights.org) was created to raise the profile of the campaign and to provide support to local associations.

To mark the launch of the campaign across the continent, partner organisations carried out actions at a national level (workshops to raise awareness, meetings with the authorities, petitions, plays, marches etc.).

A series of campaign actions took place throughout 2009: campaigning for the ratification of the Protocol to the African Charter on Human and Peoples' Rights relating to the Rights of Women in Africa, following the failure in Mali to bring the Family Code into law, mobilisation of campaign supporters on the 30th anniversary of CEDAW, campaigning at a regional level (African Union and African Commission on Human and Peoples' Rights) and international

level (CEDAW Committee and UN Human Rights Council) and advocacy missions to push for reform in Burkina Faso, Mali and the Democratic Republic of the Congo (DRC) through meetings with the authorities of these countries.

Finally, in response to a questionnaire sent out by FIDH, partner organisations carried out investigations into the situation of women's rights in their respective countries. Their reports and recommendations will be compiled in a "Dossier of Claims" which will be published on International Women's Day in 2010.

Results

The campaign has had a significant impact and some progress can be seen already. Campaigning by activists at national, regional and international levels have contributed to:

- The ratification by the Democratic Republic of Congo (DRC) in February and by Cameroon in May of the Protocol to the African Charter on Human and Peoples' Rights relating to the Rights of Women in Africa, bringing the total number of ratifications to more than half of all African States
- Guinea-Bissau's ratification in August of the Optional Protocol to CEDAW, providing victims of violence access to an international jurisdiction when access to justice is not possible at the national level
- Burkina Faso's adoption in April of a law setting a quota of at least 30% of women on municipal and parliamentary electoral lists
- Uganda's adoption in December of a law prohibiting female genital mutilation
- The designation of a mandate for the Special Representative of the Secretary-General of the United Nations for children and armed conflict to include sexual violence in armed conflict.

« I wish to praise the initiative of this campaign to bring an end to discrimination and violence towards women in Africa. I have read with interest the Campaign Declaration and I am honoured to see my name associated with this. It is a great document which should be used by all African states ».

Pramila Patten, expert on the CEDAW Committee, member of the campaign support committee.

« I wish to congratulate you for this significant campaign for women's rights in Africa to which I bring my full support »

Yakin Erturk, former Special Rapporteur for the United Nations on violence against women, member of the campaign support committee.

“...I support the civil society organisations that are leading this ambitious campaign with the goal of demonstrating that our involvement is an urgent and universal movement that cannot be ignored ...Let us all get involved, men and women, and support the campaign “Africa for Women's Rights - Ratify and Respect!”

Soyata Maiga, lawyer, Commissioner and Special Rapporteur on the rights of women for the African Commission on Human and Peoples' Rights, member of the campaign support committee

The campaign for “Equality Without Reservations” in the Arab world

While most states in the Arab world have ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the majority have expressed reservations contrary to the principle of non-discrimination in order to justify the retention of discriminatory laws and practices.

The campaign for “Equality Without Reservations”, launched in June 2006 by the Democratic Association of Women in Morocco (ADFM) and FIDH, brings together national organisations specialising in promoting women’s rights and general human rights organisations. It works on the withdrawal of reservations by CEDAW signatory states, the integration of its provisions into national legislation and the ratification of the Optional Protocol to CEDAW (allowing victims to lodge complaints with an international body). FIDH is a member of the campaign’s monitoring committee.

In 2009, FIDH supported national organisations involved in the campaign with the development of advocacy strategies at national, regional and international levels. Given the difficulties faced by local NGOs with regard to national authorities, which are very reluctant to progress towards equality, the leverage of international authorities remains essential.

In addition, FIDH continued to present women’s rights as a systematic theme in its advocacy in the Universal Periodic Review of the United Nations Human Rights Council. The campaign’s partner organisations in Jordan and the Yemen were thus able to raise their concerns to the member states of the council. FIDH was also involved in the review of Saudi Arabia. Consequently, recommendations concerning the withdrawal of reservations and the reform of discriminatory legislation have been addressed to all of these countries.

Results

Despite immense obstacles to the progress of women’s rights in the region, 2009 was marked by significant advances. Notably, these included:

- The ratification of the CEDAW by Qatar (despite the issue of numerous reservations).
- The Jordanian government’s retraction of its reservation on article 15(4) of CEDAW concerning the freedom of movement and the choice of residence.
- In Kuwait, positive signs of change included the election of four women to Parliament. Moreover, the Constitutional Court issued a key decision declaring that a passport law provision from 1962 was unconstitutional. This provision had made it impossible for women to obtain a passport without the prior consent of their husband.

Obstacles and Challenges

These actions face numerous obstacles. For example, the weakness of civil society in the Gulf countries makes it particularly difficult to identify activists who are able to promote the campaign’s message in this sub-region; divisions at the heart of civil society concerning campaign strategies, notably on the use of arguments based on religion; as well as the reaction of some governments to pressure by conservative movements, such as in Mali where the proposed new Family Code adopted by Parliament in July was blocked.

Objective 2 > To fight against impunity for crimes of sexual violence in conflict

The criminalisation of sexual offences as crimes against humanity and war crimes in the Statute of the International Criminal Court (ICC) represents a major step forward in the fight against impunity for violence against women. Given the obstacles at the national level, this mechanism is an important tool to combat this crisis. In this context, FIDH's actions seek to reinforce the ICC Prosecutor's strategy on this issue, but also to strengthen the ability of local NGOs to document offences and provide support to victims. The long term aim is to contribute to the prevention of these acts.

Illustration > The Central African Republic (CAR)

In the CAR, during the *coup d'état* by General Bozizé against President Patassé in 2002, sexual violence was committed on a large scale. Since this time FIDH, the only international NGO to document these crimes by collecting witness statements at the time they were committed, has continued its work of exposing these crimes and bringing them to the attention of the ICC. This action contributed directly to the ICC opening an investigation in 2007 into the situation in the CAR. The investigation had a particular focus on sexual crimes.

In June 2009, the ICC confirmed charges against Jean-Pierre Bemba, leader of the Congolese mercenaries who came to support President Patassé, for crimes including sexual crimes, committed in CAR between October 2002 and March 2003. Through sustained advocacy, the submission of information and the involvement of the victims, FIDH played a central role in the opening of the investigation and the inclusion of sexual offences.

Illustration > The Democratic Republic of the Congo (DRC)

In the DRC, sexual offences have become a weapon of war in the conflict in the East and are committed by all parties, who act with impunity. Accordingly, these crimes have become commonplace throughout the country, including in areas of relative stability.

The second ICC trial began in November. Germain Katanga, the alleged commander of the Patriotic Resistance Force in Ituri (FRPI), and Mathieu Ngudjolo, the alleged former leader of the National Integrationist Front (FNI), were accused of planning and orchestrating war crimes and crimes against humanity, including sexual offences in Ituri during the attack on the village of Bogoro in February 2003. FIDH's contribution meant that charges of rape and sexual slavery were maintained against both men.

Illustration > Guinea-Conakry

In Guinea-Conakry, the outbreak of violence in September 2009 was particularly directed towards women. The extensive advocacy work carried out by FIDH with representatives of the ICC, notably the Office of the Prosecutor, contributed to the ICC's rapid reaction to the situation. The Office of the Prosecutor publicly denounced the violence, particularly towards women, and announced the opening of a preliminary investigation.

Priority 3 >

Protect and promote migrants' rights

Today there are close to 214 million international migrants (of which 15.4 million are refugees). These migratory flows are constantly expanding and affect all regions of the world; countries of emigration are becoming immigration or transit countries, or all three at once. It is noteworthy that more than 50% of migrants live in developing countries, countries that also take in close to 80% of the refugees.

In the present-day situation, the movement of people is being increasingly controlled. "Tracking clandestine migrants" and the identification of "fake refugees" is now common policy in various European countries, but also elsewhere. The migration policies negotiated between states are often governed by economic interests, reducing migrant workers to mere commodities. The answers given by international institutions on the issue of protecting migrants' rights are inadequate or even flawed.

FIDH, whose work in migrants' countries of departure, transit and destination led to first-hand observation of this situation, decided at its last Congress, in 2007, to make the migrants' rights issue a priority for action. FIDH activities are aimed at contributing to increasing attention to human rights considerations in migratory policies and governance and strengthening the capacity of its member organisations to work on the protection of migrants.

Objective 1 > Promoting the inclusion of human rights concerns in national migration policies

In 2009, FIDH and its member and partner organisations introduced new actions for monitoring violations of migrants' and refugees' rights, as well as new advocacy actions to stimulate legal reforms that would ensure better protection for migrants' rights (especially in Kazakhstan, Kyrgyzstan, and Costa Rica) and for defenders of migrants' rights, especially in France (see Priority 1).

Furthermore, FIDH, together with its member and partner organisations, carefully monitored the situations that had been examined in depth in 2008, notably in South Africa, Malaysia, Mexico and the Gulf States.

Illustration > Central Asia

Since 2007, FIDH has been developing a series of actions to document the situation of migrants in the former Soviet Union (especially migrants to Russia). In 2009, FIDH organised an

international fact-finding mission to Kyrgyzstan and Kazakhstan to examine the situation of migrant workers, asylum seekers and refugees there. Kazakhstan, with its gas and oil reserves, is a regional economic power that attracts migrant workers from the whole region, especially from the neighbouring countries Uzbekistan, Kyrgyzstan, China and Tajikistan. Kyrgyzstan is mainly a country of departure for migrant workers.

The FIDH mission heard numerous testimonies concerning violations of migrant workers' rights in Kazakhstan, especially from workers in the agriculture and construction sectors. FIDH drew attention to the extreme vulnerability of asylum seekers and refugees in Kyrgyzstan and Kazakhstan especially Chinese Unghars, Uzbeks and Chechens. The mission report, published in October 2009, analyses the situation of these vulnerable groups and makes targeted recommendations on strengthening protection for them, and especially in Kazakhstan seeks to influence the contents of two laws currently up for adoption. The mission's conclusions were shared with the authorities of these two countries during a follow-up mission in November 2009.

Results

Advocacy by FIDH and its partner organisation, the Kazakh International Bureau on Human Rights and the Rule of Law (KIBHR), targeting IGO representatives, on the basis of the mission's conclusions contributed to bringing the issue of the protection of migrants' and refugees' rights to the forefront during important events linked to these countries, in particular during dialogue on human rights between the EU and Kazakhstan.

Challenges

The new law on refugees was adopted in December 2009. Many of the provisions do not concur with international law and therefore could perpetuate the vulnerability of certain groups of asylum seekers. FIDH and KIBHR will continue lobbying to have this law amended.

Illustration > Latin America

Latin America has the largest number of countries which have ratified the United Nations Convention on the Protection of the Rights of All Migrant Workers; however, their migration laws and policies are far from complying with the text of the Convention. Some countries have put legislative reforms on their political agenda, but there are always obstacles to the adoption of reforms.

This encouraged FIDH, from 2008, to develop a series of studies on the compliance of national laws with national instruments on the protection of migrants' rights in Costa Rica, Argentina, Peru, El Salvador and Mexico. In 2009 FIDH carried out a series of advocacy actions, based on these studies, at the national (esp. in Costa Rica), regional and international levels.

Results

In October 2009, in part as a result of FIDH's report on the situation of migrants in Mexico and the United States, and advocacy before the Inter-American Commission on Human Rights and certain U.N. agencies, Mexico adopted a regulation giving independent observers access to migrants detention centres. This regulation also seeks to improve the detention conditions of child migrants.

Internal challenges

Because of the urgent situations that arose on the continent in 2009, particularly in Peru and Honduras, (see Priority 7 of this report), FIDH was not able to implement all the activities scheduled under this theme. Advocacy activities will be continued in 2010.

Monitoring in the Gulf states

The economic crisis in 2009 had especially harsh consequences on migrant workers in the Gulf states. Although significant improvements have been made in the laws of Bahrain and Kuwait where the kafala system has been amended to ensure better protection for workers, notably against the arbitrary decisions of migrant workers and they remain victims of discrimination. FIDH partners, especially in Bahrain, are still actively working on this situation, and their initiatives are supported by FIDH, which has, in particular, made special efforts to support their preoccupations before intergovernmental bodies (notably the European Union Summit and the Gulf Cooperation Council) and national authorities (advocacy mission to meet with the authorities of Bahrain and of Qatar). In 2010, FIDH intends to reinforce its support and mobilisation on this key issue for the region.

Objective 2 > Strengthen protection for migrants' rights at international and regional levels

FIDH intervenes before international and regional authorities, in order to advocate for human rights to be placed at the centre of migration policies.

In 2009, FIDH continued to use advocacy as a tool to promote the development of the Global Forum on Migration and Development (GFMD), that held its third session last November, in Athens. This is the only international platform for intergovernmental dialogue on issues related to the management of migration. FIDH also continued its advocacy work on the ratification of the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Additionally, FIDH continued mobilising African and European authorities, partnering with international and regional organisations and coalitions. In order to strengthen its advocacy activities, FIDH developed alliances with several key actors in this field, in particular the International Trade Union Confederation (ITUC), the International Labour Organization (ILO) and the steering committee of the Global Campaign for the Ratification of the Convention on Migrant Workers.

Illustration > Seminar on international governance of migrations

In December 2009, on the eve of International Migrants Day, FIDH, together with the Civil Society Institute (CSI), and the regional NGO CARAM-Asia, held a seminar on the "Future of international governance of migration." This day-long meeting provided the space for a dialogue between various representatives of States, institutions and civil society on the subject of migration and provided an opportunity to examine strategies in order to promote an international governance system for migration that is based on instruments for the protection of human rights. It also provided the chance to examine the opportunities that the next GFMD,

which will take place in Mexico in 2010, represent and to launch a global campaign for the ratification of the International Convention on the Protection of the Rights of All Migrants and Members of their Families (see below).

Testimony

“I would like to congratulate FIDH for having brought together such an excellent group of participants for this successful and timely event. This seminar allowed us to tangibly and objectively interconnect the Migrant Workers Convention, governance of migrations and the dialogue and international cooperation on migrations.”

Patrick Taran, Migration Specialist, International Labour organisation

Illustration > Launch of a campaign for the Ratification of the Migrant Workers Convention

On 18 December 2009, on International Migrants Day, FIDH and its member and partner organisations launched a worldwide appeal for the ratification of the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the key instrument for the elaboration of migration policies that protect human rights. This convention was adopted by the U.N. General Assembly in 1990 but has only been ratified by 42 States, none of which belong to the European Union.

Throughout 2010, which will mark the 20th anniversary of this convention, FIDH will urge its members and partners to contact their authorities and raise awareness of their populations as to the importance its ratification. FIDH actions will focus on 12 target countries: Bangladesh, Indonesia, Armenia, Costa Rica, Brazil, South Africa, Cameroon, Côte d’Ivoire, Kenya, Lebanon and the European Union (mainly via the Spanish and Belgian presidencies).

This campaign is being coordinated by the steering committee of the global campaign for the ratification of the convention on migrant workers, of which FIDH is a member, a unique forum between U.N. agencies, international organisations and civil society organisations.

Illustration > Adoption of the African Union Convention for the protection and assistance of internally displaced persons in Africa

In 2009, after three years of campaigning by FIDH and other national and international NGOs, the African Union adopted the first binding instrument on the protection of internally displaced persons. Since close to half of the world’s displaced persons are located within their home countries in Africa, the adoption of this convention provides a unique opportunity to strengthen protection for this extremely vulnerable group.

Objective 3 > Strengthen the capacity of FIDH member organisations to work on the protection of migrants' rights

At the request of its member organisations, and in order to strengthen its work on the protection of migrants' rights, FIDH is helping to develop intra- and inter-regional exchanges and to facilitate contacts between its member and partner organisations in countries of departure, transit and destination. With this in mind, FIDH is also developing cooperation between the "generalist" human rights organisations and the organisations specialised in the protection of migrants' rights.

Illustration > Training and discussion session on strategies to combat violations of migrants' rights in Eastern European and Central Asia

In November 2009, FIDH, together with Kazakhstan International Bureau for Human Rights, its partner organisation in Kazakhstan, held a meeting in Almaty for representatives of its member organisations in Eastern Europe and Central Asia, organisations specialised in the defence of migrants' rights and for experts and representatives of international organisations, in order to discuss strategies aimed at strengthening the protection of migrants' rights. At the end of the seminar, the participants drew up a series of recommendations to all the States in the region. The participants also launched an appeal to the governments in the region to ratify the international convention on migrant workers.

The seminar provided an opportunity for "generalist" NGOs to strengthen their relations with NGOs specialised in the defence of migrants' rights and also with trade unions. In 2010, FIDH will establish a forum to continue discussions and further develop this cooperation.

Priority 4 >

Promote the administration of justice and the fight against impunity

Democracy, sustainable peace and strengthening of the rule of law can prevail when impunity, injustice and arbitrariness are eradicated. In most countries, national legal systems are failing and human rights violations are recorded at all stages of the legal process, whether it be at the time of arrest, during custody or throughout the trial. Similarly, impunity prevails for perpetrators of serious violations of human rights in many States. FIDH aims to improve national legal systems, notably by promoting the abolishment of the death penalty, the right to a fair trial in all cases and supporting victims in their search for truth, justice and reparation.

Given the numerous barriers remaining at the national level, FIDH has also developed expertise and methods of action to help build a universal judicial system, available as a last remedy for victims.

Fighting against impunity for serious crimes contributes to their prevention and repression; promotes victims rights to justice and reparation; strengthens the rule of law and establishes a more just society.

Objective 1 > Improve the administration of national justice

FIDH, with its members and partners, seeks to facilitate victims' access to an effective remedy before an independent court and defends the right to a fair trial.

> Human Rights and the fight against terrorism

In 2009, the FIDH has continued its work in support of victims of international crimes in their approaches to judicial search for truth, justice and reparation.

> Documentation Activities

FIDH has continued investigating violations of human rights committed in the fight against terrorism, particularly in Egypt, France, Indonesia, Russia, and Yemen.

Focus: Egypt

As part of a programme implemented with the International Rehabilitation Council for Torture Victims (IRCT), FIDH conducted an international mission to investigate the use of torture and violations of the right to a fair trial in the fight against terrorism and states of emergency, and to examine how the recommendations of the 2002 Committee against Torture had been implemented.

The mission met with former prisoners, all victims of torture, families of prisoners currently in prison, lawyers, judges, members of the Bar Association and the President of the National Assembly.

This mission was faced with many obstacles, including, notably, the authorities' reluctance to fully cooperate. Many appointments with representatives of the authorities, scheduled prior to the beginning of the mission, were cancelled at the last moment. Threats were made FIDH's Cairo office and repeated requests to visit prisons remained unanswered. Finally, several families of inmates refused to meet the mission for fear of reprisal. These factors highlight the sensitive nature of this issue and the complicated nature of the work of associations defending human rights. Immediately after the mission, FIDH and the IRCT held a day of discussion and information with over 25 journalists on human rights abuses and torture in the context of the fight against terrorism, in cooperation with local partners.

The mission was carried out in a context where a law on the fight against terrorism to bring the state of emergency to an end had been under discussion since 2007. This law came into effect after a seminar organised by FIDH in Cairo in March 2008, with speakers from several countries in the region, on abuses committed in the context of the fight against terrorism. During this seminar, FIDH and its Egyptian partners expressed particular concerns about the risk of extraordinary arrangements inherent to the state of emergency included in this new legislation.

The report from this mission will be published in January 2010 and used as a basis for advocacy by FIDH and its member organisations in Egypt, for the Universal Periodic Review (UPR) of Egypt in February, as well as before the League of Arab States.

Results

The adoption of the new law on the fight against terrorism has been postponed sine die. The Egyptian authorities are claiming that they have not yet finalised the text. FIDH will continue to request that civil society be consulted as part of the discussions on this legislation. During the UPR, the Egyptian authorities agreed to comply with this recommendation. However, locally, the situation is extremely tense, especially given the pre-election context, and it appears likely that the state of emergency will be renewed for the 2010-2011 period.

> Activités de mobilisation des OIG

FIDH's mobilisation on the challenges of protecting human rights in the fight against terrorism continued to produce results with intergovernmental organisations in 2009:

> Before the United Nations

In 2008, FIDH raised the awareness of Member States of the UN Security Council on the incompatibility of the policy of individual sanctions adopted by the Security Council (the "blacklists") and the need to respect the right to a fair trial to contest denials of human rights.

This incompatibility was particularly highlighted by several human rights protection bodies within the United Nations and the Council of Europe. Additionally, it contributed to the European Court of Justice requesting the States of the European Union to contravene the recommendations of the Sanctions Committee of the Security Council in order to guarantee the right to appeal against any removal of liberties or rights (The Khadi and Yusuf cases). In 2009, judicial and political mobilisations led to a shift in enforcement procedures, including the establishment of an ombudsman mechanism before the Sanctions Committee of the Security Council, which will collect all complaints and claims of individuals deprived of their rights or freedoms by this Committee.

Also within institutions dependant upon the United Nations Security Council, the Committee against Terrorism, in its Executive Committee appointed an expert on human rights to oversee the compliance of policies aimed at fighting terrorism with human rights in countries examined by the Committee.

> Within the European Union

Mobilisation in favour of the relocation of Guantanamo detainees to EU States, out of fear that they would be tortured if deported to their countries of origin, improved in 2009. In February, the European States agreed to strengthen their exchanges on the numerous requests that they receive from these detainees in hopes of solving the problem of illegal detentions. Additionally, several European countries agreed to accept former detainees who were not nationals, namely Belgium, Spain, Finland, Italy, Ireland and France.

Focus: Reflections on the North Atlantic Treaty Organization (NATO)

Highlighted as the platform that facilitated the establishment of the illegal programme of international transfer of prisoners by the CIA (Case of CIA flights), NATO has been the subject of special attention on the occasion of its sixtieth anniversary. FIDH, the Center for Constitutional Rights (CCR- FIDH member organisation in the U.S.) and the European Centre for Constitutional and Human Rights (ECCHR) organised a conference on 1 April to emphasise the nature of NATO's commitments to human rights in the context of operations aimed at combating terrorism, particularly in Afghanistan.

Participants included academics, lawyers, investigators, representatives from the Council of Europe, the International Criminal Court, the European Court of Human Rights, former NATO officials and victims of torture.

The main challenges that the conference addressed were the immense variety of concepts and factors at stake combining the imperatives of security, military, geopolitical strategy, law and human rights. These include humanitarian issues, but also the complexity of chains of command at the national level or within NATO that render the quest for justice virtually impossible in response to violations of human rights. These two challenges underline the importance of placing human rights at the heart of NATO's strategy and actions.

.../...

.../...

After the Conference, the Armanshahr Foundation's journal, *Politis*, drafted a report, in Persian, to educate institutional actors on discussions on Afghanistan, the movement of human rights in Afghanistan and issues surrounding the fight against impunity for violations of human rights committed in the country. The context of ongoing war and its security implications for conducting such activities renders the monitoring of these discussions for FIDH and the Armanshahr Foundation particularly challenging.

> Towards the abolition of the death penalty

FIDH has continued its work with the World Coalition against the Death Penalty, as a member of its Steering Committee. Through the Coalition, FIDH mobilised for the World Day against the Death Penalty, on 10 October, encouraging its member associations to organise and providing tools for education on the death penalty that were developed within the Coalition. The year 2009 was also devoted to the preparation of the 4th World Congress against the death penalty, to be held in February 2010 in Geneva.

> Documentation and alert

While FIDH has continued its work of documentation and alert in several countries, including Kenya, Uganda, Japan and Vietnam. A particular focus for efforts this year was the situation in Iran. In 2009, FIDH published the results of an in-depth study on the death penalty in Iran, a report which helped raise international awareness of the systematic violations of international law surrounding the application of capital punishment in Iran - execution of minors, use of public hangings and stoning as a method of execution, death sentences for non-violent crimes, including homosexuality and adultery, etc.. During the Universal Periodic Review of Iran in February 2010, it will be clear that applying the death penalty in Iran, against the direction of the global trend toward abolishing the use of capital punishment, isolates the leaders of the country on the international stage.

FIDH also launched preparations for a mission on the death penalty and the administration of criminal justice in Bangladesh, which will take place in 2010.

> Advocacy at the national and regional levels

The main components developed by FIDH and its members have targeted the following situations:

- In Togo, FIDH has, for several years focused on the abolition of the death penalty, particularly as a peace-building measure and as a means to guarantee that human rights are respected during the transitional period. Several meetings were held with senior State representatives, as well as with political parties and civil society. The 10 December 2008 adoption of an abolition bill by the Council of Ministers was a direct result of this work, paving the way for the historic and unanimous vote by the National Assembly of Togo on 23 March 2009.
- In Burkina Faso, FIDH and its member organisation, *Mouvement burkinabé de défense des droits de l'Homme* (MBDHP), through meetings with the President of the Republic and the

Minister for Human Rights, encouraged the establishment of a concrete and voluntary strategy towards abolition. In this context, a seminar was held in the Burkina Faso National Assembly and a public awareness campaign in the media. MBDHP and FIDH have called for a bill to incorporate the Rome Statute into national law. The Rome Statute does not provide capital punishment for international crimes, and its adoption would pave the way for abolition of the death penalty for all crimes.

- At a regional level, FIDH's role in promoting abolition was recognized by the Working Group of the ACHPR on the death penalty, which gave FIDH group observer status for its work. FIDH was able to attend and contribute to meetings of the Working Group, and of the sub-regional conference for Central Africa organised by the ACHPR in November 2009 in Kigali. The second sub-regional conference will be held in April 2010 in Cotonou, which is expected to provide an opportunity for Benin to announce the abolition of the death penalty.

> Promote an independent judicial system

This activity is at the heart of all FIDH's activities. FIDH works on this subject through various means of action: by conducting missions of inquiry in the DRC, Guinea, Chile, and Georgia, advocacy missions to Argentina and Armenia, and by awareness-raising activities with all relevant actors (IGOs, national authorities ..).

While these activities are described throughout this report, two areas of activity required a particular investment from FIDH:

Illustration > The issue of reform of the Higher of Magistrates (HCM) in the Maghreb region and the Middle East.

The reform of the HCM is an important step in the process of a comprehensive reform of the administration of justice. At the end of 2008, FIDH organised a workshop in Jordan, bringing together different actors involved in this issue (judges, lawyers, governments, NGOs and international and regional experts), and participants came from Egypt, Jordan, Lebanon, Morocco and the Occupied Palestinian Territories. The report of this seminar was published in three languages (English, Arabic and French) in May 2009 and widely distributed. The main objective of this seminar was to identify the level of independence of HCMs in these five countries and to identify strategies to help overcome the obstacles and difficulties of securing independent HCMs.

In 2009, FIDH decided to conduct a specific activity following the meeting which focused on Morocco. The process of reforming the judiciary, including the reform of the HCM, which constituted a central recommendation of the *Instance Équité et Réconciliation*, remains a key issue in Morocco. In recent years, a number of Moroccan actors and NGOs in particular have strongly mobilised on this issue. The Moroccan authorities, however, took a long time to formally launch the process. The royal address delivered on 20 August 2009, which focused solely on this theme, was a strong signal. In this context, FIDH, in partnership with the International Commission of Jurists and the Euro-Mediterranean Network of Human Rights, decided to organise a seminar in Morocco and will invite all actors involved in this process, including representatives of competent authorities, governmental institutions, academics, professional

associations and non-governmental organisations. Originally scheduled for October 2009, this activity will take place at the end of January 2010. For effective implementation of this reform process, it is essential to gather all the forces deployed around the reform of the judiciary in Morocco and to offer the opportunity, which was not previously available, for a constructive dialogue among the different actors involved on the basis of the various initiatives undertaken, either at the institutional level, by professional associations, NGOs or parliamentary groups.

Illustration > The Caucasus: political prisoners and the administration of justice

> Georgia

Although the existence of political prisoners in Georgia has been denounced by Georgian civil society, the legal situation of these detainees was not documented. At the request of the FIDH member organisation Human Rights Center (HRIDC), FIDH organised an international mission of inquiry. The mission was composed of a lawyer from Memorial (Russia) and the President of the Human Rights Center of Azerbaijan (HRCA), who had, in the past, contributed a great deal of work on identifying and researching the issue of political prisoners in Azerbaijan. FIDH selected eight pilot cases to establish the existence of this phenomenon according to the criteria of the Council of Europe. The mission report, presented in Tbilisi in September, was used at the Council of Europe, UN, EU and OSCE.

This work contributed to the release of Shalva Ramishvili, one of the prisoners whose case was presented in the report. Additionally, the legal qualification of these political prisoners was widely reported in the country, fuelling a heated debate. The report is an important advocacy tool for local NGOs. At the international level, the information presented has been widely adopted, as in the context of the dialogue on human rights between the EU and Georgia. Similarly, the co-Chairman of the Commission on Human Rights of the U.S. Congress sent a letter to the Georgian authorities in order to raise the case of one of eight prisoners cited by FIDH and referred to the investigation report.

> Armenia

The situation of the administration of justice (lack of independence of lawyers and judges, ill-treatment in places of detention, torture) and detention that occurred following the events of March 2008 in connection with presidential elections remain a matter of concern. In June 2009 and February 2010, FIDH organised advocacy missions with FIDH's President in order to meet with authorities and to relay the concerns of the member organisation, the Civil Society Institute (CSI) on the necessary judicial reforms.

These missions took place in the context of the preparation of FIDH's 37th Congress, dedicated to justice, which will be held in Yerevan from 6-10 April, 2010 and involving all FIDH member organisations as well as international experts.

These activities contributed to the release of Mr. Hakobyan in October, who was subsequently acquitted in early 2010, and Mr. Davtyan in February 2010. Both had been subjected to ill treatment and their right to a fair trial was violated.

Objective 2 > To deter, repress and redress

For the last ten years, FIDH has been the only non-specialised international human rights organisation to be involved in providing judicial support to victims of international crimes (crimes defined by international conventions, such as torture, war crimes, crimes against humanity and genocide). Where there is a lack of will or capacity by national authorities to provide justice, FIDH supports victims before the courts of other countries on the basis of the mechanism of universal and extraterritorial jurisdiction or before certain international criminal courts. At the same time, and in support of its member organisations, FIDH supports transitional justice mechanisms in other countries.

The year 2009 witnessed many developments in international justice. In January, the International Criminal Court (ICC) began its first trial against Thomas Lubanga Dyilo and two Congolese militia leaders accused of crimes against humanity. Also in 2009, the ICC issued its first arrest warrant against an acting head of state, Omar El Bashir, President of Sudan.² The Extraordinary Chambers in the Courts of Cambodia (ECCC), responsible for judging crimes committed by the Khmer Rouge, also opened their first trial.

Universal or extraterritorial jurisdiction are being used more than ever before by victims despite continued criticism by several heads of State whom are the subject of complaints from abroad and are putting pressure on European countries to change their legislation. Many investigations which were opened on this basis are ongoing in various countries in Europe and in the United States and hopefully in Senegal soon.

FIDH and its member organisations won important victories in 2009, but challenges remain for universal justice and the need to protect individuals asserting their rights before national and international courts.

> Assistance to victims of international crimes in judicial proceedings

In 2009, FIDH continued its work to support victims of international crimes in judicial proceedings related to their search for truth, justice and reparation.

2. For a more detailed assessment of the early years of the ICC, see the FIDH note, published in March 2009 and updated in December 2009, available in French, English, Spanish and Arabic on the FIDH's website: <http://www.fidh.org/Note-de-la-FIDH-sur-les-premieres-annees-de-la>

> Before the ICC: the situation in the Democratic Republic of Congo (DRC)

Context

FIDH was the first NGO to submit requests before the ICC for participation of victims, following the recognition of substantive rights for victims of international crimes. In January 2006, the ICC Trial Chamber I recognised the right of victims to participate in the investigative stage of proceedings before the ICC. This right was also applied by judges of other Trial Chambers to victims of other situations in which the ICC is conducting investigations.

Activities

In 2009, FIDH continued its work supporting 20 Congolese victims of international crimes committed in the DRC, who were participating, at the present time, before ICC proceedings. Legal representatives of victims, who are members of FIDH's Legal Action Group, have submitted briefs relaying the views and concerns of victims involved, including their desire to see the court proceedings against officials of other serious and massive violations of human rights committed in Ituri.

Meanwhile, FIDH has continued advocacy for the ICC Prosecutor to open new investigations into other situations and has called on Congolese authorities to cooperate with the ICC in transferring Bosco Ntaganda, allegedly responsible for war crimes, to the Court. Aware that the ICC can only try those individuals who were principally responsible for international crimes committed in the DRC, FIDH continues to press the Congolese authorities to ensure justice for victims in domestic courts. But in the absence of both political and judicial will to try perpetrators of the worst crimes in the DRC, to try perpetrators of the worst crimes, including sexual crimes, as confirmed by the findings of the FIDH fact-finding mission in April, FIDH has undertaken a major advocacy campaign before intergovernmental organisations (including the UN Security Council) to push Congolese authorities to fight against impunity and to cooperate with the ICC.

Results and Challenges

FIDH contributed to the resolution of the Security Council on the renewal of MONUC's mandate (adopted in December) including stronger language concerning the obligation of the Congolese authorities to fight against impunity for crimes committed in the DRC and to cooperate with the ICC. The mobilisation of Congolese member organisations, has also contributed to many of the questions raised by States on the issue of the fight against impunity in the DRC during the Universal Periodic Review of the country. This external pressure led President Joseph Kabila to announce a policy of zero tolerance on crime. In 2010, FIDH plans to ensure that this announcement is translated into action, including by the transfer of Bosco Ntaganda to the ICC, the adoption of a law of adaptation of the Rome Statute into national law and the establishment of judicial reform, including the establishment of specific mechanisms within national jurisdictions to enable them to respond to the rights of victims of crimes to access to justice.

Furthermore, the ICC Appeals Chamber, on 19 December 2008, partially revised the system of victim participation before the ICC. FIDH, through its intervention in proceedings and advocacy before to the ICC, will ensure that victims' rights are guaranteed. Support for victims' involvement through complementary channels such as the submission of communications and

requests for reparation.

Finally, FIDH wishes to develop its work with the Fund for Victims and its support programs for victims.

> Before the Extraordinary Chambers in the Courts of Cambodia (ECCC)

Context

The opening the Duch case (File 001) marks the first trial for crimes committed by the Khmer rouge. Hundreds of victims were able to act as civil parties and participate in different stages of the trial during nearly 11 months. The Extraordinary Chambers are, in fact, the first jurisdiction with an international component to recognize the right of victims to bring civil proceedings. The verdict has not yet been rendered.

Legal preparations in record 002 against four leaders of the Khmer Rouge was closed by the Co-Investigating Judges of the ECCC at the end of 2009 with the announcement that a lengthy trial should start in late 2010. The trial promises to be extremely difficult because, unlike the 001 trial, defendants have not pleaded guilty and the facts under investigation are much broader. As of the end of 2009, Chambers had decided to reorganise the terms of participation for victims before opening the second trial. FIDH has mobilised to prevent this reorganisation leading to the rights of victims being limited.

Activities

In 2009, FIDH's Legal Action Group continued its legal representation of victims from Cambodia residing in France as well as of civil plaintiffs before the ECCC in the 002 Case, and submitted new requests for the establishment of civil parties. In July 2009, FIDH organised a mission in Cambodia to evaluate the work of Chambers and the participation and legal representation of victims, a subject of national debate. The participation of hundreds of victims admitted as civil plaintiffs in effect requires the implementation of new procedures.

Results and Challenges

The reform of rules of procedure endorsed early in February 2010 takes into account several recommendations from FIDH on the representation of victims plaintiffs.

FIDH's activities also alerted the Chambers, as well as the international community, particularly donor countries, to the need to provide adequate budgets to the victims' unit.

FIDH will support the plaintiffs it represents during the second trial, scheduled to open in 2010.

> Before national courts

Activities

FIDH is mobilised in around fifteen proceedings before national courts through the principle of extraterritorial or universal jurisdiction. Support is provided to victims of international crimes perpetrated in Algeria, Cambodia, Chile, Congo-Brazzaville, Côte d'Ivoire, Guatemala, Iraq, Mauritania, Peru, Democratic Republic of Congo, Rwanda, Syria, Chad, and Tunisia. FIDH also provides direct material and psychological support to some victims.

Focus: The Fujimori Case

After two years of the legal marathon throughout which FIDH and its member organisations in Peru mobilised (see FIDH Annual Report 2008), on 7 April 2009, the former Peruvian President Alberto Fujimori was sentenced to 25 years imprisonment for ordering serious violations of human rights; the sentence was confirmed on 6 January 2010. For the first time, a former head of state was judged in his own country in Latin America for serious crimes, less than ten years after the events in question and in accordance with the rules of a fair trial. The judgement is developing a unique interpretation of certain legal standards, such as evidence of the chain of command.

Among these cases, three have required a particular investment because of significant judicial developments or international events.

> The Probo Koala Case (Côte d'Ivoire)

Context

In August 2006, the “Probo Koala” tanker, chartered by the Dutch and Swiss company Trafigura, unloaded 581 tonnes of toxic waste at the port of Abidjan, resulting, according to official sources, in the deaths of 17 people and poisoning of more than 100,000. An agreement signed between Trafigura and the Ivorian authorities eliminates the possibility of prosecution in the Côte d'Ivoire against the company. The FIDH Legal Actions Group's (GAJ) observation of the lawsuit filed in Abidjan against other officials accused of dumping toxic waste concludes that there were significant procedural irregularities, and FIDH has continued its support to victims in extraterritorial legal proceedings.

Activities

In 2009, FIDH called upon the Attorney General of Paris to reconsider a decision by the Prosecutor to take no further action in the complaint lodged in Paris against two French executives of Trafigura. Meanwhile, in 2009, 20 victims represented by FIDH joined a procedure started in London to obtain financial compensation for victims.

Results and Challenges

On 20 September 2009, Trafigura reached an agreement in the United Kingdom in which the sum of 30 million pounds was allocated to Ivorian victims. With Trafigura's civil liability sanctioned by that decision, FIDH will continue to seek criminal liability of directors of the company while also furthering its efforts to open proceedings in France. It will also support the opening of proceedings in the Netherlands with an “amicus curiae” presenting the findings of its observation of the trial in Abidjan to counter the arguments of the defence on the principle of *ne bis in idem*.

> The Hissène Habré Case (Chad)

Context

The African Union called on Senegal to prosecute Hissène Habré, President of Chad from

1982 to 1990, for his part in the massive crimes committed during his regime. While the legal reforms needed for his trial were made in 2008, the trial has not started due to an assertion by Senegal that support from donors for the proceedings was inadequate.

Faced with this deadlock, Belgium - whose courts had issued an international arrest warrant against Hissène Habré - initiated action against Senegal in February 2009 before the International Court of Justice to urge the country to try or extradite Hissène Habré.

Meanwhile, in October 2008, Hissène Habré filed a complaint against Senegal before the ECOWAS (Economic Community of West African States) Court of Justice, requesting the Court declare a violation by Senegal of the principle of non-retroactivity of criminal law, the principle of equality before the law and the right to a fair trial, with the aim of compelling Senegal to halt any legal action against him. In December 2008, 118 victims of Hissène Habré and his regime filed a brief with the ECOWAS Court of Justice and requested the right to intervene to highlight facts and crimes that the former Chadian President is alleged to have committed, and push the Senegalese courts to hear the case and prosecute Hissène Habré. The request to intervene was dismissed in November 2009.

Activities

In an attempt to resolve obstacles related to financing, FIDH has undertaken extensive advocacy, pushing the Senegalese authorities to review and lower their budget and urging French and European authorities to confirm their contributions.

Furthermore, during a mission to Dakar, the Steering Committee of the International Committee for the Fair Trial of Habré, in which FIDH plays a part along with Human Rights Watch and several NGOs in Senegal and Chad, sought to raise the awareness of the Senegalese public and political parties on the importance of opening a case against Habré in Senegal as an expression of African solidarity with the victims of Chad in order that they call for the Senegalese authorities to act.

Results and Challenges

Ten years after the first indictment of Hissène Habré in Senegal, FIDH will continue in 2010 to mobilise the international community to ensure that Senegal respects its commitments and allow's for the opening of a judicial inquiry into the crimes committed between 1982 and 1990 in Chad. The involvement of civil society and political parties in Senegal, initiated after the mission in Dakar, will be central to the decision of government authorities to move forward. The filing of a complaint with civil parties is also planned to push judicial authorities to act.

> Gaza (Israel / Occupied Palestinian Territories)

Context

From 27 December 2008 to 18 January 2009, "Operation Cast Lead," conducted in Gaza by the Israeli army, killed 1,400 Palestinians and injured many civilians, including nearly 300 children. On 22 January 2009, the Minister of Justice of the Palestinian Authority made a declaration pursuant to Article 12.3 of the Statute of the ICC, recognizing the jurisdiction of the Court to investigate crimes committed since 1 July 2002 on the Palestinian territory.

The United Nations Commission of Inquiry, headed by Justice Goldstone, released its report in September 2009, marking a milestone in the search for truth and justice. It describes the

perpetration by the various parties of war crimes and crimes against humanity. The report asks the Israeli and Palestinian authorities to conduct investigations within six months and recognizes, in the absence of investigations and prosecutions conducted in good faith at the national level, the ICC's jurisdiction. The United Nations General Assembly adopted the report, taking its findings into account, by resolution on 5 November 2009.

Activities

Since Operation "Cast Lead," FIDH has been asked by its member organisations in Israel and the OPT to respond to the need for justice of victims from these events and underline the necessity for criminal justice (accountability) as a dissuasive measure. With a view of establishing the facts but also carrying out advocacy, FIDH organised two missions in January 2009, in Israel and the West Bank and then to Gaza, to gather information on serious violations of human rights committed and to report them to the competent authorities, in close collaboration with its member and partner organisations.

With a judicial perspective, representatives of FIDH and its Legal Action Group participated in international meetings with NGOs and lawyers in Madrid in January 2009 and in London in February 2009 to allow for a better coordination between NGOs and lawyers involved in filing complaints based on the principle of extraterritorial jurisdiction.

In addition, FIDH organised several meetings between its member organisations in Israel and Palestine and the Office of the ICC Prosecutor, to assist in its analysis of the situation.

Results and Challenges

FIDH and its member organisations continue to engage in advocacy efforts for effective independent open investigations and prosecutions of those responsible for events that occurred during Operation "Cast Lead."

In January 2010, a high level FIDH mission, led by its President, took stock of the measures undertaken by the concerned national authorities. The mission also held strategic discussion with all of its member and partner organisations in Israel and Palestine.

FIDH will continue to work on opening credible and effective investigations at a national and extra-national level in support of its members.

> Support for local NGOs before the ICC institutions

Context

FIDH has identified several types of needs:

- The need for training. International justice is a complicated, new and rapidly evolving body of law. For example, FIDH has identified a need for training Burmese activists that have limited experience with concepts and mechanisms of international justice.
- The need for awareness and improved ownership of ICC decisions. In fact, many states have developed important resources to challenge this institution, particularly since the arrest warrant issued by the ICC against Sudanese President Omar al-Bashir for crimes against humanity and war crimes in Darfur.
- The need to support local actors to integrate the ICC as a means to prevent further crimes.

Activities

To respond to these challenges, FIDH has developed several different types of activities, such as:

- Faced with opposition to the ICC from several countries in Africa and the Middle East, particularly illustrated by the decision of the African Union (AU) and the League of Arab States (LAS) to call for the ICC to suspend its work on the situation Darfur in 2009, FIDH organised a panel at the 45th Session of the African Commission on Human and Peoples' Rights on the subject of international justice in Africa. The panel included the participation of Fatou Bensouda, Deputy Prosecutor of the ICC, and led to the adoption of a declaration in support of international justice and the ICC. FIDH also appealed to intergovernmental mechanisms and conducted a series of actions with the media to raise public awareness.
- FIDH organised training activities for NGO members and partners of FIDH on international justice. For example, it hosted a major seminar in Thailand with Burmese human rights defenders on ICC issues and organised a training session in The Hague (see priority 7).
- Following the coup in Honduras, FIDH organised an international mission and a seminar for key representatives of Honduran civil society addressing the main legal mechanisms available to victims of these violations. The report and findings of this mission were published and sent to the ICC Office of the Prosecutor during an interface at The Hague in September 2009. This communication, on behalf of FIDH and the *Asociación Pro Derechos Humanos de España* (APDHE), includes an appeal to the ICC to investigate and prosecute those responsible for the crime of political persecution. FIDH will continue to send information on developments to the ICC Office of the Prosecutor encouraging it to comment on the situation (see priority 7).

> Supporting investigations, monitoring procedures and jurisprudence of the ICC

Providing information to the ICC

In 2009, FIDH submitted communications to the Office of the Prosecutor in order to enhance his analysis of situations in Honduras and Palestine. Similarly, FIDH continued to provide information on the situation in Colombia, demonstrating the unwillingness of the Colombian State to carry out investigations at the national level, the severity of crimes committed and to justify the ICC's competence.

Monitoring procedures

FIDH invested particular efforts in monitoring proceedings on Central African Republic (CAR). Since 2003, FIDH has continuously brought records of international crimes committed in CAR before the ICC so that it may open an investigate and pursue those most responsible.

In January 2009, FIDH attended confirmation of charges hearings by the Prosecutor against Jean Pierre Bemba. FIDH reports on crimes committed in CAR were widely referred to at that hearing as evidence by both the Office of the Prosecutor and the legal representatives of the defence and victims. On 15 June 2009, most of the charges brought against Jean-Pierre Bemba were confirmed by the ICC as having hierarchical responsibility for crimes against humanity and war crimes and not as a co-perpetrator. FIDH declared itself in favour of Mr. Bemba being denied the provisional release he requested because of the risks that such a decision could represent for the safety of victims and witnesses. The Appeals Chamber followed this line of reasoning in its decision of 3 December 2009. FIDH will cover the trial of Jean-Pierre Bemba, which will open in July 2010, and will continue to call for the prosecution of other senior officials of international crimes committed in CAR.

FIDH will also continue to establish the truth of the tragic disappearance of Mr. Goungaye Wanfiyo, a Centrafrican lawyer and President of the Centrafrican League of Human Rights, a member organisation of FIDH. On 27 December 2008, Mr. Goungaye Wanfiyo died during a traffic accident in CAR, the circumstances surrounding which remain unclear. He served as a representative of many victims in the Bemba case before the ICC.

Strengthening of ICC mechanisms and institutions

FIDH continued providing institutional support to the ICC, in particular by actively participating in the session of the Assembly of States Parties (ASP) in November, which adopted many of the recommendations of FIDH's position report, in particular the need to strengthen cooperation between States and the ICC, as well as outreach activities of the ICC in the countries in which it investigates. FIDH also actively participated in the annual bilateral meetings between the Court and NGOs that strengthen existing dialogue to better understand one other and share strategies.

FIDH has strengthened its activities with the ICC Trust Fund for Victims by assisting in defining its strategy and action plan. In 2010, FIDH will continue to participate actively alongside the new board of the Fund so that they may assist the highest number possible of victims from situations under ICC investigation. FIDH will submit, with its local partners, projects to rehabilitate victims.

Challenges

FIDH is actively preparing, in cooperation with the International NGO Coalition for the ICC, the Review Conference of the ICC Statute, scheduled to be held in Uganda in 2010.

Other international jurisdictions

In anticipation of the completion of work for the International Criminal Tribunals for the Former Yugoslavia and Rwanda, scheduled for 2009/2010, a seminar was organised jointly with Redress and International Criminal Law Services in April 2009 in the European Parliament. The seminar provided a platform for exchanges of experiences and strategies with representatives from these jurisdictions, but also for the Special Tribunal for Sierra Leone and the International Criminal Court, with diplomats. It also aimed to consider the role that European states and the EU should take to support and enhance the phasing out strategy. The note "The stakes of closure of the International Criminal Tribunals for the Former Yugoslavia (ICTY) and Rwanda (ICTR)" adopts FIDH's recommendations on this issue.

> Support to local actors in transitional justice processes

In 2009, at the request of its partners, FIDH provided assistance to victims of violations of human rights during political transition processes in the Middle East, Chile, Afghanistan and Togo.

> Chile

Activities

In 1998, following the detention of Augusto Pinochet in London and the appointment of new judges to the Supreme Court, hundreds of complaints were lodged by victims of serious violations of human rights committed during the dictatorship of Augusto Pinochet as a result of the work of national organisations defending human rights. This effort effectively led to the opening of independent investigations and prosecutions. In March 2009, FIDH conducted a mission to take stock of these procedures and identify legal and political obstacles to ensure that justice is actually served.

Results

This mission allowed for an acknowledgement of the real progress of lawsuits, more than 300 of which have been opened across the country. These suits are, for the most part, effectively prosecuted and convictions are sometimes made on the basis of innovative recognition of international law within national law, in particular recognition of crimes against humanity. Nevertheless, the mission identified several obstacles, including the fact that few of these sentences have actually been confirmed in the final instance by the Supreme Court. Furthermore, and especially in recent years, the practice of pronouncing “reduced sentences” has risen, leading to sentences that are particularly low. Not only do they fail to correspond to the gravity and limitations of crimes, but they also lead in practice to liberating the accused. FIDH and its partners were able to call upon the United Nations Committee against Torture, which has effectively challenged the practice. FIDH participated in a hearing on this matter by the Inter-American Commission on Human Rights

Challenges

FIDH will continue to work with the victims of the dictatorship of Augusto Pinochet to ensure that they actually obtain justice and reparation.

It will present the findings of its 2010 mission, which have been taken up in turn by international bodies mandated to protect human rights, to the new Chilean authorities. FIDH will also closely follow the reopening of the Commission’s work on the political prison and torture, which had earlier been denounced due to a limited mandate of investigation. Finally, FIDH will step up efforts for an effective trial of 15 former officials of the Chilean military regime for the disappearance of four French Chileans during the early years of the dictatorship, scheduled for 8-17 December 2010 before the *Cours d’assises* of Paris.

> Togo

FIDH and its affiliate, the *Ligue togolaise des droits de l’Homme* (LTDH), have since 2005 identified the need for a process of justice and reconciliation in Togo and have carried out sustained mobilisation for the creation of a Truth, Justice and Reconciliation Commission (Commission Vérité, Justice et Réconciliation- CVJR). As a direct impact of actions taken, the President of the Republic adopted on 25 February 2009 a decree establishing the CVJR based on recommendations from a FIDH/LTDH seminar organised in 2008 in Lomé.

Three missions conducted in May, June and August have helped to accelerate the implementation

of the CVJR (headquarters, election of commissioners, etc.) and have contributed significantly to important advances concerning the awareness of local people and victims about the role they must play within the CVJR.

Thus, FIDH and the LTDH continue their strategy to strengthen the justice system in Togo, abolish the death penalty in favour of national reconciliation through truth about crimes, and create a fund for legal assistance.

> Support for the universal jurisdiction principle and its implementation in the European Union (EU)

Activities

FIDH has continued its cooperation with the organisation REDRESS, initiated in 2003 to strengthen the laws and practices in European Union member states and to support European coordination mechanisms for greater effectiveness of investigations and prosecutions of those responsible for international crimes.

The activities included:

- A seminar on the role of victims and witnesses in proceedings based on universal jurisdiction (UJ) held in November.
- Advocacy to strengthen the application of the UJ principle in the EU. FIDH appealed to the African Working Group of the EU Council to choose not to take action on an expert report to the AU/EU that partly intended to weaken the CU.

Results

These activities have helped strengthen the coordination and dissemination to networks of information on developments on the prosecution of those responsible for serious crimes, thereby ensuring a greater effectiveness of these procedures. The publication of a newsletter now allows for a facilitation of these discussions and exchanges on information about universal jurisdiction. Furthermore, the EU Council did not respond positively to recommendations intended to weaken universal jurisdiction.

Follow-up

In 2010, many missions will be organised in member countries to finalize a study of law and practice from 27 member states with regard to universal jurisdiction. Particular attention will be given to the implementation of the Stockholm programme on security and justice, adopted by the Council on 11 December 2009. The programme's implementation should be specified by the European Commission by June 2010 so as to support and strengthen the effectiveness of procedures for universal jurisdiction within the EU.

FIDH will closely follow discussions in the General Assembly during 2010 and will make every effort to ensure that no resolution denouncing the principle of universal jurisdiction is adopted.

Focus: Strengthening the Legal Action Group (GAJ)

In 2009, FIDH worked to strengthen the Legal Action Group (GAJ), composed of judges, magistrates and lawyers working pro bono to initiate, participate and follow the judicial proceedings of victims. To this end, FIDH organised a meeting with 25 active members from France, Spain, Italy, Belarus, USA, Iran, Palestine, Peru, Senegal and Democratic Republic of Congo. Participants discussed common legal issues strategies to strengthen the group and its actions.

In April 2009, FIDH also published a practical note on the implementation of Universal Jurisdiction in Europe: “A step by step approach to the use of universal (criminal) jurisdiction in Western European States” in French, English and Persian. Spanish and Russian versions will be released in early 2010.

Priority 5 >

Strengthen respect for human rights in the context of economic globalisation

2009 was marked by a worsening of the global economic and financial crisis and its impact on human rights, particularly the economic and social rights of vulnerable people in both the South and North. The result has been increased inequality within and between States.

This crisis has compounded the loss of confidence, among a large section of the public opinion, in private financial actors as well as and multinational corporations. In this context, it seems more necessary than ever to reinforce human rights protection instruments against the negative consequences of economic globalisation, notably by recognising the extra-territorial responsibilities of States, and by improving regulation of private-sector actors. Calls by civil society organisations for improved control over both economic globalisation and economic players have become more audible. In 2009, the message from certain international organisations evolved towards a recognition of the need to place human rights at the heart of economic relations. In this respect, FIDH hopes to continue actively putting forward concrete proposals.

The mobilisation of civil society around the issue of climate change in the context of the Copenhagen Summit in December 2009 demonstrated the interdependence of environmental issues and human rights, particularly economic, social and cultural rights (ESCR).

Objective 1 > Promote corporate responsibility for the respect for human rights

Specific Objective > Investigate human rights violations involving corporations

Activities

In 2009, FIDH initiated human rights impact assessment studies of multinationals' activities. These studies, which employ a methodology of inquiry and analysis that is new to FIDH and its member organisations, is aimed both at strengthening the investigative capacity of FIDH member organisations in particularly difficult areas and at establishing the facts and the

respective responsibilities of private actors and States. Two situations were subjected to such an investigation: a mining project in Ecuador and a food-producing company in Cameroon.

Focus: Human Rights Impact Assessment of the activities of a mining company in Ecuador

In partnership with the organisation Rights and Democracy, which has developed a methodology for human rights impact assessments, FIDH and its three member organisations in Ecuador carried out research into the current impacts of mining exploration and the probable human rights impacts of open-cast mining at a site in the Amazonian region of Ecuador. A local team, combining various skills, was formed in order to collect testimony, legal documents, scientific studies, etc. in systematic manner over a period of several months. With the support of FIDH, a dialogue was finally established with the Canadian-owned company and the Ecuadorian government in order to compare the differing versions of the facts and to set up a discussion on the implementation of the recommendations that will be drawn up at the end of the investigation. The report will be published in 2010, accompanied by advocacy actions at the local and international level.

Testimony

"Thanks to the support of FIDH, the first report into mines and human rights in Ecuador will be published. The process of case studies and the elaboration of the report have enabled the various local organisations (INREDH, CDES, Acción Ecológica) and individuals to work collectively. This mutual approach is important: it enables the associations to move out of their individual spaces. The relationship with the mining company, the parent company and the subsidiary, was possible thanks to FIDH and Rights and Democracy. This support enabled us to overcome the local organisations difficulties in communicating with these actors."

Alicia Granda of CEDHU, FIDH member organisation, December 2009

Specific-objectif > Strengthen the regulatory framework for corporate responsibility for human rights

FIDH is working to strengthen the legal framework relating to the respective responsibilities of States and corporations in terms of human rights both at the United Nations level (UN) and at the European level (EU). Considering the number of multinational corporations operating from within the EU, the latter has a particular role to play in ensuring that they respect human rights wherever they are present.

> At the United Nations level

Activities

Despite the failure of the UN Norms project in 2003, and the opposition of many States to the direct imposition of obligations on corporations, the work of the UN Special Representative on Business and Human Rights, whose mandate was renewed in 2008 for a period of three years, can help put an end to the almost total impunity enjoyed by corporations involved in human rights violations. The recommendations formulated at the end of his mandate, if they

are to be successful, will have to be widely supported and above all will have to pave the way for justice. FIDH has therefore decided to participate in order to have a positive influence on current deliberations.

FIDH and its member organisations have participated in several regional consultations in Asia and Latin America, as well as the wide consultation organised by the UN High Commissioner for Human Rights on the “Respect, Protect, Fulfil” conceptual framework proposed by the Special Representative. The President and the Director of FIDH also took part in the debate in the “leadership group”, a consultative committee responsible for advising the Special Representative in fulfilling his mandate, which met for the first time in 2009 and to which the FIDH President belongs, along with our partner, the International Trade Union Confederation (ITUC). FIDH published a position paper calling on the Special Representative to pay attention to countries’ extra-territorial obligations; to recommend that corporations’ diligence in human rights matters be enshrined in law; and to take into account victims’ rights to reparation. FIDH promotes the need to create a quasi-judicial universal mechanism to respond to the right for effective recourse for victims of human rights violations involving corporations.

Impact

During the Conference organised by the Swedish Presidency of the European Union on the conceptual framework of the Special Representative, the latter explained his vision of extra-territorial competence and argued in favour of European countries adopting national measures of a legislative nature aimed at corporations operating beyond their national territory, which is one of FIDH’s demands.

> At the European Union level

Activities and results

For several years, FIDH has, in cooperation with the European Coalition for Corporate Justice (ECCJ), whose steering committee it joined in late 2009, argued that the debate on corporate social responsibility should move beyond the promotion of merely voluntary initiatives by corporations. The debate about corporate social responsibility (CSR) took a new turn in 2009 when NGOs, including FIDH, returned to the European Commission’s “Multi-stakeholder Forum”, and when the European institutions modified their position to recognise the need to support voluntary CSR initiatives with regulatory measures. FIDH participated in the CSR conference “Protect, Respect, Fulfil” organised by the Swedish Presidency to discuss measures to make the Special Representative’s framework operational within the EU. At the end of this conference, the Swedish and Spanish Presidencies adopted a joint declaration recognising the importance of legislative measures and calling on the EU and its member states to ensure that corporations respect human rights wherever they operate. In late 2009, the Commission ordered a study into the legal obligations of European corporations when they operate outside the EU. FIDH also defended the need for compulsory extra-financial reporting for European corporations at a series of European Commission workshops on the publication of social, environmental and governance information.

Specific Objective > Strategic exchanges and reinforced capacity

To meet its member organisations’ need for exchange and training on a complex and constantly evolving field, FIDH is developing activities to reinforce strategic discussions within its

network. For example:

- FIDH is working on a guide on the mechanisms enabling victims of human rights violations involving Business and Human Rights to seek justice. The guidebook will be published in 2010.
- FIDH has also facilitated the participation of its member organisations in consultations on the framework of the UN Special Representative on corporations and human rights to increase their ability to interact internationally.
- FIDH actively participated in a strategic seminar, organised by one of its member organisations in Colombia, on legal action against corporations.

Specific Objective > Making corporations' commitments a concrete reality

To achieve progress in the respect for human rights by multinational companies, FIDH undertook, a few years ago, to encourage the corporations themselves to move forward in this area, by putting their social responsibility commitments into practice. The link between FIDH and the unions is an important factor for overall coherence; the cooperation with the ITUC and its trade and retail affiliate, the UNI, continued in 2009.

- In 2008, FIDH's cooperation with multinational retailer Carrefour took on renewed momentum with the publication of a mission report on Bangladesh and exchanges on precise recommendations relating to the need to encourage worker representation within its factories and to make considerable changes to buying practices within mass retail. In 2009, FIDH carried out two new fact-finding missions aimed at evaluating the monitoring of these recommendations in Bangladesh and China. On this basis, FIDH once again turned to the group's management, which committed to taking measures to ensure better consideration of social aspects in purchasing decisions. To this end, FIDH helped reformulate the standard contract between the group and its suppliers.

- In 2009, FIDH continued to urge the giants of international retail belonging to the Global Social Compliance Programme (GSCP) to pool their efforts in terms of social audits and to explore measures they could take to effectively remedy the proliferation of human rights violations within their supply chains. FIDH encouraged the publication of an evaluation note by the GSCP Consultative Committee in May 2009. Some corporations, including Carrefour, have adopted the GSCP's reference code as such.

- • "Libertés et Solidarité" ethical mutual fund

In 2009, FIDH in close cooperation with the manager of its "Libertés et Solidarité" ethical mutual fund, Banque Postale Asset Management (LPAM), decided to publish a quarterly bulletin on "extra-financial reporting", containing information on the securities held in the portfolio (shares and bonds) and explaining FIDH's methodology, which now factors in environmental criteria. This exercise requires FIDH to set demanding standards for corporations included in the portfolio, as was the case with the study on the pharmaceutical sector in 2009. FIDH has also stepped up its monitoring of companies in the fund. Thus, in 2009 FIDH started a procedure to suspend Statoil because of investments in a highly controversial project to extract oil from tar sands in Canada.

General Challenges

With regard to both the GSCP and the Carrefour group, corporations have realised that social audits alone are not enough to meet their obligation of due diligence, as put forward by John Ruggie. That being so, they should now implement purchasing practices that ensure that the respect of human rights is taken into consideration at each stage of the relationship with suppliers.

Objective 2 > Promote human rights in trade negotiations

In conformity with its three-year plan, FIDH is concentrating on its advocacy activities to push the European Union to integrate the question of human rights into all its external relations, particularly trade relations, notably by carrying out impact assessment studies on trade agreements negotiated between the EU and third-party countries. FIDH has thus made repeated calls to European negotiators on the subject of ongoing negotiations with Colombia, El Salvador, Honduras and Peru.

Illustration > Bagua

In 2009, FIDH closely monitored the conflict between the Peruvian government and indigenous peoples of the Amazon arising from the adoption of decrees to facilitate the implementation of the free trade agreement between the US and Peru. Following violent confrontations in June 2009, which resulted in 33 deaths and hundreds of wounded, FIDH organised an investigative mission, which resulted in a report entitled “Bagua: bloodshed in the context of Amazon protest”. FIDH’s analysis clearly shows that the exclusive focus on economic interests without consulting the populations affected and failure to allow for the potentially negative impact of trade and investment agreements on human rights can have disastrous consequences. FIDH organised an advocacy mission before European institutions in December 2009, when the EU was preparing to finalise a free trade agreement with Peru. FIDH drew the European negotiators’ attention to the risks of these agreements and called on the EU to carry out impact studies before and during the implementation of the agreement. The information aroused considerable interest among the European institutions, which announced the establishment of mechanisms to ensure that human rights and sustainable development clauses are included in the agreement.

Objective 3 > Promote the justiciability of ESC rights

Specific Objective > Document ESC rights violations

Activities

FIDH took part in a joint investigative mission (FIAN, CIFCA, OMCT, Via Campesina, CIDSE) to Guatemala focusing on the right to food and also examining the situation of human rights defenders in this context. The report is to be published in March 2010.

FIDH also continued its work on denouncing violations of fundamental employment rights in the ship-breaking yards of southern Asia. FIDH’s report “Childbreaking yards” was widely disseminated in its Bengali version in early 2009. During a mission to Bangladesh in March

2009, FIDH was informed by the authorities that they were doing everything possible to end child labour in these yards and to improve conditions for workers.

Impact

This work helped raise national awareness of the environmental and social issues attached to this activity. Following a complaint lodged by BELA (the Bangladesh Environmental Lawyers Association, a member of the international NGO ship-breaking platform) the Bangladesh High Court ordered the closure of yards that do not conform to legislation on employment law and environmental standards.

Challenges

The power and profitability of this industry is such that, despite the authorities' position and the High Court's ruling, the yards continue to operate in the same manner. The NGO platform and FIDH are continuing to call on the European Union to honour its responsibilities and ban ship owners from sending decommissioned vessels to these yards. The EU is to adopt new regulations on the matter in 2010. FIDH and the Platform are also developing an advocacy campaign aimed directly at ship owners and charterers.

Specific Objective > Protect those who denounce ESC rights violations

In the context of its joint programme with the Observatory for the Protection of Human Rights Defenders, FIDH is developing a greater number of activities to protect defenders of ESC rights, who are increasingly affected by the repression of social protest. In January 2009 at the World Social Forum in Belem, Brazil, FIDH co-organised a seminar on the criminalisation of social protest and strategies of prevention and reaction at national, regional and international levels. In connection with this, FIDH submitted a paper on the repression of ESC rights defenders in the Democratic Republic of the Congo when the country was being investigated by the UN Committee on Economic, Social and Cultural Rights.

Specific Objective > Strengthen the protection of Economic Social and Cultural (ESC) rights at international and regional levels

> At the international level

FIDH has been advocating the equal recognition of ESC rights in international law for years. Since 10 December 2008, with the adoption of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the justiciability of ESC rights has been reaffirmed at the international level. FIDH mobilised to mobilise its network in coordination with the International NGO Coalition for the Optional Protocol (FIDH is a member of the steering committee) to encourage a large number of States to sign and then ratify this instrument as soon as it was open for signature on 24 September 2009. FIDH has also taken part in the Coalition's work to ensure the effective future functioning of the UN Committee on Economic, Social and Cultural Rights by suggesting possible procedural rules.

Challenges

By the start of 2010, 31 States had signed the Protocol, which will come into force three months after the tenth ratification. This instrument will most likely come into force quickly. However, the challenge remains ensuring the universality and the effectiveness of the instrument. Alongside the international coalition, FIDH hopes to convince as many States as possible to ratify quickly. The coalition is also arguing for an effective instrument, offering as much protection as possible, and supports a renewed committee and the adoption of progressive procedural rules.

> At the regional level

FIDH has targeted its activities before African authorities by contributing to the work of the African Commission on Human and People's Rights in the area of ESC rights. FIDH notably raised the sensitive question of the right to food in Africa during a session of the Commission, and commented on the project to establish guidelines for ESC rights developed by a working group of the Commission. FIDH will closely monitor developments at the Commission's various working groups, notably the working group on extractive industries set up in 2009 with the support of FIDH.

General challenge

Globalisation and climate change demonstrate that States' responsibilities cannot end at their physical borders. FIDH is taking part in the review of States' extra-territorial obligations with a consortium of NGOs and academics, with a view to elaborating Maastricht Principles in 2010 aimed at strengthening the protection of ESC rights in this context.

Priority 6 >

Mobilising the community of States

FIDH and its member and partner organisations intervene with the United Nations, European Union (EU) institutions, the African Union (AU), the Council of Europe, the European Court of Human Rights, the Inter-American Commission on Human Rights (IACHR), the African Commission on Human and Peoples' Rights (ACHPR), the Organisation for Security and Co-operation in Europe (OSCE) and the office of its Office for Democratic Institutions and Human Rights (ODIHR), the League of Arab States (LAS), the Association of South East Asian Nations (ASEAN), the Gulf Cooperation Council, the Commonwealth, the International Organisation de la Francophonie (OIF) and the Commission of the Economic and Monetary Community of Central Africa (CEMAC). For this reason, FIDH maintains offices in Brussels for the EU, in Geneva and New York for the UN, in Cairo for the LAS, in Nairobi for the AU and an office in Thailand for ASEAN. It also has delegations with the Council of Europe, the CEMAC, the IACHR and the ACHPR.

Objective 1 > Reinforce the interaction of human rights defenders with the mechanisms and instruments for the protection of human rights

Over the past 15 years, FIDH has developed programmes called *interfaces*: a series of meetings between human rights defenders and institutional actors from international or intergovernmental institutions liable of influencing the situation of human rights in the world.

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 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 instruments (Guidelines, bilateral dialogues);
- 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, the League of Arab States, the Organization for Security and Co-operation in Europe, the Inter-American Commission on Human Rights).

The objectives of these *interfaces* are as follows:

- To provide human rights defenders the necessary tools for the comprehension, utilisation or

effective interaction with these mechanisms or institutions;

- Ensure that the concerns of human rights defenders are taken into account in the positions, decisions and recommendations adopted by these mechanisms or institutions;
- Create the opportunity for dialogue between human rights defenders and representatives of the various intergovernmental institutions or various instruments of protection;
- Provide the different mechanisms or institutions with information from the field to activate their protective mandate;
- Promote the role of human rights defenders.

In 2009, these interfaces were implemented as follows (see in the appendix the summary of interfaces per country):

<i>Institutions</i>	<i>Mechanisms</i>	<i>Number of interfaces organised</i>	<i>Defenders trained</i>	<i>Countries covered</i>
United Nations	Universal Periodic review	12 interfaces	17 defenders	12 countries
	Treaty bodies	11 interfaces	19 defenders	8 countries
	Human Rights Council	11 interfaces	14 defenders	12 countries
	General Assembly	2 interfaces	4 defenders	2 countries
	Security Council	4 interfaces	5 defenders	3 countries
European Union / Foreign Policy instruments		21 interfaces	43 defenders	18 countries
African Union and ACHPR		4 interfaces	13 defenders	8 countries
OSCE	Implementation meeting on Human dimension	2 interfaces	4 defenders	4 countries
League of Arab States	Cabinet of the Secretary General	1 interface	4 defenders	1 country
IACHR	Thematic hearings	3 interfaces	8 defenders	3 countries

Examples of the results of these *interfaces* are detailed in the different sections of this activity report. In a general manner, these activities have shown that in 2009, the intervention of international or regional, political or judicial mechanisms enabled the reinforcement of the dynamics of change and led to substantial changes in the field. Overall, the recommendations of FIDH and its members were largely included in the conclusions of these mechanisms.

Objective 2 > Develop and reinforce the international and regional mechanisms and instruments

Beyond specific mobilisation in response to country specific situations or in support of the interfaces, FIDH also carries out its mobilisation towards the reinforcement of the effectiveness and impact of the human rights protection mechanisms, the inclusion of human rights in the mandate of intergovernmental institutions, and against attempts at weakening some of the mechanisms already in place.

> United Nations

Activities

For the United Nations, this mobilisation centred on the Durban Review Conference (see focus) and on three specific and cross-cutting objectives:

- To reinforce the tools of FIDH member and partner organisations to understand the Universal Periodic Review (UPR), the issues at stake and the practical details of a pertinent and effective interaction among the NGOs interacting with this instrument. To this effect, an NGO specific user guide was published and distributed in French, English, Spanish and Arabic.
- To reinforce the broad mobilisation of the UN bodies in favour of the protection of human rights defenders (see Priority 1 on defenders in this report)..
- To set up and reinforce human rights protection mechanisms dedicated to country specific situations within intergovernmental fora.

Results

- The reinforcement of the interaction of human rights defenders with the Universal Periodic Review enabled their recommendations to be taken into account in the questions and observations raised by the States participating in the UPR working group. On several occasions, FIDH was the only organisation that facilitated the intervention of defenders from certain countries and their interaction with the member States participating in the evaluation (for example Congo-Brazzaville or the Ivory Coast).
- The mobilisation of the UN protection bodies for human rights defenders resulted in the reinforcement of the mobilisation of various UN mechanisms:
 - The Special Procedures of the Human Rights Council – for example, four procedures jointly questioned the Tunisian authorities on the situation of human rights defenders in Tunisia (the Special Rapporteurs on the situation of human rights defenders, the fight against torture, the independence of judges and lawyers and freedom of expression)
 - The Universal Periodic Review – all the countries under review by the UPR and for which FIDH was mobilised were questioned on the situation of human rights defenders. In 2009, these included Azerbaijan, Bangladesh, Cambodia, China, Congo-Brazzaville, Côte d'Ivoire, Jordan, DRC, Senegal and Yemen.
 - The UN Security Council – FIDH obtained the commitment from the Security Council that they request the MONUC (UN mission to DRC) to ensure the protection of human rights defenders in DRC – the first time a Security Council Resolution mentions human rights defenders.
 - The mobilisation for the maintenance and reinforcement of mandates specific to certain countries at the Human Rights Council or the United Nations General Assembly also led to positive results, despite a tendency towards their progressive suppression. Thus, the resolution by the Human Rights Council on DRC was maintained even if its mandate is weakened. The mandates on Sudan, Burma and North Korea were also renewed. The mobilisation around the General Assembly's resolution on the Islamic Republic of Iran, resulted, this year in a considerably greater amount of support from States, largely due to the mobilisation of Shirin Ebadi, Nobel Peace Prize winner, and the President of FIDH through the FIDH delegation to the United Nations in New York.

Focus –Durban Review Conference

In the lead up to the Durban Review Conference that was held in Geneva in April 2009, FIDH mobilised against an initiative led by the Member States of the Organisation of the Islamic Conference aiming at introducing the notion of religious defamation, a political notion deviating from human rights standards, and to ensure that the Conference contributed to the reinforcement of the fight against racism and all forms of discrimination in the world.

FIDH thus published a legal analysis setting out the stakes related to the notion of “defamation of religion”, inviting NGOs and States to distance themselves from such a terminology, and further specified, in a position paper, the subjects to be raised at the Conference to enable the United Nations to reinforce its fight against discrimination.

Negotiations prior to the Conference enabled this notion of defamation that would have seriously discredited its work to be set aside. FIDH once again mobilised to obtain - after this agreement – the participation of a significant number of governments in the Conference, despite the media stigmatisation that it fell victim to.

FIDH welcomed some important recommendations, such as the call for the ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and for the Global Forum on Migration and Development (GFMD) to put the rights of migrants at the centre of the policies it develops.

Challenges

Beyond this mobilisation and the results generated, many challenges remain:

- *Defamation of religion and the post Durban Revision Conference stakes:* if the question of “defamation of religion” was removed from the Durban Review Conference, it remained on the agenda of the Human Rights Council and the General Assembly by means of a specific resolution. Moreover, the States of the Organisation of the Islamic Conference continued their mobilisation for the United Nations to develop standards regarding incitement to religious hatred in order to reinforce the protection of religions – Islam in particular – rather than individuals.
- *Human Rights Council, the 2011 Review:* after the reform of the human rights protection mechanisms, initiated in 2005, the United Nations has committed to a review of the Human Rights Council’s work. The first discussions have begun and FIDH is actively engaged in the various inter-State brainstorming sessions and exchanges, in particular those initiated by France and Mexico.
- *The inclusion of Human rights in the work of the Security Council* has been reinforced and enabled, notably, in 2009, the designation of a procedure allowing individuals to contest the decisions of the Council’s Sanctions Committee. This procedure adjusts the Security Council’s mechanisms in the fight against terrorism, a change that was made necessary after the denunciation of their functioning by the European Court of Justice. This recent evolution must still be brought to the attention of the human rights organisations that are mobilised around these issues. It could also be seen within a dynamic of reinforcement of the inclusion of human rights in response to the stakes at issue in the fight against terrorism.

> European Union

Activities

With the European Union's institutions, and beyond the organisation of interfaces, FIDH has continued its work supplying, evaluating and reinforcing the instruments relating to the issue of human rights within the EU's common Foreign and Security Policy.

- 12 bilateral human rights dialogues were monitored in 2009 and 17 advocacy papers were communicated to the various mechanisms. The follow-up to the implementation of the guidelines on human rights defenders engendered a very rich mobilisation with the systematic sending of urgent appeals from the Observatory to the actors in charge of the countries in question within the European institutions.
- This mobilisation also involved a systematic participation to the meetings around the Council of the European Union's working group on Human Rights and the working group in International Justice, as well as a reinforcement of the interaction with ambassadors at the highest level in charge of overseeing the Political and Security Committee. FIDH also took part in six hearings at the European Parliament in order to fuel discussions and debates on this issue.
- FIDH also mobilised in order to put human rights at the heart of the EU's common Foreign and Security Policy and for the results of these instruments to impact on all policy sectors, notably the economic and commercial sectors.

Results

- FIDH's contribution enriched the content of the bilateral dialogues between the EU and third countries. During the debriefing meetings the issues put forward by FIDH are almost systematically brought up.
- Measures taken by the European Union were developed within the framework of the implementation of the guidelines on the protection of human rights defenders. They tangibly contributed to developments including the release of (e.g. the release of members of the Defenders of Human Rights Centre in Iran or Tunisian militants of Gafsa...)
- After the publication, in December 2008, of a joint FIDH-Human Rights in China (HRIC) assessment of the human rights dialogues between the EU and China, the EU began, in 2009, an evaluation of its dialogue. The results of this evaluation, although only released in 2010, reveal, from the beginning, certain points raised by FIDH and HRIC, such as the lack of political results on human rights in China, the loss of the added-value to legal - or even political - discussions, the progressive isolation of human rights in favour and in spite of the pursuit of other policy sectors within the EU's foreign policy with China.
- In contrast to the results observed on China, FIDH's mobilisation at the European Parliament after the crisis in Guinea led to the withdrawal of the EU-Guinea fishing trade-agreement. For the first time, the Fisheries committee of the European Parliament used its right of veto in a sectoral agreement because of the situation of human rights. This institutional victory opens up opportunities for the horizontal mainstreaming of human rights throughout of the EU's foreign policy instruments.
- FIDH also contributed in 2009 to the concrete use of the "human rights clause" set out in the Cotonou Agreement. FIDH's advocacy work along with its Nigerian partner in Brussels enabled the opening of the EU-Niger consultations according to article 96 of the Cotonou Agreement. A number of issues suggested by FIDH were integrated into the Declaration of the Presidency of the European Union on the situation in Niger. Additionally, FIDH contributed to the adaptation of an urgent resolution by the European Parliament regarding this situation.
- FIDH's participation in the first EU-AU civil society seminar in addition to the EU-AU

human rights dialogue had a considerable impact on the content and working method of the official dialogue. FIDH was mandated by European and African NGOs to represent them at the formal session of the dialogue. The public EU-AU common declaration, for which FIDH had actively mobilised, included several concrete commitments that FIDH had requested on questions of torture and freedom of association.

Challenges

- The examples of Guinea and China demonstrate the stakes involved in the inclusion of instruments pertaining to human rights, which are at the very heart of the relations between the European Union and third countries. Often, the issues pertaining to human rights do not exceed the technical levels of bilateral relations, or they are compartmentalised, without impacting on the dynamics of other political discussions with third countries. These are the challenges of “mainstreaming” and of the global coherence of the European mobilisation behind human rights.
- The entry into force of the Lisbon Treaty in December 2009 resulted in the implementation of a common foreign policy service (the European External Action Service – EEAS), which brought together the administrations of the General Secretariat of the Council of the European Union and the European Commission with regard to the common foreign policy, as well as the nomination of a unique High Representative of the European Union for Foreign Affairs and Security Policy who took over the role previously held by the rotating Presidencies regarding matters of foreign policy. This institutional change provides an opportunity for FIDH to issues at stake with regard to the inclusion of human rights at the heart of the European common foreign policy.

Testimony

“FIDH is one of our key NGO partners in promoting the EU’s Human Rights Policy. In fact, I cannot imagine doing it without them: the organisation, through its many partner organisations, provides up-to-date information and analysis both of the “what” and the “how” of policy. Having FIDH to call on feels a bit like having an entire extra-council team to call on, without having to pay for it!”

Riina Kionka, Personal Representative for Human Rights of the High Representative for the Common Foreign Security Policy of the European Union.

> African Union and The African Commission On Human and Peoples’ Rights (ACHPR)

Activities

With regard to Africa, FIDH and its member organisations continued to support the special procedures of the ACHPR in order to increase their visibility, effectiveness and impact. They were notably fuelled by FIDH’s mobilisation on human rights defenders, on women’s rights and against the death penalty. FIDH also requested a contribution that is specific to the questions of conflict resolution and the crisis’ in Sub-Saharan Africa.

This mobilisation was disrupted by the increasing violations committed in Gambia, where the ACHPR is based, notably after the death threats issued by President Yahya Jammeh against human rights defenders. FIDH consequently decided to boycott ACHPR’s 46th session which took place in November 2009.

FIDH mobilisation also supported the interaction of human rights defenders with the institutions integrated in the AU, such as the Peace and Security Council and the African Union Commission, notably with regard to conflict resolution, situations of breach of democracy and international justice in Africa.

Results

The mobilisation around the special procedures of the ACHPR has resulted in an increase of their missions, and an increase in the number of public positions taken by the Commissioners in response to specific situations. For example, FIDH contributed to the endorsement of a number of press releases by the ACHPR condemning the human rights violations committed in Sudan and Zimbabwe.

The call to boycott prior to the 46th session of the ACHPR led the Commissioners to adopt two resolutions condemning human rights violations, notably regarding defenders in Gambia, and to dialogue with the Gambian authorities in order to guarantee the security of the defenders taking part in the ACHPR.

The concerns raised by defenders prior to the AU summits are also mirrored by the decisions of the heads of States and governments of the AU. Thus, following the recommendations of FIDH, the AU adopted a decision on the prevention of anti-constitutional changes of government and the reinforcement of its capacity to cope with such situations, and the AU suspended Guinea under these provisions.

Challenges

FIDH intends to pursue its mobilisation in favour of an ACHPR that is more reactive to situations of violations of human rights, either by adopting a resolution or issuing a press release. This mobilisation must also result in a more important role for the ACHPR within the debates and discussions of the African Union. Its point of view is essential in order to counterbalance the opinion of certain States justifying greater respect for their sovereignty than for human rights.

Following the first case judged by the African court of human rights in December 2009, FIDH will ensure that the victims of human rights violations and defenders have a better working knowledge of this mechanism and are better able to make use of this new mechanism that reinforces the African system of protection of human rights. The updated reissue of the FIDH manual on the African Court of Human and People's Rights will serve as support for this important mobilisation.

> Association of South East Asian Nations (ASEAN)

Context

The Terms of reference of the ASEAN Intergovernmental Commission on Human Rights were adopted by the governments of the region in October 2009 during the organisation's Summit and each Member State appointed its representatives within this new body.

According to the Terms of Reference, the new Commission's mandate is essentially consultative, and does not formally include a mechanism allowing for the filing of complaints. Besides, the Commission will be composed of government representatives and not of independent experts. The obstacles are therefore numerous and, given its imposed limitations and the political context in which it will have to act, the new ASEAN Intergovernmental Commission on

Human Rights will, at best, be able to adopt a step-by-step approach. However, urged on by a strong and continuous mobilisation of the civil society on the one hand and by its few truly independent members on the other, the Commission could become a useful institution for the reinforcement of human rights in the region.

Activities and challenges

In 2009 FIDH participated in two civil society fora organised parallel to ASEAN summits, in February and October 2009. In particular, FIDH organised a workshop with Forum Asia on the trends of repression against human rights defenders in South-East Asia, and the potential that the ASEAN Intergovernmental Commission on Human Rights represents with regard to this.

In October 2009, the various authorities who agreed to intervene during the parallel civil society Forum all withdrew at the last moment, making a discussion impossible. This episode demonstrates to the refusal or reluctance of some ASEAN Member States to recognize the role of an independent civil society.

It will be important to closely monitor the way in which the new ASEAN Intergovernmental Commission on Human Rights cooperates with civil society in 2010, particularly taking into account the fact that this point is explicitly included in its mandate.

Additionally, in 2009, FIDH prepared for the opening of its office in Bangkok, which was then inaugurated in February 2010. This regional delegation of FIDH to ASEAN, is hosted by FIDH member organisation in Thailand, the Union for Civil Liberty. This constitutes a fundamental step in the reinforcement of FIDH's work in South-East Asia.

> League of Arab States (LAS)

Context and activities

The Office of the Secretary General of the LAS, and in particular its human rights department, remains the principle point of contact for FIDH within the LAS to monitor issues such as the situation in the Sudan, in Yemen or in the Occupied Palestinian territories.

However, 2009 saw the establishment of a new mechanism concerning the implementation of and compliance with the Arab Charter of human rights (which entered into force in January 2008): the Arab Committee on human rights. FIDH pursued its mobilisation on the mechanisms on two tracks: contributing to the adoption by the Committee of clear functioning modalities in its internal rules (session, report examination, recommendations, etc.) and insisting on the role to be given to civil society organisations.

FIDH was invited to participated in a discussion on the modalities for the establishment of this new body. On FIDH's initiative, a committee of NGOs was established and met with the Committee members who assured them that they would refer to the in fine principles of international law.

« We would like to continue this discussion, you will hear from us and we hope to hear from you » said the Emirati Chair of the Committee.

Challenges

The challenges for FIDH and its partner organisations are to promote the sustainability of the Committee and reinforce its independence. Furthermore, difficulties linked to equipment and human resources have prevented its effective implementation.

Moreover, FIDH will mobilise in favour of a jointly organised conference with the LAS, an ambitious and innovative conference based on a comparative approach of existing international and regional mechanisms for the promotion and protection of human rights.

- > Organisation for Security and Cooperation in Europe (OSCE)
- Council of Europe

Context and activities

The OSCE and the Council of Europe are two essential regional organisations for Eastern Europe and Central Asia. These institutions offer unique platforms for highlighting the recommendations and positions of the NGOs working in the region.

FIDH continued to support the mechanisms and mandates with regard to defenders within these two organisations (see priority 1).

The pressure exercised by Russia and several other countries of the region on these two organisations in order to override the voice of civil society and to stigmatise some of its representatives continued throughout 2009.

As a result, with regard to the OSCE, Turkmenistan decided not to participate in the annual meeting on the Human Dimension in protest of the presence of human rights defenders in exile. Furthermore, FIDH intervened regarding the necessity to reinforce the OSCE's human rights commitments and to guarantee the independence of the work of these principle bodies, notably, during the meeting on Human Dimension, and prior to the annual meeting of the Ministerial Council (oral interventions, position papers).

With regard to the Council of Europe, for example, FIDH along with many other INGOs mobilised in order to maintain the Rapporteur on the Northern Caucasus and for the ratification by Russia of Protocol 14 of the European Convention which aims to reinforce the European Court's effectiveness.

Results

As a result of the mobilisation of several NGOs, the mandate of the Council of Europe's Rapporteur on the Northern Caucasus was maintained.

With regard to the OSCE, Denmark's delegation announced during the Ministerial Council in Athens that it would be holding a conference to commemorate the 20th anniversary of the Copenhagen Document. The Conference's primary objectives will be to evaluate the implementation of the Copenhagen document, which is essential with regard to the protection of human rights and fundamental liberties in the context of OSCE, and to determine how to improve its implementation. This decision reflects FIDH's positions.

> Organisation of American States (OAS) and Inter-American Commission on Human Rights (IACHR)

2009 was an important year for the inter-American system as the Permanent Council of the OAS approved the creation of a legal assistance fund for victims of serious violations of human rights. FIDH participated in the mobilisation in favour of this fund. In the same year, the IACHR published its new internal rules which reinforce the inter-American system of protection of Human rights.

FIDH will continue its mobilisation to strengthen the system and to provide information to the IACHR's thematic hearings and legal procedures, in particular those against Chile and Honduras for their serious violations of the Inter-American Convention on Human Rights. One of the challenges is to ensure an effective implementation of the rulings of the Inter-American Court of Human Rights. Indeed, recommendations adopted by the Court are not sufficiently respected by the States.

> Organisation Internationale de la Francophonie (OIF) and the Commonwealth

The OIF is an essential partner for FIDH, particularly since the adoption, in 2000, of the Bamako declaration.

In 2009, FIDH held a consistent dialogue with the Secretary General of the OIF and the Delegate to Human Rights, Peace and Democracy on key issues - in particular during times of crisis - and on thematic issues, notably on freedom of expression, association and justice.

FIDH has provided information to the Secretary General, the Delegation for Peace and the permanent council of OIF regarding crisis situations, the breakdown of democracy, in order to contribute to the effectiveness of the mechanisms and procedures within the various instruments of the OIF in favour of human rights and democracy. FIDH also took part in the various commitments of the OIF network and the Conference of INGOs, particularly in the preparation of Bamako + 10 and the summit of the heads of State in Montreux in October 2010.

The reinforcement of a multilateral "francophone" diplomacy constitutes an important challenge.

The Commonwealth also provides a mobilisation forum for the respect of human rights. In October 2009, FIDH took part in the summit of heads of State and of governments in Trinidad and Tobago. The mobilisation of FIDH responds to two objectives: to reinforce the participation of civil society in institutional procedures of the Commonwealth and to exert pressure for the implementation of a mechanism for the protection of human rights defenders.

Priority 7 >

To maintain respect for Human Rights and the Rule of Law in situations of conflict, Emergency or Political Transition

As FIDH is an organisation which protects and defends human rights, it is absolutely essential that, together with its member organisations, it should be able to respond to emergency situations (cases of armed conflict or violent political crises, unconstitutional changes of power, rigged elections or bad governance).

FIDH must also retain its ability to mobilise in support of local activists in certain difficult countries and where the human rights situation can only improve in through efforts in the long term. Indeed, it is local activists who offer great hope of improvement in the situation, and in order for the seeds of a democracy to be present if the possibility of a transition emerges in these countries.

7.1 > Africa

A few slight improvements were noticed in 2009 regarding certain urgent situations. Two conflicts where FIDH had been particularly active in 2008 lessened in intensity in 2009: the fighting between rebel groups and Central African troops in the north of the country lost momentum despite the absence of any follow-up to the political dialogue of November 2008, the conflict in Darfur also demonstrated some signs of subsiding on account of the arrest warrant issued in March 2009, by the International Criminal Court, against the Sudanese President Omar El Bashir. Nevertheless, other conflicts, like those in the DRC and Somalia intensified, with their share of serious violations of human rights and international humanitarian law.

Similarly, the lack of democracy, which appeared in 2008, worsened in many sub-Saharan African countries. The political consolidation which was supposed to close the wounds opened by the irregular elections in Kenya and Zimbabwe with the establishment of national unity governments

supported by the international community, did not have the success expected. Unfortunately, distensions within the power structure preventing any large-scale legislative and institutional reforms, Human Rights violations and threats against defenders, were the sad realities of the two countries in 2009. However, in Kenya, the involvement of the International Criminal Court (ICC) contributed to a certain stabilising political effect. Chad is still witnessing the consequences of an attempted coup d'Etat in 2008. Guinea-Conakry suffered from the tribulations of the military dictatorship, the result of a *coup d'Etat* in December 2008. An uprising and a constitutional coup d'Etat followed one after the other in Madagascar and Niger.

In order to respond to this particular context, FIDH developed three lines of action: First of all, it carried out fact-finding activities. FIDH and its member organisations collected information about serious Human Rights violations, in particular sexual crimes, and emphasised the necessary judicial proceedings against the perpetrators (see section on Justice) at the national and international levels, as impunity is the root cause for the continuation of conflicts and of political crises on the continent. FIDH's second line of action consisted in mobilising international governmental organisations, and more importantly, in contributing to the strengthening of the mandates of the peacekeeping operations which are active in sub-Saharan Africa, especially that of the Mission of the United Nations Organisation in the Democratic Republic of Congo (MONUC), by calling on the United Nations Security Council to ensure that the respect of the rule of law and human rights are used as a means of conflict appeasement. A third line of action focused on the protection of Human Rights defenders, who are at the forefront of the denunciations of Human Rights violations, have been particularly threatened and harassed, and are often seen or presented as upholding one or the other of the sides in a conflict or in a crisis (see Priority 1).

> Respect for Human rights in times of conflict

The FIDH has been active in the following situations: Sudan, Central African Republic, Somalia, and the Democratic Republic of Congo (DRC).

Focus: the conflict in the East of the DRC

During the military operations led by the Armed Forces of the DRC (FARDC) against the units of the Democratic Liberation Forces of Rwanda (FDLR), many violent acts were committed by both sides, including by child soldiers, against the civilian population. These acts were brought to light by the 28th and 29th reports from the General Secretary of the United Nations (June and September 2009). Despite this situation and the impunity of the perpetrators, the MONUC continued to co-operate with certain battalions of the Congolese army.

At the same time, while calling on the MONUC to withdraw from the country, the government showed signs of authoritarianism, restricting certain fundamental freedoms and disregarding certain reforms essential to the consolidation of the rule of law, and therefore of a lasting peace.

Activities

Continuing work that began in 2008, and relying on information gathered by our member organisations and partners in the field, two advocacy missions were organised in New York, at the seat of the United Nations to influence the contents of the Security Council's resolution

to renew the MONUC in December 2009. The objective was to plead in favour of a mandate which would include protection for human rights defenders (especially those who denounce crimes committed with all impunity by combatants against the civilian population), enhanced protection for the civilian population, and the conditions imposed on the co-operation of the MONUC with the FARDC.

In April, FIDH also organised a fact finding mission in Kinshasa to analyse the authorities' respect for the rule of law and fundamental liberties in a context of so-called post-transition. The report of this mission which underlines the way in which regimes are experiencing a slide towards a more authoritarian approach, and draws up a certain number of precise recommendations, especially concerning essential reforms of the justice system, sectors of the army and the police, the respect for freedom of speech, dissemination of information and association. This report was presented to the Congolese authorities during a further mission in July and will be the subject of a follow-up session in 2010.

Results

The complete list of FIDH's recommendations relating to the MONUC's mandate were reflected in Resolution 1906 adopted in December, which calls on the Congolese authorities to establish, with the help of the MONUC, an effective selection mechanism for the integration of the FARDC, in such a way that any candidate, who might have committed violations of international humanitarian law or human rights violations, would be excluded legal action taken against such persons. From now on, the Security Council will lay down conditions whereby the operations conducted by the FARDC will only benefit from the support of the MONUC where international humanitarian law and international human rights law are strictly respected. Moreover, the resolution underlines the importance of the fight against the impunity of perpetrators of human rights violations as a means of protecting the civilian population. Finally, a first for a peacekeeping operation, the MONUC's mission, from now on, will be to protect human rights defenders.

Challenges

The MONUC's new mandate will be revised at the end of May 2010 during a discussion on the conditions of the gradual withdrawal from the most extensive peacekeeping operation ever conducted by the United Nations. FIDH and its member organisations will need to ensure that the new mandate upholds the progressive measures included in the December 2009 resolution. FIDH will make sure that the members of the Council make it a condition that the departure of the MONUC depend on the establishment of effective measures taken by the Congolese authorities, with the support of the international community, to reform the armed forces, the security services and the justice system, and to protect the fundamental freedoms and human rights defenders.

> Respect for Human Rights in situations of emergency and political transition

FIDH continued its monitoring of the situation in Chad. Questioned by FIDH and its member organisations, the United Nations Human Rights Committee called on the Chadian authorities to implement the recommendations of the National Commission of Enquiry in charge

of shedding light on the attempted coup d'état of February 2008, particularly by pursuing the perpetrators of crimes committed against the civilian population. Moreover, the case of Ibni Oumar Saleh, the political opponent who disappeared during these events, was brought, by FIDH, before the United Nations Working Group on forced disappearances.

With regard to Mauritania, FIDH carried out advocacy activities before the African Union and the European Union denouncing the repression of peaceful demonstrations by the political opposition and representatives of civil society against the military regime and calling for free and plural presidential elections in the very near future. An FIDH mission organised at Nouakchott, in August, found that the political situation had considerably calmed down in Mauritania after the organisation of credible elections.

FIDH also went to the Côte d'Ivoire to analyse the monitoring of the recommendations in its report, that was published in 2008, which set out the challenges facing the authorities in the organisation of peaceful elections.

A series of actions had also been undertaken in Togo, and on the emergency situations in Guinea-Conakry and in Niger.

> Guinea Conakry

On 23 December 2008, a few hours after the announcement of the death of President Conté, who had ruled the country with an iron fist for 24 years, soldiers from the National Council for Democracy and Development (CNDD) assumed power despite constitutional measures and installed Captain Moussa Dadis Camara as head of State. The political transition which he hoped for, towards the organisation of presidential elections, was quite well received by the international community and a section of the population.

After a wave of televised arrests, arbitrary detentions and sham trials by Dadis Camara, revolver in hand, the junta spiralled into bloodshed. On 28 September 2009, the police shot live bullets at the participants of a peaceful demonstration organised in the Conakry stadium to express their opposition to the candidature of Moussa Dadis Camara in the next presidential election. This bloody repression resulted in the deaths of more than 150 people, and about 1000 wounded, particularly women who were victims of sexual violence.

Activities

From 28 September, through a press release, FIDH and its member organisation, the *Organisation Guinéenne des Droits de l'Homme* (OGDH), were the first to condemn the massacre, to establish an assessment of the repression, to call on the international community to react firmly and demand an international commission of enquiry to shed light on these events and those responsible for the crimes committed.

FIDH mobilised many of the relevant international governmental organisations (IGOs). For example in October, the president of the OGDH, Thierno Sow provided testimony in a the Fisheries Commission of the European Parliament hearing in order to evaluate the immediate risks of establishing the bilateral accord between the European Union and Guinea.

FIDH also increased its contacts with French diplomacy in order to discuss its positioning with regard to the socio-political situation in Guinea.

At the end of November FIDH organised an international fact finding mission to Conakry to evaluate the human rights situation and determine the extent of FIDH's judicial support for the victims of 28 September (grouped together in a coalition co-ordinated by the OGDH) with regard to the impunity of the authors of the crimes and the absence of an independent legal system in the country.

Results

On the basis of information supplied by FIDH and the OGDH, the international community was unanimous in condemning the military regime. The International Contact Group on Guinea (notably France, European Union, OIF) relayed FIDH's request to establish an international fact-finding commission, which was created on 28 October by the General Secretary of the United Nations. The Commission, which submitted its report in December confirmed the number of massacres established by FIDH and its member organisation, and underlined the responsibility of the regime in these crimes. It also called on the International Criminal Court (ICC) to examine the case, considering the national jurisdictions' absence of will and capacity to fight against the impunity of the most serious crimes, demonstrated by FIDH and its member organisations. In this regard, and following FIDH's fact-finding mission, the OGDH was able to organise itself to finalise the hearings of the victims of 28 September and begin to examine the available legal options in order to highlight the rights of the victims to justice.

Additionally, the European Union suspended its fishing agreements with Guinea to avoid providing financial support to the regime, and the International Contact Group publicly called on the military authorities to establish a consensual regime of political transition towards the organisation of free and pluralist elections without the participation of members of the CNDD (a consensual transitional government was finally put into place in February 2010).

Challenges

FIDH will continue to accompany the representatives of its member organisation during the intergovernmental proceedings and will work with the OGDH on the respect for the rights of victims of 28 September to justice, which is the cornerstone of national reconciliation and the rule of law in this country. To this end, our organisation will accompany the victims in their legal appeals at the national level, if the politico-judicial situation permits it, or at the regional or international levels, calling on the intervention of the Economic Community of West African States (ECOWAS) and/or that of the International Criminal court.

> Niger

Just as Nigerian citizens were preparing to go to the polls in December 2009 to elect a new president, (the Constitution of Niger bans a serving president from standing for a third mandate), President Tandja decided otherwise. The President unilaterally decided to revise the Constitution by way of a referendum. He dissolved the parliament and the Constitutional court which opposed the revision and wrongfully claimed full powers to ban any demonstrations by the opposition and legitimise the repression of any dissident voice. It is in this context of a constitutional coup d'Etat that the constitutional referendum in August and general elections in October were organised, two processes which were boycotted by the opposition.

Activities

In response to this crisis, several statements from FIDH and its member organisation, the Association Nigérienne des droits de l'Homme (ANDDH), condemned the actions and manipulations underway.

A high level mission led by FIDH went to Niamey in July and met representatives from the Nigerian authorities and political parties, to inform them of the concerns of civil society.

In September, a representative of the ANDDH was invited to Europe to meet to authorities of the European Union and representatives of the International Organisation of la Francophonie (OIF).

FIDH also supported the ANDDH in observing the conditions in which the referendum process and the general elections were carried out. The report on these observations which underlines important irregularities concerning national and international instruments of protection of Human Rights, before and during these two ballots, will be published in 2010.

Results

The strong condemnation of President Tandja's anticonstitutional manipulations contributed to a robust and rapid reaction from the international community against the dictatorial designs of the government. The African Union validated the political sanctions adopted by the ECOWAS; The European Union suspended its development agreements and opened consultations with the Niger authorities regarding the Cotonou Agreement. In conformity with FIDH recommendations, the ECOWAS began a mediation exercise between the government and the opposition political parties in order to establish a consensual government of transition whose principal task would be to organise free and fair presidential and general elections as soon as possible.

Challenges

FIDH and its member and partner organisations will monitor all of the processes initiated. FIDH will have to ensure that the respect of the freedoms of assembly, association and expression will be an integral part of the discussions between the European Union and Niger during the open consultations concerning the Cotonou Agreement.

> Togo

After the death of the dictator Eyadema, the presidential elections, characterised by significant irregularities and serious Human Rights violations, resulted in victory for his son, Faure Gnassingbe. Once in power, he demonstrated some signs of open-mindedness by calling for the implementation of the steps laid out in political accords of 2006 for a return to the rule of law through institutional reforms, the fight against impunity and the establishment of a Commission mandated to shed light on the politically motivated violent acts, committed in the country since 1958. Wishing to explore these signs of open-mindedness, FIDH and its member organisation, the *Ligue Togolaise des droits de l'Homme* (LTDH), organised several missions and workshops in 2007 and 2008, in order to encourage the authorities to put into place a Truth and Reconciliation Commission (TRC) in accordance with the aspirations of civil society, and to abolish capital punishment.

As a direct impact of this mobilisation, in February 2009, the Council of Ministers issued a decree establishing the TRC on the basis of recommendations from FIDH and the LTDH, which were formulated during its 2008 seminar in Lomé.

Activities

FIDH carried out three other missions in May, June and August in order to monitor the effectiveness of the establishment of the TCR, and contributed to the participation of a member of the LTDH in a month long training session at Rabat, which was organised by The International Centre for Transitional Justice (ICTJ).

During its first two missions, FIDH continued to press the authorities for the abolishment of the death penalty.

Results

The continued and frequent presence of FIDH representatives in Togo encouraged the authorities to hasten the establishment of the TCR and to guarantee the role of justice and victims' rights in this process. FIDH noted significant progress with regard to the choice of its headquarters, the elections of judges and the awareness raising of the local population, in particular the victims, of this new mechanism.

Moreover, in June 2009, the Togolese deputies unanimously passed a draft legislation abolishing the death penalty.

Challenges

FIDH will monitor the implementation of the TCR, with a particular emphasis on the first hearings of victims, in order to establish to what extent its functioning conforms to the recommendations of civil society. FIDH will pay particular attention to the conditions in which the presidential elections planned for February 2010 are organised. FIDH is concerned that the conditions of this election respect democratic principles and do not obstruct the efforts undertaken towards national reconciliation.

7.2 > Americas

In addition to its work in Colombia, the only country in Latin American in which an armed conflict continues, FIDH, this year, focused on two emergency situations: the coup d'État in Honduras and the repression in Bagua (Peru).

In Colombia, in 2009, guerilla attacks resumed. Following the "demobilisation" process, paramilitary groups changed their names and at times lost their high command, but, by no means, disappeared. The continued high number of displaced persons attests to the violent nature of the conflict. Colombia, unfortunately, continues to occupy the 2nd place in the world in terms of the number of displaced persons and remains the country where violations of human rights of trade unionists are the most frequent and the most serious.

Moreover, on 28 June 2009, a coup d'État upset democracy in Honduras. This was the first coup d'État instigated in Latin America since the end of the military dictatorships that plagued the region for several decades.

The repression of social protest remains a very serious concern in Latin America. Many social conflicts can be explained by the exploitation, with no prior consultation, of natural resources in the ancestral territories of such as in Peru.

Aside from these three countries, the situation in Cuba has remained of concern, particularly the situation of political prisoners. These prisoners are subjected to harsh conditions of detention (malnutrition and unsanitary living conditions). Basic freedoms are still repressed and FIDH's

member organisation, the Cuban Commission for Human Rights, is the target of restrictions. The President of this organisation is not permitted to leave the country. In this context, FIDH mobilised the international community as a priority in the framework of the Universal Periodic Review (UPR) of Cuba in February. This review was hindered by a strategic alliance between Cuba and its allies that reduced the space available to independent NGOs and States willing to denounce the deviations of the Cuban regime.

Since the election of the new President, American foreign policy on emergency situations is more open to human rights concerns than formerly. However, while the American President firmly condemned certain situations (such as in Honduras, Colombia or the situation in Guantanamo), American policy still has a long way to go to be consistent with human rights.

> Respect for Human Rights in Periods of Conflict

> Colombia

In February 2009, the Administrative Department of Security (ADS) scandal provided further proof of what FIDH has denounced for years. This special police, directly under the orders of the President of the Republic, implemented a monitoring and audio surveillance programme of many human rights defenders (including FIDH and its members) but also of certain judges of the Supreme Court and opposition members, all considered as “threats to State security and the President.” The ADS recorded details regarding their places of residence, non-professional activities, financial situations, members of their families, daily commutes, in order to implement a policy of psychological harassment against these actors for democracy. To obtain this information, the ADS did not shy away from using the programme of protection for defenders and the Financial Analysis Unit of the Ministry of the Interior. This scandal is also part of the trial against Jorgue Noguera, former director of the ADS, which was prepared throughout the year 2009. He is accused of aggravated homicide and of having ties with the paramilitary. He allegedly used information obtained through his function within ADS to allow the killing of a trade unionist, a teacher and a former parliamentarian.

Moreover, FIDH has already denounced the 2006 “falsos positivos” phenomenon, which referred to civilians, executed by the Colombian armed forces, who were, subsequently officially presented as members of the guerilla “killed in armed combat”. These civilians were often arrested or taken far away from their homes with promises of employment, then executed. In 2008, the discovery of the bodies of several young people from the region of Soacha, victims of these executions, led to heated debates at the national level.

Towards the end of October 2008, due to international pressure, several army officers were arrested: 27 soldiers including 3 generals, were stripped of their functions for their alleged responsibility in the deaths, notably of the youths of Soacha.

Activities

The actions of the FIDH focus on the following three areas:

- To fight against impunity for international crimes committed by different actors in conflict and to contribute to lasting peace,
- To protect defenders, denounce violations committed against them, including the attitude of government officials who refuse to publicly acknowledge the important role of defenders and instead do not hesitate to stigmatize them;
- To mobilise international governmental organisations on these issues.

Additionally, FIDH, in the context of its joint programme with the OMCT, the Observatory for the Protection of Defenders for the Protection of Human Rights, has monitored, on a daily basis, the situation of defenders (publication of 30 urgent appeals and organisation of a mission during the presentation of the 2009 Annual Report of the Observatory in Bogota). FIDH also mandated a mission in August 2009, attended by Susanna Villaran, former member of the Inter-American Commission on Human Rights. The aim was both to denounce the situation of defenders in the context of the ADS scandal, to stress to the authorities the importance of clarifying the facts and determining liabilities and to allow FIDH to participate, as a civil plaintiff, in these proceedings. The mission proved very useful. It facilitated the provision of relevant information to the Special Rapporteur of the UN on the situation of human rights defenders who then organised a mission to Colombia in September 2009.

FIDH also mobilised IGOs on the situation in the country. In particular, FIDH participated in the Universal Periodic Review process (preparation of a note on the situation in Colombia, meeting with a Colombian human rights defender, advocacy meetings with governments, oral interventions during the presentation of the findings of the UPR).

Acting as an interface to the ICC, including holding a meeting with those responsible for the monitoring of the Colombian situation, allowed FIDH to review the individual claims lodged with the institution since 2005 and to once again insist on the necessity of opening an investigation into crimes committed in Colombia within the jurisdiction of the Court.

Finally, in March 2009, a bilateral meeting with the Vice-President of Colombia in Geneva facilitated the conveying to the Colombian authorities, once again, of the concerns of FIDH and its member organisations. The case of Martin Sandoval, defender of human rights, an arbitrarily detained human rights defender.

Results

The conclusions and recommendations of the UPR adopted the priority themes of FIDH, as did the report of the Special Rapporteur on the situation of human rights defenders. On 17 September 2009, President Uribe publicly stated that the defence of human rights was a legitimate and necessary action for democracy. Martin Sandoval, defender of human rights, was released in May 2009 after a year of detention.

The ADS has been abolished and various directors of this entity indicted. The trial of Jorgue Noguera, one of these directors is scheduled for January 2010. The persons he is alleged to have murdered are represented by a lawyer from one of FIDH's member organisations. FIDH denounced attempts to obstruct the investigation phase of this case.

In July 2009, the Special Rapporteur on extrajudicial executions visited Colombia. He denounced, among other things, the *falsos positivos* as a more or less systematic phenomenon occurring in over 13 regions, consequently involving many military units, and this, despite the attempts of the Colombian government to claim this phenomenon to be limited to executions performed by low level military officers seeking rewards in the region of Soacha.

Challenges

The presidential election may make the situation of human rights defenders even more dangerous. Moreover, it is crucial that the numerous extrajudicial executions by the army and the actions of ADS do not remain unpunished. FIDH will continue its work on these issues in 2010.

> Respect for human rights in emergency situations

> Honduras

Context

On 28 June 2009, President Manuel Zelaya was stripped of his functions by a *coup d'État* instigated by the Army, Congress and the Supreme Court. Since then, violations of human rights occur daily in a militarised and strongly polarised society. These violations include mass arbitrary arrests, extrajudicial executions, torture, drastic restrictions of freedom of expression and especially of the press, restrictions on freedom of movement and threats and intimidation of defenders. The November 2009 elections, which can in no way be described as free and transparent, resulted in the “putschistes” candidate, Porfirio Lobo, being made head of the country and failed to restore peace, quite the contrary. Terror still reigns for the opponents of the *coup*, intimidated by threats, extrajudicial executions and torture.

Activities

FIDH immediately publicly condemned the coup and participated from 17 to 24 July 2009 in an emergency joint mission with 17 other human rights organisations (national, regional and international). Following this mission, an Observatory on the Situation of Human Rights in Honduras was created by organisations involved in the mission. A report was published two weeks after the mission and was then presented to the Inter-American Commission of Human Rights (IACHR), the European Union (EU) and the United Nations (UN). A complaint was also lodged with the ICHR asking it to rule on the violations of the American Convention committed during and after the coup. The implementation of protective measures for the media was also requested. In August, a seminar on universal jurisdiction was held in Honduras with the aim of preventing serious violations of human rights. Emphasis was placed on the crime of political persecution that may fall under the jurisdiction of the International Criminal Court. In late November, a monitoring mission was organised at the time of the elections.

Results

FIDH was one of the first organisations to respond at the time of the coup, and the activities conducted by a broad coalition helped, through immediate, regular and continuous pressure, to prevent the commission of serious and systematic violations of human rights, and prevent a bloody repression of opponents of the coup. Human rights defenders, involved, for the most part, in the resistance movement against the coup expressed their recognition for, and the importance of, this international mobilisation during their visit to Europe in October 2009.

The seminar held in August with high level participants, such as several ICC officials and Judge Garzon, resulted, on the one hand, in raising the awareness of certain judges of the Supreme Court who supported the coup and, on other hand, presented, for the first time since the events, an opportunity for meetings between pro-coup authorities and opponents. Furthermore, the seminar received important media coverage in Honduras and the region.

The mobilisation at the international level also bore fruit: the resolution of the Human Rights Council of the UN adopted on September 28 calls for a field visit of the High Commissioner for Human Rights. This responds to a request from FIDH for the establishment of an international investigation; all statements of the Presidency of the European Union (EU) and Council largely adopted the FIDH position. Moreover, the EU refused to send an official election observation mission in accordance with one of our recommendations, and temporarily paralysed trade negotiations with Honduras.

Challenges

FIDH must continue to mobilise the many States that considered that the elections regularised the situation in Honduras. FIDH shall also continue to work to ensure that the coup and violations of human rights committed do not remain unpunished and that the truth commission, provided for by the 30 October 2009 Tegucigalpa/San Jose Agreement, which was established in early 2010, meets the required criteria of independence and impartiality.

> Peru

Context

In 2009, FIDH monitored the evolution of the conflict between the Peruvian government and the indigenous peoples in Amazonia, related to the exploitation of natural resources on their ancestral lands without their prior consultation. The growing tensions led, in June 2009, to violent clashes that resulted in the deaths of 33 people (23 policemen and 10 civilians) and hundreds of wounded (mostly civilians). In this context, arbitrary detentions and attacks on freedom of expression were reported. The conflict was also characterised by the criminalisation of indigenous leaders.

Activities

Following these clashes, tensions were high and it was feared that the conflict would spread to the rest of the country. Consequently, FIDH organised an investigative mission, attended by the former Special Rapporteur of the United Nations on the situation of human rights and fundamental freedoms of indigenous populations, to investigate violations and to help restore dialogue and find a lasting solution. The mission resulted in a report entitled “Bagua: bloodbath in the context of social protests in Amazonia,” which was introduced in Peru at the Inter-American Commission on Human Rights (IACHR) and the United Nations. FIDH also conducted advocacy missions with our member organisations, U.S. authorities and European institutions. Firstly, in order to inform the United States of the situation, in view of the fact that decrees aimed at facilitating the free trade treaty between the two states were the cause of the recent protests, and secondly, to inform the EU, which is currently negotiating an FTA with Peru.

Results

The FIDH report was widely referenced in the national and international press.

The Special Rapporteur of the United Nations on Indigenous Peoples, present in Lima at the time of the FIDH mission, met with the heads of the FIDH mission on site and expressed his interest in hearing FIDH’s conclusions.

Meanwhile, several commissioners of the IACHR expressed their serious concern over the situation and requested clarification on a number of issues brought to their attention by APRO-DEH and FIDH at a hearing in November.

At the European Union level, in addition to the interest expressed in the information submitted by FIDH and the announcement by the European institutions of the establishment of implementation mechanisms of the human rights and sustainable development clauses contained in the agreement (see Priority 5), the position of several European political groups is underlined.

Indeed, the latter, in March 2010, questioned the European Commissioner on Trade on the appropriateness of concluding trade negotiations between Peru and the EU in view of the human rights situation.

Finally, the actions of FIDH contributed to maintaining the dialogue between the Peruvian government and the indigenous peoples. The week following the hearing at the IACHR and the advocacy mission to Washington, the government announced its withdrawal of its application to dissolve AIDESEP, the main indigenous peoples organisation that includes 1,300 communities.

Challenges

Most of the violations committed during the clashes in June are currently the subject of an investigation, in its preliminary phase. A survey is being conducted in parallel by the military courts despite the fact that they completely lack jurisdiction. An investigation is also underway with regard to the deaths of policemen and the disappearance of a Major. FIDH will continue to monitor these procedures to ensure that violations are punished by civil courts, and in compliance with the principle of equality of all victims before the law.

Meanwhile, the challenge is to maintain a dialogue between civil society and the authorities, and to ensure that it bears fruit quickly to avoid further conflicts.

Finally, despite calls from the International Labour Organization, echoed by FIDH, to suspend the mining and exploitation affecting indigenous peoples, without consulting them in advance, these persist.

7.3 > Asia

FIDH paid particularly close attention to two unique and urgent situations in 2009. Firstly in Iran, where the situation continued to worsen, especially following the presidential election of June 2009. As well as collecting and checking information, then systematically publishing and translating it into Persian, FIDH made a major effort to secure coverage of key issues in the European and international media. In this context, FIDH played an important role in providing intergovernmental organisations with first-hand information and by proposing potential actions.

Secondly in Burma, where the situation showed no signs of improvement and the junta refused to engage in a dialogue with the opposition and ethnic minorities against a background of total impunity. FIDH played a unifying role, bringing together all national, regional and international stakeholders to discuss various ways of combating impunity and ensuring respect for human rights in Burma.

The situations in Afghanistan and Pakistan were also a source of major concern, due to the deterioration of the security situation. FIDH's documentation activities were affected by this situation. Various requests for visas addressed to the Pakistani authorities went unheeded and, following the military offensive in the north of the country, a certain number of provinces are now closed to outside observers.

With the support of its member organisation, FIDH also continued to monitor the situation in Thailand, where the two main political factions continued to oppose one another. These confrontations took place against the background of an increasing use of Thailand's lese-majesty law, particularly against members of the opposition and journalists. FIDH has strongly denounced this action, based on information collected during two missions to Thailand. Additionally, FIDH made public a note on human rights violations perpetrated in southern Thailand, which is still experiencing a conflict between the army and insurgency groups belonging to the Malay Muslim minority, which dominates these provinces.

In Cambodia, restrictions on freedom of expression and peaceful gatherings have increased, either through unjust court decisions made against members of the opposition or through arbitrary arrests and the passing of restrictive legislation. In this context, FIDH continued to mobilise the support of the international community. Additionally, FIDH continued to focus on the situation facing human rights defenders in China, particularly within the framework of the Observatory (see Priority 1). The sentencing of Liu Xiaobo to 11 years in jail on Christmas day was interpreted as a challenge to the international community and human rights defenders in China. Lawyers paid a heavy price for their commitment to causes considered to be of a sensitive nature, such as the defence of victims of compulsory evictions and the contaminated milk scandal, Tibetans and Uyghurs, and political dissidents.

Moreover, the development of civil society remains at a standstill in some countries such as Vietnam, Laos, and North Korea. The mobilisation of international organisations including the European Union and the United Nations is one of the rare external levers available in this context.

Lastly, 2009 saw a key development in Asia: the Terms of Reference of the ASEAN Intergovernmental Commission on Human Rights were adopted by the governments of the region

in October 2009 at a summit held by the organisation, during which the member States each named a representative to this new body (see Priority 6).

> Ensuring respect for human rights in high risk and emergency situations

> Burma

Context

2009 was marked by an increase in the number of political prisoners, a two-fold increase since the Saffron revolution of autumn 2007. The number currently stands at more than 2150. Aung San Suu Kyi was also transferred from house arrest to the Insein prison, after being convicted of having breached the terms of her house arrest. The government also announced the holding of elections in 2010 in conditions strongly criticised by the Burmese democratic opposition and by all human rights NGOs working in Burma.

Activities

FIDH closely monitored the situation of political prisoners in Burma, including Aung San Suu Kyi (press releases, forums, participating in various awareness-raising activities, such as the World Burma Week in May 2009 and the international campaign to release political prisoners in Burma, launched on the initiative of HRAAP, a Burma NGO that operates from Thailand, which collected 600,000 signatures from around the world).

Following a preparatory mission to Bangkok in February 2009 at the request of the Burma Lawyers Council (BLC), FIDH decided to organise, in collaboration with the BLC, a seminar on the theme of “Advancing Human rights and ending impunity in Burma: which external leverages?” in May in Bangkok. This seminar provided an opportunity to discuss various external leverages with local associations (the potential of and obstacles to the ICC, but also the issue of sanctions, the role of the ASEAN and states such as China and India, and the possibility of an arms embargo). It was also an opportunity for all concerned stakeholders to network and to remedy the lack of communication that sometimes exists between local and international NGOs. Burmese stakeholders were also able to interact with ICC experts. The seminar was attended by 65 people from Burma along with some thirty international participants (experts and international NGOs). It provided a unique opportunity to bring together all of these stakeholders over two days and to focus on questions vital to the future of Burma, with the aim of defining coordinated campaign strategies for the various NGOs active in the country.

Several initiatives were implemented as part of the follow-up to this seminar, including visits by human rights defenders to Brussels (July and September 2009) and The Hague (September 2009), advocacy activities at the United Nations General Assembly in New York (October 2009) to press for the inclusion of a resolution on Burma in relation to crimes against humanity, and the possibility of setting up a Security Council Commission of Inquiry.

In order to meet the need, identified during the seminar, to enhance the work of documenting crimes falling within the competence of the ICC, FIDH compiled a report called “Burma/ Myanmar - International crimes committed in Burma: the urgent need for a Commission of Inquiry” in partnership with the BLC and Altsean Burma. This report was published on the

same day as the verdict in the first hearing of Aung San Suu Kyi was handed down on 11 August 2009. This formed part of FIDH's advocacy work, in addition to publications issued during the last few months on this issue. For the first time, the report provides an outline of activities that may constitute crimes against humanity as defined under section 8 of the Rome Statute, based on UN and NGO sources.

Results

The media coverage generated by the trial of Aung San Suu Kyi provided an opportunity to raise the awareness of the French speaking press on this issue.

The seminar enabled FIDH to raise the awareness of local participants to the difficulties involved in getting a Security Council referral to the ICC and in ensuring the the majority of stakeholders agree on a common strategic goal, in this case the appointment by the Security Council of an international commission to investigate international crimes committed in Burma - the first key stage in any legal process.

The international campaign organised by FIDH and its partners, which was implemented throughout the year, achieved a number of successes. The question of responsibility for international crimes committed and the pressing need to address the issue of impunity (including in a pre-election situation) form part of the international agenda on Burma and the analysis of certain member states and institutions of the European Union.

Impact

In its report submitted in March 2010 to the Human Rights Council, the UN Special Reporter on Human Rights to Myanmar (Burma) concluded that certain human rights violations could constitute war crimes and crimes against humanity under the terms of the Statute of the International Criminal Court. It requested that the relevant UN institutions consider setting up a Commission of Inquiry to address such crimes. This represents a major development: it is the first time these elements have been included in the reports of the Special Reporter on Burma.

On two occasions in December 2009, during the Assembly of States Party to the Rome Statute of the ICC, the prosecutor publicly intervened on the situation in Burma. Given that Burma is not party to the statute of the ICC, getting the Prosecutor to make public declarations on the country is in itself an extremely important strategic objective, which could have a dissuasive effect on the Burmese junta.

Lastly and more generally, all of these activities enabled us to support the efforts made by NGOs and Burmese civil society by conveying their concerns internationally and giving them access to institutional actors.

> China

Context

In the months leading up to the Olympic Games of August 2008, the situation worsened. The atmosphere was particularly uneasy and the authorities were tense. The challenge therefore

was to ensure that the “Olympic effect” would not lose momentum and that the human rights situation in China would not be forgotten.

Today, an increasing number of protests against the regime’s policy are making themselves heard in China. Citizens are demanding that their rights be respected, whether on the issue of unpaid wages, massive layoffs, enforced evictions or the corruption of local authorities. In the context of social protest, lawyers and those considered to be opinion leaders are subject to particularly harsh repression. For example, severe repressive measures were taken against those who signed the 2008 Charter - an appeal for democracy and the respect of human rights which was made public on 10 December 2008. The heavy prison sentence handed down to Liu Xiaobo in December 2009, in spite of intense mobilisation in China and elsewhere, vividly illustrates this repression.

The global economic crisis should also be taken into account, as it has had major repercussions in China. The slowdown in economic growth has especially affected migrant workers. 20 million of Chinese citizens lost their jobs and returned to their native provinces after the Chinese New Year in February 2009.

Lastly, the Xinjiang riots of July 2009 revived memories of the violent events that occurred in Tibet in April 2008 and once again highlighted the serious violations of rights suffered by Chinese minorities.

Activities

FIDH continued its mobilisation efforts through emergency responses (for example following the Xinjiang riots), press conferences, participation in events in June commemorating the repression of the Tiananmen protests.

Advocacy work remained important this year, especially in the context of the Universal Periodic Review (UPR) of China by the UN Human Rights Council in February. In preparation for this event, FIDH facilitated meetings in Geneva between human rights defenders from Hong Kong (in particular, members of the Hong Kong Human Rights Monitor) and State delegations, as well as special UN-related procedures at the end of 2008. Approximately 25 people attended the briefing organised by FIDH, including European missions and delegations from Canada, the United States, Japan and North and South Korea.

Testimony

« Dear Friends,

Thanks to FIDH, your colleagues and you a lot for helping us arrange the briefing session for government representatives at the Palais des Nations on 10 November afternoon. The meeting was very useful and helpful. Thank you all very much for the efficient arrangement of the meeting by FIDH's staff in short notice.

It provided us with an excellent and early opportunity to express our views and concerns and give recommendations to the country representatives about what questions they could ask Chinese and Hong Kong officials during the Universal Periodic Review on 9 February 2009.

The briefing session was a success to have attracted so many country representatives to attend the meeting.

Thanks, »

Representatives from the Hong Kong NGO delegation

The UN Committee on the Elimination of Racial Discrimination (CERD) also provided an opportunity for mobilisation. FIDH member organisation, Human Rights in China (HRIC), prepared an alternative report for this event which was essential in raising the issue of Uyghurs and Tibetans, as well as internal migrants in China.

Finally, at the European Union level, FIDH continued the process of dialogue between the EU and China. FIDH participated in the EU/China seminar on human rights at the end of 2009 and organised the visit of two HRIC representatives to Brussels in December 2009, with a view to attending a hearing in the European Parliament on human rights talks between the EU and China. This visit was also the occasion for FIDH and its member organisation to repeat the conclusions and recommendations resulting from their joint evaluation of the talks, and transmitted to the European decision-makers in December 2008. The European Union is due to complete its own evaluation of this process in early 2010.

Results

The European Parliament adopted a resolution on the situation in Tibet in March, and in September, the President of the European Parliament Human Rights Sub-Committee publicly announced the need for an independent inquiry concerning the events in Xinjiang.

At the UN level, the final observations of the CERD reflected the majority of concerns expressed by HRIC.

Mobilisation of the media was successful in counteracting attempts by the Chinese authorities to erase the page of contemporary history devoted to the events of Tiananmen, which fortunately made headline news in several French and international news publications.

Challenges

China's official stance remains extremely rigid and unreceptive. For example China rejected the majority of recommendations formulated on the occasion of the UPR. To help change this situation, it is essential to mobilise all national and international actors in a position to influence Chinese government policies. Advocacy efforts must focus on the inclusion of the human rights issue in all relations between China and the European Union, so that this subject is not restricted to human rights talks, but is also part of commercial negotiations.

> Iran

Context

New unrest flared up in Iran when the Supreme Guide announced the results of the presidential elections before the votes had even been counted. Hundreds of thousands of protesters took to the streets of Teheran and other major cities. The brutal repression of peaceful demonstrators, by the Bassidji militia in particular, mass arbitrary arrests and severe acts of torture inflicted on these prisoners of opinion made news around the world, highlighting once again the dictatorial nature of Iran's theocratic regime.

The international community's concentration on the nuclear issue, to the detriment of the human rights issue, has further weakened civil society in Iran and encouraged President Ahmadinejad to be increasingly radical in his pronouncements.

Two independent associations are now closed: the Defenders of Human Rights Center (DHRC), a member organisation of FIDH, directed by Nobel Peace Prize Winner Shirin Ebadi, and the Committee for the Defence of Prisoners' Rights headed by Emadeddin Baghi, a long-standing anti-death penalty militant, and recipient of the Martin Ennals Award in 2009.

Activities

FIDH targeted its activities on the repressive measures affecting human rights defenders, activists working for the "A Million Signatures" campaign in favour of gender equality, ethnic and religious minorities (Kurds and Bahá'is in particular), journalists and bloggers.

In 2009, research on the death penalty, which began in 2008, (Iran ranks second after China in the number of executions, and has the highest ratio of executions to population) was published simultaneously in English and Persian (see priority 4).

FIDH closely monitored developments following the elections and published several press releases, open letters and advocacy papers. The Iranian Human Rights League (LDDIH), and its President Karim Lahidji, were very reactive in transmitting rare and essential information on the situation.

In July, FIDH and the LDDHI gave two UN organisations a list of 191 political prisoners who were arbitrarily detained or missing in Iran (working group on arbitrary detentions and working group on enforced disappearances). Additionally, these lists were communicated, by the FIDH's office in Brussels, to European member States and institutions in support of a request to mobilise for the release of these persons.

In reaction to the post-election violence, FIDH called on the UN High Commissioner for Human Rights to request a mission to Iran to visit the prisons of Evin and Sanandaj, as well as certain non-official places of detention, and asked that the UN Secretary-General appoint a special envoy for Iran. This request was then repeated by a number of other international NGOs working on the Iranian situation.

This second request was the subject of active advocacy on the occasion of the UN General Assembly in November 2009, in an attempt to have the resolution on human rights in Iran include such a request. This advocacy work was undertaken by Shirin Ebadi and Souhayr Belhassen, President of FIDH.

An interface was also organised in Geneva for Karim Lahidji and Shirin Ebadi in June 2009. They were able to meet Navanethem Pillay, UN High Commissioner for Human Rights, and have a telephone meeting with Ban Ki-moon, UN Secretary-General.

At the European Union level, several important meetings took place, with a visit from Shirin Ebadi and Karim Lahidji in March 2009 and again in June following the post-election violence. The Iranian defenders met Javier Solana, Benita Ferrero-Waldner, and several political groups in the European Parliament. They also addressed the EU Council's Working Party on Human Rights.

Results

The information made public by FIDH and its member organisations was given major coverage in the western media and in many languages (French, Italian, Spanish, Portuguese, Persian, Hebrew, etc.). The Persian language pages of FIDH's website received 17,000 hits in 2009. Invitations to FIDH from radio and TV stations were particularly numerous (all languages, France 3, France 24 Fr+Eng, Radio Free Europe, BBC Persian, RFI Persian, etc.).

The human rights defenders' visits to Brussels no doubt played a part in the release of Jinus Sobhani, administrative assistant, and lawyer Abdolfattah Soltani, a founding member of the Defenders of Human Rights Center. Unfortunately, European pressure failed to obtain the re-opening of the Center. The European Parliament's adoption of a resolution on the human rights situation in Iran on 15 January 2009, which refers to the DHRC situation, is also the result of this mobilisation.

Testimony

« Dear Friends at FIDH,

On behalf of all my colleagues of DHRC, I would like to thank you for your support during the past weeks. Your support means a lot to me and all of human rights defenders in Iran. »

Shirin Ebadi, DHRC President, 3 January 2009.

FIDH's mobilisation also contributed to the adoption of a declaration by the UN Secretary-General on 3 January 2009, expressing his concern over the DHRC situation and the threats against Ms. Ebadi.

Finally, the UN Working Group on Arbitrary Detention published an information release in July 2009 with five other special procedures calling on the Iranian government to respect its international commitments and to ensure that the human rights of all persons be protected in the post-electoral context.

On 14 October 2009, the same working group sent the authorities a second urgent communication regarding 172 people arrested by the authorities during demonstrations or at their home after the presidential election, and whose place of detention remained unknown.

Challenges

After the events of June 2009, FIDH began advocacy work in favour of individual sanctions targeting those responsible for serious human rights violations in Iran. Such sanctions should be adopted by the Security Council, or failing that by States, or groups of States, based on human rights principles and not on the nuclear issue, as has been the case to date. Indeed, creating sanctions on the nuclear issue will only serve to reinforce a feeling of rejection by the West and to isolate defenders in the field. Resistance to such measures is nevertheless very high, and these advocacy activities will need to be continued in the long term.

Moreover, obtaining a UN mechanism for monitoring the situation remains a fundamental objective for FIDH, even if appeals for the appointment of a UN Secretary-General Special Envoy, a Security Council international inquiry committee or a special Rapporteur have gone unanswered to date, only a minority of States have been convinced of the importance of this kind of mechanism.

The restriction on the circulation of information in Iran and the censorship of information leaving and entering the country, making data checking particularly problematic, is another considerable challenge. In response to this, FIDH has created a profile on Twitter, which it intends to update on a regular basis in 2010.

7.4 > Eastern Europe and Central Asia

Despite several advances that, however, more often than not purely serve as a “façade” and that are mainly linked to attempts at improving the country in question’s image and making advances in terms of multilateral agreements, in general, the number of crises in the region has increased. Regimes have reinforced their repressive measures against civil society, which has become a real victim of arbitrary power and impunity, particularly in the Russian Federation and Uzbekistan.

The kidnapping and assassination of Natalia Estemirova, in Russia on 15 July 2009, provoked a strong reaction from the international community, including at the highest levels in the European Union and in the United States. The name of Natalia Estemirova was added to the already long list of activists who have paid for their commitment to fighting against injustice with their lives.

In certain countries, notably in Central Asia (Kyrgyzstan, Uzbekistan, Turkmenistan) or in the Southern Caucasus (Azerbaijan, Georgia), representatives of civil society (human rights activists, journalists, lawyers etc.) have been threatened or the targets of smear campaigns. In some countries (Belarus, Uzbekistan, Turkmenistan), those who voice their criticisms are systematically oppressed by the authorities, and journalists and human rights defenders’ capacity for action is severely hindered.

The hopes that were aroused in Turkmenistan with the inauguration of the successor to Dictator Niazov as President, were quickly dashed. Although his Presidency is characterised by a strong intention to rehabilitate Turkmenistan on the international stage on the one hand, all the public structures in Turkmenistan continue to serve the regime and its ideology on the other hand. The judicial system, in reality, is being used as a formidable means of repression against any critical voice. Although several political prisoners were released, countless remain in arbitrary detention and reportedly to suffer from ill-treatment and torture in complete secrecy. All the official media, whose leaders are appointed by the President, are also subject to close monitoring and censorship, and the foreign press remains prohibited.

Additionally, the majority of countries in the region still share a troublesome heritage in terms of the ineffectiveness of the judicial system (lack of independence of the judiciary, non-compliance with the rule of presumption of innocence), as well as the recurring practice of torture and ill-treatment by the police forces.

Moreover, informal or secret agreements on extradition have remained in place between several member states of the Community of Independent States and/or the Shanghai Cooperation Organisation, thus representing a daily risk for victims of repression, wherever they are, forcing them to hide underground or even go into exile.

Finally, in a context of summary executions and disappearances of civilians, the social and political situation in the Republics of the Northern Caucasus has severely deteriorated, the “fight against extremists” used by the government forces jeopardises the lives of civilians and instils an overall climate of impunity.

Furthermore, the various so-called “frozen” conflicts continue to be a threat to the stability of the region as a whole, demonstrated by the renewed tensions evolving around the conflicts between Georgia and Russia (particularly concerning Abkhazia and Southern Ossetia), but even between Azerbaijan and Armenia, or even by the difficulties in the dialogue between Armenia and Turkey.

> Respect for Human Rights in emergency situations and situations of political transition

In view of this particular context of repression, the FIDH has focused on three main priorities:

- Increasing support for civil society, and, above all, for human rights activists in countries with increasing risks, including improving their security and promoting their right to freedom of expression;
- The fight against impunity (see Priority 4);
- Activities to promote the respect for human rights as part of the fight against terrorism and extremism (see Priority 4).

However, FIDH’s actions are confronted with complex and diverse situations. For example, when working inside a country is quite simply impossible (for instance, in Turkmenistan), the only way of taking action is through the use of external measures, such as lobbying inter-governmental organisations and mobilisation of foreign media. Additionally, there are those countries where it is impossible to conduct international fact-finding missions, countries where the weakness, and sometimes even the inexistence, of a civil society which functions in a legitimate way must be taken into account (e.g. Uzbekistan or Belarus), and finally those countries whose regimes are closed to any dialogue with civil society or with the international community. As a result, the scope of action in these countries is severely limited. Even so, despite these difficulties, FIDH has continued to explore all the opportunities for action or response with regards to the human rights situation in these countries, namely through fact-finding, documentation, observation and legal assistance, advocacy at regional and international levels, material support for its partners at risk, as well as setting up security measures.

> Russia

Context

In Russia, the promises for the country’s transition towards democracy made by President Dmitry Medvedev have barely materialised, while the Human Rights situation remains highly preoccupied all over the country. The common practice of violence by security forces only contributes to a judicial system that is completely ineffective, and to the impunity which widespread in the country. The opposition is faced with difficulties in making their voices heard. The voices of dissidents, which are severely repressed, continue to be considered as threats. Above all, the assassination and the assaults of independent journalists, opposition activists or human rights defenders have led to a reign of terror in the country. The inadequacy of government measures to

identify, try and prosecute the perpetrators of these violent acts, as well as to prevent new attacks is staggering. In January 2009, Stanislav Markelov, a Russian lawyer who was well-known for his fight against impunity and the use of arbitrary power in Russia, and Anastasia Baburova, working with Novaya Gazeta, were shot down in the street in Moscow. Natalia Estemirova of the Human Rights Committee of “Memorial” in Chechnya was assassinated in July, in August, Zarema Sadulayeva and Alik Dzhabrailov, of the NGO *Save the Generation* met with the same fate in Chechnya, and in October, Maksharip Aushev was assassinated in Ingushetia.

Whereas in April 2009, ten years after the war in Chechnya flared up again, Mr. Dmitry Medvedev announced the end of this “operation against terrorism” and the reconstruction work was still under way, the situation in this republic of the Northern Caucasus remains extremely preoccupied. Moreover, over the last few years, a totalitarian regime has formed in Chechnya, founded on violence, accusation and terror. From the middle of 2008, after a short spell with fewer incidents, the number of kidnappings began to rise again. In 2009, this number was twice that of 2008, while victims increasingly refuse to report the acts of violence to which they are subjected, for fear of provoking reprisals by the government.

The violent acts committed by the security forces and agents of the Federal Security Service in other republics of the Northern Caucasus, notably in Dagestan and Ingushetia, such as torture, arbitrary detention, kidnappings etc., only fuel the revolt of youths who will feed the ranks of Islamist groups.

Activities

In continuation of the work that it has carried out for several years, FIDH has intensified its action in the areas of:

- Documentation of violations committed as part of the fight against terrorism, within the framework of the follow-up to the international fact-finding mission conducted in 2008 and which has resulted in the publication of a report in Russian, French and English. FIDH has been able to monitor the situation of a number of victims for the last year and a half (conditions of their detention, conducting of trials, prosecutions and conditions of detention);
- Documentation on the ineffectiveness of the judicial system. The report submitted to Moscow in July, then to the OSCE, the Council of Europe and the UN, highlights several severe violations, such as cases of arbitrary arrests and detention, fabrication of evidence, conditions of detention, pressure on witnesses and lawyers, lack of independence of the judicial system;
- Mobilisation of the international community, above all the Council of Europe, the EU and the UN, especially within the framework of the investigation into Russia by the Universal Periodic Review (UPR).

With regard to the issue of human rights defenders and obstacles to actions by autonomous civil society, responses to the urgency and the severe deterioration of the situation have been diverse:

- Activities of documentation and judicial observation. Within the framework of its joint programme with OMCT, the Observatory for the Protection of Human Rights Defenders, FIDH organised a judicial observation mission of the trial of President Kadyrov of Chechnya against the Centre for Human Rights “Memorial” and its President Oleg Orlov. The two hearings were monitored by the President of FIDH and by its Vice-President, member FIDH’s Belarus member organisation, Viasna. This mobilisation helped to contribute to strong reactions by the international community, modelled on those of the High Representative of OSCE for the

media, and to a symbolic punishment finally being pronounced.

- Activities for capacity-building and the exchange of experience. In response to the request of local partners, FIDH organised a confidential working session aimed at some twenty Russian human rights defenders, mainly in the Northern Caucasus, for the purpose of facilitating the exchange of experiences between them and human rights activists from other continents (see priority 1).
- Activities of direct support by providing material assistance to human rights defenders and associations under threat (e.g. exfiltration, relocating, legal support etc.).

Results

The large-scale mobilisation following the assaults against human rights defenders provoked strong reactions from the international community, resulting in several human rights defenders being transferred to safe places.

A debate has begun to emerge at the national level. In 2009, President Medvedev affirmed his intention to implement reforms aimed at strengthening civil society in the country. A working group in charge of proposing improvements to the law on non-for-profit organisations was formed upon the President's decision on 8 May. The reform process should continue until 2010. An initial step consisted in adopting amendments on the registration and monitoring of NGOs. These amendments, which entered into force on 1 August 2009, are mainly aimed at loosening the controls to which NGOs have been subjected and at reducing the number of reasons for a refusing the registration of NGOs that should have been authorised. Although these reforms are a major step forward, they remain inadequate, as they do not guarantee NGOs protection against arbitrary or politically motivated government decisions.

Thanks to the mobilisation conducted by several NGOs, the mandate of Rapporteur of the Council of Europe on the situation in the Northern Caucasus has been maintained.

With regard to the UPR of the UN Council on Human Rights, numerous delegations participating in the interactive dialogue with the Russian Federation re-submitted questions that had been raised by FIDH, and a large number of them were accepted by the Russian Federation. However, a considerable amount of work is still necessary in order to evaluate their implementation over the coming years. Additionally, the contributions to the work of the UN Committee on Human Rights resulted in a major sentence on Russia for the perpetration of forced disappearances, summary executions and torture in the regions of the Northern Caucasus.

> Uzbekistan

Context

Several thousand people remain deprived of freedom for political or religious reasons. Freedom of expression remains strictly controlled, national media are still controlled by the government, and access to several websites that are critical of the authorities remain blocked. Uzbek legislation continues to allow authorities to bring proceedings against persons whose statements are considered to be 'hostile to the regime'. Nine members of the Human Rights Society of Uzbekistan (HRSU), FIDH member organisation, are still in detention, regularly subjected to ill-treatment and often tortured. Even though 6 of the 21 opponents and human rights defenders who were on the list issued to the Uzbek authorities by the European Union in 2007 were released on the grounds of discussions on the possible lifting of EU sanctions in 2008, prosecutions of human rights defenders at the end of 2008 and throughout 2009, with heavy penalties, have confirmed the repressive nature of the regime. Nevertheless, the EU decided to lift the sanctions imposed on Uzbekistan at the end of 2005.

Activities

As a consequence, the situation of human rights defenders is one of FIDH's priorities (numerous urgent interventions published within the framework of the Observatory for the Protection of Human Rights Defenders, list of activists in detention submitted within the framework of the process of the Dialogue on Human Rights between the EU and Uzbekistan in June). FIDH also participated in the seminar of experts on the freedom of the press, organised by the EU in Tashkent; given the situation of the media in the country and in the absence of an independent media, this is a difficult process.

Additionally, FIDH mobilised UN bodies (mainly the UN Committee on Human Rights and UPR). At the Human Rights Council in February, the President of FIDH had the opportunity to meet with Dr. Akmal Saidov, President of the National Commission for Human Rights of Uzbekistan. This was the first meeting at this level between FIDH and the Uzbek authorities; it presented an opportunity to underline the necessary cooperation with special procedures, but also the importance of the work of human rights activists.

Finally, FIDH supplied legal and material support to several human rights defenders, and notably Mutabar Tojibaeva, President of the organisation *Burning Hearts Club*. In March 2009, FIDH supported and organised her exile to France, as well as that of her daughter and grand-daughter. The Traces network, which is specialised in dealing with cases of trauma related to torture and political violence, also participated in this activity.

Results

Numerous questions raised by FIDH, such as the restrictions of the freedom of expression and the freedom of movement, child labour and the continued detention of human rights defenders, were submitted to the Uzbek authorities in the interactive dialogue during the UPR. Nevertheless, the recommendations on the possibility of conducting an independent investigation in order to establish the responsibilities in connection with the massacre of Andijan in May 2005 were rejected by the Uzbek government.

Large-scale mobilisation on the case of Moutabar Tadjibaeva helped to raise awareness of the press and international community on the fate of human rights defenders held in detention in Uzbekistan, which is a little-known and little documented subject. Nonetheless, this mobilisation must continue, because the economic and geo-political stakes make the human rights situation in the country a difficult issue to address at the international level. Following the application of the amnesty adopted by the Uzbek Senate on 28 August, 2009, two human rights defenders, Oyazimkhon Khidirova and Abdulsattor Irzaev, were released and all the proceedings against them were abandoned.

> Belarus

Context

Despite the hopes aroused by a few positive developments in 2008, such as the release of political opponents, the year 2009 saw numerous human rights violations. The obstacles to freedom of expression, freedom of association, as well as the repression of critical voices

were followed by arbitrary arrests of young political activists, obstacles to the registration of opposition parties or associations etc.. The majority of human rights defenders continue to be subjected to the risks of proceedings brought against them, on the grounds of Article 193.1 of the Criminal Code for activities conducted “in the framework of a non-registered organisation”. Belarus is the last country in Europe where the death penalty is still practised today.

Activities

In 2009, the situation of the NGO Viasna, an FIDH member organisation, was carefully monitored. In January, 67 members of the Committee on Human Rights of the organisation, which was arbitrarily liquidated by a court decision in 2003, addressed a registration application for their organisation under a new name “Nasha Viasna”. They received two rejections; the latter of these, at the level of the Supreme Court, dated from 10-12 August, 2009. Souhayr Belhassen, President of FIDH, who planned on travelling to Minsk to observe the trial, was refused her visa and was, therefore, prevented from conducting this solidarity mission. However, a judicial observation mission conducted by the Observatory for the Protection of Human Rights Defenders was able to take place, which resulted in a comprehensive report that was largely disseminated.

Additionally, FIDH also supported several Belarusian NGOs in order to prepare a report for the country’s first review by the UPR of the UN Human Rights Council and stepped up its advocacy efforts within the EU. Indeed, after having re-launched its political dialogue in 2008, the European Union pursued a policy of “handing an olive branch” to Belarus in 2009, in the hope of being able to bring about change. In April 2009, the conclusions of the General Affairs and External Relations Council of the EU provided for the launch of a structured dialogue on Human Rights. FIDH was consulted for the preparation of the first session. FIDH denounced the obstacles to fundamental freedoms, and called for the abolition of medical work centres, before all these institutions.

Results

These themes, which were developed by FIDH, have been integrated into the “Human Rights” dialogue of the EU and the issue of the registration of Viasna has been included in the list of individual cases raised by the European Union.

The positions of FIDH concerning Belarus increasingly receive coverage by the independent Russian-language media in the country. These public positions have helped to prevent an isolation of civil society in Belarus and have provided significant support for their action.

The coordination of the group of Belarusian NGOs for the joint preparation of the report before the UPR was an important initiative that resulted in joint action in a context of repression where NGOs are forced to work under an imposed illegal status. This initiative will continue through 2010, the year of the review of Belarus by the UPR, through the visits of Belarus activists to Geneva for the preparation and follow-up of this review.

7.5 > North Africa and Middle East

Operation Cast Lead, the unprecedented military operation conducted by the Israeli army in the Gaza Strip from 27 December 2008 to 22 January 2009, was a dramatic start to another year marked by serious attacks on human rights in several countries in the region. Armed conflicts in the Palestinian Territories, Iraq and Yemen resulted in severe violations of human rights and international humanitarian law, as well as high civilian casualties. Additionally, the closure of the Gaza Strip imposed by Israel has resulted in a humanitarian crisis which reached a new level in 2008. The number of internally displaced persons, who are particularly vulnerable to a very critical humanitarian situation, remains very high in Iraq. This is due to the insecurity that persists, despite some improvements in certain regions. The number of internally displaced persons in North Yemen rose considerably following the resumption in August 2009 of particularly violent confrontations between the rebel Houthis and the government forces supported by Saudi Arabia.

Repressive, security-focused policies were pursued (Algeria, Egypt, Tunisia and Syria), and sometimes they were even stepped up (Yemen), with the authorities redoubling their efforts to silence an independent civil society. Large numbers of journalists and bloggers joined human rights defenders in the dock, as the tendency to use judicial proceedings for the purposes of repression was reinforced (Egypt, Morocco, Syria, Tunisia, Yemen).

> Respect for Human Rights in Periods of Conflict

> Operation Cast Lead in the Gaza Strip

When Operation Cast Lead began and while the Gaza Strip was closed to journalists and NGOs, FIDH mobilised on a large scale to raise awareness among decision makers and the public opinion, to denounce the serious violations of human rights committed during this operation, to develop advocacy initiatives so that these violations do not remain unpunished, and to act in the judicial field to provide a deterrent and obtain justice for the victims.

Activities

In this context, FIDH, together with the European-Mediterranean Network of Human Rights and the International Commission of Jurists, organised a mission to Israel, the Occupied Palestinian Territories and Egypt, which ran from 17 January to 21 January 2009. The team comprised human rights defenders and renowned former diplomats from the United States, Sweden, Ireland, France and the Czech Republic. Its objective was to support and express solidarity with civil society organisations operating in Israel and the Palestinian Territories.

The mission was also mandated to call upon the parties to the conflict to:

- Announce an immediate cease-fire in accordance with Resolution 1860 of the United Nations Security Council;
- Allow NGOs and journalists access to the Gaza Strip;
- Immediately end the siege of Gaza, on an unconditional and permanent basis;
- Permit the deployment of an international fact-finding mission under the auspices of the

United Nations to document the serious violations committed during the conflict;

- Prosecute the perpetrators of international crimes.

The mission met with many representatives of Israeli and Palestinian civil society, as well as representatives of the Israeli Foreign Ministry and the member states of the European Union in Jerusalem, and the Egyptian Foreign Ministry. Despite numerous attempts before the Israeli authorities and a visit to Rafah (the border between Egypt and Gaza), the mission delegates were unable to enter the Gaza Strip.

FIDH also participated in a second mission led by French and British lawyers in the Gaza Strip, whose objective was to obtain indictments. This mission, followed by several coordination meetings of lawyers in Europe, played an important role in establishing a vital dialogue between European lawyers involved in proceedings on universal jurisdiction aimed at Israelis responsible for crimes committed in Gaza or the West Bank. It also encouraged better sharing of information on the progress of cases and on the prospects of new complaints being filed.

Throughout the year, FIDH considerably strengthened its communication strategy with respect to the conflict and its consequences. It supported the coalitions set up by its Israeli and Palestinian members and relayed their advocacy methods. In December, FIDH published a summary report entitled “Operation Cast Lead, One Year Later/Accountability, a Key Challenge for Peace”.

Since the end of Operation Cast Lead, and in each of their interventions before the United Nations and the European Union, FIDH and its partner organisations have persistently called for the establishment of an international fact-finding commission responsible for identifying those responsible for the serious violations of human rights committed in the Gaza Strip in January 2009.

FIDH member and partner organisations, which mobilised on the key issue of establishing accountability and fighting impunity were satisfied by the Commission presided over by Justice Goldstone, set up in April by the United Nations Human Rights Council, and by the enquiry report published by the Commission in October. Several FIDH partner organisations testified before this commission.

Since the start of Operation Cast Lead, FIDH has emphasised the role of the International Criminal Court (ICC), referring, for the purposes of deterrence, to the jurisdiction that may be brought to bear by the court. After the Palestinian National Authority accepted the ICC’s jurisdiction in January, FIDH set about systematically familiarising its members and partners with the “positive complementarity” system established by the ICC Prosecutor.

Results

These activities supported member organisations and partners of FIDH and the European-Mediterranean Network of Human Rights in Israel and the Palestinian Territories in their work to establish the facts and accountability, which is a necessary preliminary stage to all legal proceedings. In the course of the mission in January, they all, in effect, showed their support for this approach. The media response to this mission was particularly notable in Sweden, Ireland and the Czech Republic, the latter having assumed the EU Presidency.

The recommendations in the Goldstone report reinforced those issued by FIDH and its member

organisations, in particular, the recommendations on the need to: conduct independent and impartial investigations, prosecute those responsible for serious violations of human rights, and remind stakeholders of the importance of fighting impunity as a challenge to peace. These recommendations were adopted by the Human Rights Council on 21 October 2009 and then by the United Nations General Assembly on 5 November 2009. The General Assembly mandated the UN Secretary-General to evaluate and report on the establishment of credible and independent investigations into the crimes committed by all the parties to the conflict. In a letter dated 10 November 2009, the UN Secretary-General submitted the Goldstone report to the Security Council for monitoring.

While the European Union remains divided and has refused to unanimously support the conclusions of the Goldstone report, the advocacy work with the EU, carried out with the organisation Crisis Action, nevertheless resulted in the suspension of efforts to strengthen commercial relations between the EU and Israel.

Challenges

The main challenge that FIDH is facing is the risk that the mobilisation over the implementation of the recommendations in the Goldstone report loses momentum and the report is buried. It is therefore essential that FIDH and its partner organisations in Israel and the Palestinian Territories maintain, or reinforce, their advocacy work with the main United Nations bodies, notably the Human Rights Council, the General Assembly and the Security Council, and also with the institutions of the European Union and the EU member states. Constant mobilisation will maintain international pressure on both the Israeli and the Palestinian authorities to hold credible and independent investigations into the violations of human rights committed during Operation Cast Lead and to ensure that the victims can obtain justice and reparations.

> Yemen: Resumption of the armed conflict in the Saada region

After a ceasefire that lasted almost a year, the violent confrontations between the Yemeni government forces and the rebel Houthis in the Saada region (North Yemen) resumed in August 2009. The humanitarian situation, which was already dire, further deteriorated, and many civilians were killed during the fighting (by air strikes in particular). The Yemeni authorities adopted a policy of completely sealing off the region, prohibiting many civilians from leaving the combat zone, strictly controlling access by humanitarian aid and preventing independent observers (NGOs, journalists...) from entering the area.

Activities

FIDH and its partner organisations in Yemen denounced breaches of international humanitarian law committed by the parties to the conflict, as well as obstacles to neutral and reliable information regarding the effects of the conflict on civilians. Mobilisation initiatives were basically directed towards the international community, more specifically the UN Human Rights Council and the League of Arab States, urging them to act as mediators in obtaining a cease-fire and finding a political solution to this conflict. The intervention of the Saudi army alongside Yemeni government forces, and the tendency of the warring forces to regionalise the conflict, did not facilitate the task of mobilising the international community.

In addition to position papers (in particular during the session of the Human Rights Council convened to adopt the Yemen report as part of the Universal Periodic Review), FIDH organised a series of meetings for a delegation of Yemeni human rights defenders and journalists with representatives of UN mechanisms and EU member States, on the occasion of fact-finding mission undertaken by the Committee Against Torture (CAT). The Yemeni defenders delegation addressed in Yemen, among other issues, the subject of violations committed in the context of this conflict and the impossibility for NGOs to gain access to the territory. The issue of reprisals, arrests, detention and trials of journalists and human rights defenders who covered the conflict and denounced related violations was also discussed and documented in the report delivered to the CAT by FIDH and its Yemeni partners, in particular the Sisters' Arab Forum for Human Rights (SAF) and the National Organisation for Defending Rights and Freedoms (HOOD). This report was drawn up on the basis of the preliminary conclusions of a fact-finding mission sent in July to investigate human rights violations in the context of the fight against terrorism, and by extension in the Yemeni context, of national security breaches (see Priority 4).

Additionally, FIDH, in partnership with the Arab Institute for Human Rights, worked on the task of preparing a national human rights action plan (a mission in November and a strategic exchange workshop in December).

Results

In its preliminary conclusions, the UN Committee Against Torture called on the Yemeni authorities to ensure the protection of people in refugee camps and those affected by the conflict in the province of Saada, and to guarantee the protection of human rights defenders, political activists and journalists.

Activities in the context of the national human rights action plan provided an opportunity for open and useful discussions with the authorities (which up to then had been difficult), since the latter were involved in the organisation of the December workshop, during which several sensitive issues were discussed, between government representatives and civil society, such as civil and political rights, non-independence of justice, arrests and arbitrary detention.

Challenges

Negotiating a sustainable political solution to the conflict remains a key challenge. Forbidden access to conflict zones by the Yemeni authorities makes it impossible to document violations effectively. Additionally, the increased support announced by the international community for Yemen's fight against terrorism raises concerns that a continuation and possibly an increase in exactions against persons accused of terrorism but also of national security crimes will occur. These accusations are especially frequent against Huthi rebels and persons wrongly suspected of belonging to this movement, as well as against journalists or defenders working on this situation.

> Respect for human rights in emergency situations

> Syria: Continuing a policy of systematic repression

Despite hopes to the contrary, the formal resumption of negotiations for an Association Agreement between the European Union and Syria, on hold since 2004, has seen no progress with regard to the respect and protection of human rights. While the two parties were scheduled to sign this agreement at the end of the year, the Syrian authorities not only arrested a well-known lawyer and human rights defender, Haytham Al-Maleh, but also, at the end of October, postponed signing the Agreement *sine die*.

Activities

Throughout the year, FIDH and its Syrian members and partners continued to document human rights violations committed, in particular, against independent civil society. In the framework of its programme the Observatory for the Protection of Human Rights Defenders, FIDH was extremely active in supporting activists who had been arrested and prosecuted (see Priority 1).

Taking the opportunity offered by the resumption of political talks between the EU, its member States and Syria, FIDH organised a series of advocacy meetings for Syrian defenders with European institutions in Brussels and Strasbourg. Without questioning the signing of the Agreement, the aim of the delegation was to encourage European authorities to make human rights a key component of the talks. A report documenting the human rights situation, dealing mainly with the subject of repression of defenders and opposition activists, discrimination against the Kurdish minority and the legal framework of repressive action, is due to be published in 2010.

Results

As a result of these activities, on 17 October 2009 the European Parliament adopted a resolution entitled “Syria, the case of Muhannad al-Hassani”. This resolution addressed the issue of defenders, torture, the state of emergency, the independence of the judiciary, and political prisoners. However, with the announced signing of the Association Agreement approaching, position papers from the European Union on human rights violations in Syria were fewer than usual.

Challenges

The unilateral postponement of the signing of the Association Agreement makes EU mobilisation on this issue delicate. Initiating a direct dialogue with the Syrian authorities proved to be impossible in 2009. The lawyers mandated by FIDH and its partners never received a response to their request for an appointment with authorities other than representatives of the judiciary. The first fact-finding mission in Syria by the United Nations Committee Against Torture in 2010 will be a particularly important event in this regard.

> Tunisia : An unparalleled democratic deficit in an election year

As in previous years, arrests, legal proceedings, intimidation, smear campaigns, bans on meetings, and round-the-clock police surveillance were the daily lot of independent civil society representatives. This policy of systematic repression reached its peak in the period following the presidential and municipal elections, which were not conducted according to a democratic, fair and transparent process. FIDH and its Tunisian partners were particularly concerned by the legal framework of the campaign and its compliance with the standards in force. 2009 also saw the confirmation of prison sentences for leaders of the peaceful social protest movement which, in the first half of 2008, organised protests in the Gafsa/Redeyef mining basin.

Activities

Attempts by FIDH to establish a dialogue with the Tunisian authorities to discuss the preparation of the 2009 election processes having been rejected by the authorities in the spring of 2008, FIDH undertook a fact-finding mission in August 2009, followed by a report entitled “The presidential and legislative elections, the election campaign environment”, which was published on 6 October 2009, a few days before the launch of the official campaign. The head of the mission was able to meet with all the pertinent players – political parties, journalists, human rights defenders, etc. – except the authorities.

This report was presented at several public events. A campaign of solidarity with the population and detainees in the Gafsa/Redeyef mining basin was also launched on the occasion of the publication of the report, highlighted by an International Solidarity Day on 9 October supported by several international organisations including FIDH.

FIDH worked with its Tunisian members and partners to reinforce its advocacy activities before the European Union and UN mechanisms. For example, FIDH, the National Council for Freedoms in Tunisia (CNLT) and the Tunisian Human Rights Defence League (LTDH), together with the Centre for Civil and Political Rights (CCPR), in July 2009, presented the Human Rights Commission an alternative monitoring report on the implementation of the key recommendations adopted by this mechanism in 2008 – specifically those relating to the practice of torture, freedom of association and repression of human rights defenders – and issued by the Commission in March 2008.

Results

FIDH decided to concentrate its evaluation of preparations for the electoral process on the legal framework of this process, and the principle obstacles to a democratic process that might result from it. FIDH’s mobilisation, alongside its Tunisian member organisations, helped bring the issues of irregularities in the electoral process and related breaches of freedom to the attention of European, international and regional media.

International mobilisation, during which FIDH actively supported the mining basin detainees, was a factor in the Tunisian President’s decision to grant these detainees a conditional release the day after his election, on 3 November 2009.

The UN Special Rapporteur against Torture condemned the acts of torture committed against trade unionists in the mining basin and the harassment of human rights defenders upon their return to Tunisia after advocacy activities in Geneva. Additionally, the Human Rights Commis-

sion, in evaluating the responses produced by the Tunisian authorities in July 2009, considered that the complementary information provided by Tunisia was insufficient.

Advocacy activities with UN mechanisms will continue in 2010 and 2011, since according to several sources of information the Tunisian government has submitted its long-awaited (since 1997) third report to the Committee Against Torture (CAT).

Internal Challenge 1 >

Strengthen the interaction and proximity with member organisations and partners

Objective 1 > Strengthen internal communication

Human rights defenders collect crucial information on violations of human rights directly in the field. However, they are not always able to store the information collected or communicate it with ease and safety, especially in more repressive situations, due to a lack of proper, secured equipment and dedicated resources. In order to respond to this double deficit, FIDH has developed a series of tools based on a needs assessment study conducted in 2008.

As part of securing these exchanges, in 2009 FIDH established a secure messaging platform based on open source software tailored to the needs of FIDH members. This platform includes an interface available in several languages and is easy to use. An initial experiment was carried out with several member organisations in the Arab and Asia regions in late 2009 to ensure the platform's effectiveness and relevance to organisations working in risky situations. Based on these tests, the system will be extended to other regions and the interface will be translated into other languages to facilitate access for local actors.

At the same time, faced with increasingly sophisticated methods used by States to restrict access to the Internet, FIDH has established specific support for its member organisations to prevent the censoring of websites.

Finally, FIDH has developed tools to store documents securely, such as photos or testimony. These tools will also be useful to FIDH representatives and staff likely to receive sensitive information. This system will be complemented in 2010 by access for some NGOs to a broadband internet connection, as well as the provision, where appropriate, of adequate equipment (e.g. computers, cameras, satellite phones, etc.).

These different elements are essential for strengthening the capacity of national NGOs and contributes to enhancing respect for freedom of expression.

Objective 2 > Develop the presence of the international secretariat in the regions

FIDH has continued its strategy of decentralising its offices and has taken the necessary steps to open an office with ASEAN in Bangkok (Thailand). This office will open in February 2010 and will allow FIDH to strengthen its ties with member organisations and partners in the region, to develop its advocacy strategy with the ASEAN Intergovernmental Commission on Human Rights, the first mechanism for protecting human rights in the region, and continue to strengthen its contacts with the media in the region.

In 2010, FIDH will review the activities of its regional offices in Cairo and Nairobi and adjust its strategies accordingly.

Objective 3 > A new headquarters adapted for FIDH: The «House of Human Rights Defenders»

Various contacts were made in 2009 to study the feasibility of an ambitious project to create a “House of Human Rights Defenders,” in conjunction with the Mairie de Paris, potential partners and NGOs. Exchanges and consultations have concluded that this goal will require work and follow-up on a longer term.

FIDH has also expanded its premises by opening an annex across the street from its headquarters. The annex can better accommodate defenders passing through Paris, and allows for media events and meetings with other relevant actors in a conference room specially designed for this purpose.

In 2010, FIDH will establish a technological platform providing access to communication tools for members of the movement around the world.

Efforts to identify, contact and meet with crucial partners for the future “House of Human Rights Defenders” will also continue.

Objectif 4 > To initiate a thorough reflection on FIDH and its action for human rights in the next ten years

In 2009, FIDH implemented the first phase of a reflection on “FIDH + 10 years: Objectives and Modalities for Action,” launched in 2008 by the International Board on the “links between FIDH and its member organisations” (“mapping out” of FIDH). To this end, a questionnaire was developed and proposed to FIDH member organisations. Additional external interviews with members of the International Board and the International Secretariat have been conducted.

A database was established that is comprised of the responses of 111 member organisations. It identifies essential information about their characteristics, their means of action, their thematic priorities, and their modes of interacting with FIDH. The high number of responses to this questionnaire reveal the special bond that links FIDH to its member organisations and their interest in participating in a reflection on FIDH's policy perspectives and interactions between the member organisations and their federation.

Additionally, this data was also incorporated into a summary note that will serve as a basis for detailed discussion on the issue at the 37th FIDH Congress in April 2010. This note should provide strategic elements for the development of FIDH.

These exchanges will also determine the next steps in the assessment of "FIDH+10" in order to evaluate the contexts in which its members are situated, implications for human rights, and strategies for dealing with these issues.

Internal Challenge 2 >

Enhancing the professionalisation of FIDH

Objective 1 > Strengthening the International Secretariat

FIDH continued its efforts to strengthen the International Secretariat in 2009 and recruited an assistant in the accounting office, a further member to support the globalisation and human rights office and more punctually on the organisation of FIDH's 37th Congress and the consultation process on the relationship between the member organisations and their Federation (see Challenge 1 Objective 4). In its recruitment policy FIDH has ensured further internationalisation of the international secretariat to benefit from diverse experiences.

The development of a relevant and effective translation system remains a challenge for FIDH, given the diversity of working languages and the need for flexibility. Given the means and resources of FIDH, priority was given in 2009 to strengthening translations of Russian, Persian and Arabic. FIDH is examining ways to systematise the editing and translation of its documents in French and English and aims to establish a flexible and responsive system in 2010.

In 2009, FIDH's geographic and thematic teams were able to make full use a new unified system of planning and reporting. This tool was adapted according to feedback from users during internal training. It permits FIDH to strengthen its efforts for assessment, prioritisation and programming. It is scheduled to be extended in 2010 to activities in the communication and development offices as well as those of delegations to IGOs. This process is accompanied by the strengthening and development of strategic tools to further reinforce the link between FIDH and its members. Logical frameworks detailing planned activities, expected results, indicators, obstacles and risks encountered in so-called "sensitive" countries have been developed, the terms of reference for international missions have been refined, and a plan to ensure the safety of missions was established. In 2009, FIDH strived to formalise existing best practices and to share these tools. It will pursue its efforts by completing a crosscutting instrument for risk management, an approach already in effect in areas the most at risk.

FIDH has continued to implement its professional development, both external (extension and acquisition of new knowledge) and internal (development and transfer of existing skills in-house). Moreover, FIDH has fully played its role as a trainer to the 52 interns it received in its offices in 2009.

The FIDH secretariat also adopted a policy on sustainable development.

Objective 2 > Address the need for professionalism when internal expertise is inadequate

In 2009, FIDH called upon the expertise of external professionals in certain aspects of these activities on several fronts.

In support the of development of a new communication strategy or methodology for reflection on the relationship of FIDH and its member organisations, a communication agency and a consulting firm brought an external and fresh perspective, necessary for the effectiveness of these processes.

Additionally, and in response to the needs of member organisations with regard to techniques, communication tools and security and to accommodate evolving technologies in the field, FIDH has relied on several external providers and partners on the circumvention of censorship to Internet access and for the development of secure communication tools.

FIDH has also increased its use of pro bono law firms in the framework of its Legal Action Group (GAJ) to meet the technical challenges that it faces.

Finally, FIDH has continued its partnership with a specialist in providing psychological counseling to trauma victims, who also accompanied the members of the International Secretariat involved in collecting the testimonies of victims of international crimes.

Internal Challenge 3 >

Strengthen the capacity for public mobilisation

Objective > To develop the protective impact and influence of the FIDH logo

> Strengthen communication with the media

A few figures

FIDH released 389 documents to the media (this figure is a slight decrease compared to the 2008 figure of 443, reflecting the need for prioritisation).

The “geographical communication” of FIDH has gradually homogenised, and, as of now, no continent is under-represented. Africa, with 98 articles published, tops the list of continents relayed through our communication team, followed by North Africa and the Middle East (79 documents), and Asia (69 documents), a continent for which the communication effort has become more pronounced this year. Finally, the Americas (54), Eastern Europe and Central Asia (46) and Western Europe (41).

Thematically, a significantly higher number of documents were published on international justice and the protection of human rights defenders (110 and 88 documents respectively) compared to other themes (such as migration, women’s rights, death penalty, anti-terrorism and human rights, globalisation).

186 documents were produced in English, 143 in French and 49 in Spanish.

A communication that continues its internationalisation

The statistics of FIDH’s presence on media websites have highlighted the internationalisation of the Web: overwhelmingly, English sites run FIDH information, followed by Hispanic and French sites (about 6,000 uses in 2009) and sites for of German, Russian and Portuguese speakers. The publication of FIDH information has permitted it to be run by information sites hosted in over 120 countries. There is a predominance in the United States (nearly 1,800 times in 2009, which can be explained by the many news sites in the country, including Yahoo.com, for example), Mexico, France and Canada, but an interest by news sites in England, South Africa, and Germany is also reported. Interestingly, Spain (351 returns) and many Latin American countries are among the most represented on the reuse of our information, which can be explained by a very good use and translation by the EFE news agencies, Europa Press and AFP Spanish, as well as a high level of dissemination by our member organisations in Latin America.

Reactive communication

This year, much of FIDH's communication was reactive in nature. Indeed, FIDH and its member organisations successfully presented, via the media, many issues considered as "urgent." FIDH has played an important role as a provider of information, awareness raising and alert on the crises in Guinea-Conakry, Honduras, Iran, Tunisia, on the situation in the Palestinian Territories as part of Operation Cast Lead, on Burma, notably during the trial of Aung San Suu Kyi, as well as on human rights defenders in Russia.

Increased interaction between FIDH and its member organisations

FIDH has increased its joint press operations with its member organisations and partners. Joint press actions related to the publication of the Observatory's annual report, organised by FIDH and its member organisations in over 16 countries, remains an exemplary operation in this regard. The choice to target the African continent this year has been successful. The question of human rights defenders figures on the agenda of African media or others working in this region (for example RFI or BBC).

Development of audiovisual communication

The year 2009 provided an opportunity to develop tools that will allow for, in 2010, in partnership with national organisations, the collection of photographs and testimony (preparation of terms of reference, a partnership with a editing agency). Three goals are being pursued: to build FIDH's image database, use the web for audiovisual urgent appeals for defenders at risk, and provide short reports for speciality channels and the general public.

> Strengthen the communication and visibility of FIDH with the general public

Publication - Web – Blog

The new visual identity, launched in 2008, was adapted in 2009 to all FIDH documents, including those in Farsi or Arabic. FIDH publications are now more attractive and clear.

In 2009, there were 525,274 visits and 1,079,540 page views on the website www.fidh.org. These figures are stable compared to those of 2008. The site was restructured in late 2009, and it is anticipated that this consolidation will help to highlight the wealth of online content and contribute to improved visibility for FIDH.

The FIDH blog, with 33,618 visits and 48,843 page views, has received contributions and testimonials from supporters. It has served as an intermediary for blogs, websites of member organisations, and FIDH's partners.

Public relations

FIDH's promotional strategy has relied on the FIDH Support Committee, created in late 2008 and chaired by the head of a major French weekly magazine. He has helped to mobilise, around FIDH, business leaders, artists, and journalists, who are all committed to achieving the Committee's objectives: supporting FIDH, raising its profile and helping with fundraising.

Therefore, the Committee provided significant support to the publication of the investigative report

of defenders of the rights of migrants in France through a joint endeavour with a chain of cultural stores that permitted a broader dissemination of the document.

In 2009, FIDH's annual Gala event, which brings together human rights advocates, business representatives, personalities, policy makers, and journalists to promote the work of FIDH, was devoted to Russian defenders, who are facing significant obstacles in their work.

> Review the communication strategy of FIDH

In order to enhance its impact before the general public, FIDH launched a reflection with the support of a communication agency. This includes the use of social networking sites and the development of audiovisual tools.

Under the leadership of the communication group, composed of members of the International Board, the Executive Board and the International Secretariat, a study was initiated in 2009 with an external agency on the objectives and modalities of this strategy. This multi-step study takes into account the results of the "mapping out" undertaken in the framework of the FIDH + 10 project. A suitable strategy will be adapted in 2010.

Internal Challenge 4 >

Consolidation of the increase in and sustainability of financial resources

Objective > Secure the activities
and development of FIDH

FIDH's financial resources increased by more than 5% in 2009 to reach a total of €4,615K. These resources were received from around 25 institutional and private funds and major donors. The 10 principal funders contributed 71% of the total financial resources of FIDH, two-thirds from public and one third from private sources.

The security of FIDH's finances has been assured principally by diversifying sources of funding and by developing strategic and long-term partnerships with some key partners. FIDH has thus obtained the support of new donors, such as the German organisation, EED, to support activities in the area of globalisation and from the FACT foundation to help develop communication tools. Funding from the Sigrid Rausing Trust was renewed, this time for a period of three years. Lastly, FIDH strengthened its partnership with the Ministry of Foreign Affairs of Finland, in particular relating to its activities in Asia, Eastern Europe, Central Asia and the Americas, as well as with the Swedish Agency for International Cooperation for a programme to promote freedom of expression.

Total expenditure in 2009 rose to €4,548K of which €4,156K (91.4%) was allocated to project and programme expenditure, and €392K (8.6%) to logistics and investments.

Given the global economic situation, FIDH has some serious challenges to address in 2010, mainly with regard to renewal of programmes, and the organisation must face up to the financial difficulties being experienced by some of its partner institutions.

In 2009 FIDH developed its activities in order to diversify sources of funding and to increase its private sector donor base.

The Support Committee, created in 2008, has led to the development of a range of activities, such as the auction of photos that involved contributions from some renowned photographers (Sebastao Salgado, Karl Lagerfeld, Yann Arthus Bertrand, etc.), the receipts from a play offered by the renowned French actress, Dominique Blanc, a concert by Jane Birkin and the sale of one of Hermès' famous head scarfs. In addition, FIDH has been developing a new fundraising strategy aimed at major donors and, in particular, has been working on plans to set up a system in 2010 to receive legacies.

Financial Report 2009

2009

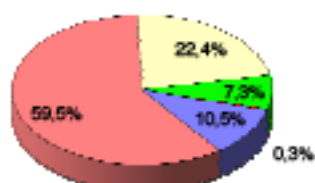
EXPENSES



4.6%	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
15.6%	To strengthen international & regional instruments & mechanisms of protection	853 335
13.8%	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



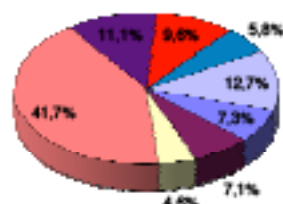
11.2%	Membership fees and contributions	484 956
62.5%	Earmarked grants	2 745 553
22.4%	Non-earmarked grants	1 032 496
7.3%	Reversal of provisions & other income	337 495
0.3%	Financial & extraordinary income	15 124

Total Income 4 615 624

FINANCIAL REPORT*

2008

EXPENSES

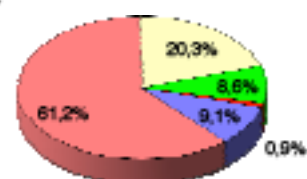


7.2%	Protecting human rights defenders	311 165
7.1%	Supporting international justice	303 134
4.8%	Globalization and human rights	197 205
41.8%	Observing, alerting, preventing violations, supporting local civil society	1 781 495
11.0%	Mobilising the community of states	472 484
9.8%	Informing, raising awareness, communicating	410 739
6.8%	Logistic costs for actions	248 993
13.3%	Communication, fundraising and administrative costs	571 964

Total Expenses (*) 4 297 179

(*) Excess provision for dedicated budget of 18 000 euro

INCOME



9.1%	Membership fees and contributions	397 574
61.2%	Earmarked grants	2 686 122
20.3%	Non-earmarked grants	890 850
8.6%	Reversal of provision & other income	375 779
0.9%	Financial & extraordinary income	41 349

Total Income 4 391 674

NOTE : The attached annual accounts are available and can be consulted on FIDH's website : www.fidh.org
You can also receive a copy of the audited accounts by sending a request to : fidh@fidh.org

Support for FIDH in 2009

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

International and National Institutions

- European Commission
- Ministry of Foreign Affairs of Finland
- Ministry of Foreign Affairs of France
- Ministry of Foreign Affairs of Ireland
- Ministry of Foreign Affairs of the Netherlands
- Ministry of Foreign Affairs of Norway
- Organisation Internationale de la Francophonie
- Swedish International Development Cooperation Agency (SIDA)
- UNESCO
- United Nations Voluntary Fund for Victims of Torture

Foundations, Associations and other Institutions

- Diakonische Werk der EKD
- Evangelische Entwicklungsdienst (EED)
- FACT
- Fondation de France
- Fondation Un monde par tous
- ICCO and Kerk in Actie
- Open Society Institute
- Paris Bar Association
- Sigrid Rausing Trust
- The John D. and Catherine T. MacArthur Foundation
- Tides Foundation

Corporations

- Artcurial
- Caisse des Dépôts et Consignations
- Carrefour Solidarités
- Daily Motion
- FNAC
- Gandi
- Hermès
- Kyodo
- La Banque postale
- La Banque postale Asset Management
- Le Figaro magazine
- Le Nouvel Observateur
- Limite
- Macif
- Palais de Tokyo
- Sego
- TBWA\Corporate\NonProfit
- Théâtre de l'Atelier
- Les Visiteurs du Soir

Individuals

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

Missions

The FIDH carried out 65 missions in 2009:

- 23 fact-finding missions
- 24 advocacy missions
- 18 judicial observation or defence missions and victim support missions

> Fact-finding missions

Africa

Democratic Republic of Congo	Human rights situation.
Cameroon	Study on the impact on human rights of foreign investments in agriculture.
Guinea	Human rights situation following the events of 28 September.

Americas

Guatemala ³	The right to food, with a special section on the situation of human rights defenders involved with this issue.
Peru	Human rights situation following the social conflicts in June in Bagua.
Mexico ⁴	Presentation of fact-finding report on the situation of human rights defenders and monitoring changes in the situation.
Ecuador	Study on the impact on human rights of a mining project. (2)
Honduras ⁵	Human rights situation following the coup d'État. (2)
Colombia	Evaluation of the survey on DAS (<i>Departamento Administrativo de Seguridad</i>) surveying of human rights defenders, political opponents and Supreme Court judges. (2)
Chile	State of procedures launched against perpetrators of crimes during the Pinochet dictatorship.

Asie

China	Working conditions in the supply chain in the textile sector.
Indonesia	Violations of human rights in the framework of the fight against terrorism.

3. This mission was carried out through the joint programme of FIDH, the World Organisation Against Torture (OMCT), the Observatory for the Protection of Human Rights Defenders, and was implemented jointly by the Food First Information and Action Network (FIAN), the Copenhagen Initiative for Central America and Mexico (CIFCA), the coalition of Coopération internationale pour le développement et la solidarité (CIDSE) and Via Campesina.

4. This mission was carried out through the Observatory for the Protection of Human Rights Defenders programme.

5. This mission was organised together with various international and regional organisations, *inter alia* FIAN, CEJIL, and the *Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo*.

Europe

Georgia	Situation of political prisoners in Georgia.
France ⁶	“Solidarity, an offence” in France.
Kazakhstan and Kyrgyzstan	The situation of migrants.

North Africa, Middle East

Yemen and Egypt	Violations of human rights in the framework of the fight against terrorism.
Tunisia	Evaluation of the legal framework of the presidential elections.
Palestinian Territories	Testimony from victims of Operation Cast Lead in the Gaza Strip.

> Advocacy Missions at a National Level

Africa

Burkina Faso	Death penalty and women’s rights.
Niger	Women’s rights and an evaluation of the institutional crisis.
Democratic Republic of Congo	Presentation of fact-finding report on human rights.
Senegal	Advocacy on the Hissène Habré case. (3)
Togo	Advocacy for the establishment of a Truth, Justice and Reconciliation Commission (TJRC) and on the abolition of the death penalty. (3)
Mauritania ¹	Advocacy on the situation of human rights defenders .
Mali	Women’s rights.

Americas

Argentina	Presentation of fact-finding report on crimes against humanity committed during the dictatorship.
Peru	Presentation of fact-finding report on the status of human rights in Bagua.

Asia

Bangladesh	Presentation of a fact-finding report on ship-breaking
------------	--

6. Idem note 2.

Europe

Russia	Presentation of a report on violations of human rights in the framework of the fight against terrorism.
Georgia	Presentation of report on the situation of political prisoners.
Armenia	Advocacy on the situation of political prisoners.
Kazakhstan and Kyrgyzstan	Advocacy on the situation of human rights and on migrants.

North Africa and the Middle East

Qatar	Human rights situation.
Jordan and Yemen	Advocacy to the authorities and the civil society for the preparation of a national action plan on human rights.
Bahrain	Presentation of the study on freedom of association in the Gulf states.
Israel/Occupied Palestinian Territories (OPT)	Advocacy before Israeli and Egyptian authorities following Operation Cast Lead in the Gaza Strip.

> Judicial Observation and Defence Missions and Victim Support Missions

Africa

Democratic Republic of Congo ⁷	Hearings of three trade unionists.
Democratic Republic of Congo ⁸	Trial of Golden Misabiko, human rights defenders (ASADHO/Katanga). (2)
Central African Republic	Support for the family of Goungaye Wanfiyo Nganatouwa, a human rights defender, and for the CAR league for human rights. (2)

Americas

Peru	Trial of Alberto Fujimori. (2)
------	--------------------------------

Asia

Cambodia	Support for victims who request to appear as civil parties before the Extraordinary Chamber in the Courts of Cambodia.
----------	--

7. Idem.

8. Idem.

Europe

France	Trial of Yvon Colonna. (2)
France ⁹	Trail of André Barthélémy, President of the association “Agir ensemble pour les droits de l'Homme.”
Russia ¹⁰	Trial of Memorial Human Rights Centre and Oleg Orlov, the President of the Memorial Executive Committee. (2)
Belarus ¹¹	Trail of VIASNA

North Africa, Middle East

Tunisia ¹²	Trial of Gafsa mining basin prisoners
Tunisia ¹³	Trial of Makhoulf and of Taoufik Ben Brik, human rights defenders (2)
Syria ¹⁴	Trial of Muhannad Al Hassani, human rights defender

9. Idem.

10. Idem.

11. Idem.

12. This mission was carried out through the Observatory for the Protection of Human Rights Defenders programme together with the Euro-Mediterranean Human Rights Network (EMHRN).

13. Idem.

14. This mission was carried out through the aegis of the Observatory for the Protection of Human Rights Defenders programme together with the Euro-Mediterranean Human Rights Network (EMHRN) and the International Commission of Jurists (ICJ).

Publications 2009

International mission reports on national and regional situations

- > **ARGENTINA** “Avances y obstáculos en los procesos en contra de los responsables de crímenes contra la Humanidad durante la dictadura”, March 2009, <http://www.fidh.org/Avances-y-obstaculos-en-los-procesos-en-contra-de> (available in Spanish)
- > **BELARUS / The Observatory**¹⁵ Public Human rights association “Nasha Viansna v. Belarus Ministry of Justice” September 2009, <http://www.fidh.org/Publication-of-a-mission-report-following-the-> “Nasha Viansna (available in English)
- > **BURMA** “International crimes committed in Burma: the urgent need for a Commission of Inquiry”, August 2009, <http://www.fidh.org/An-unfair-sentence-a-dark-future-for-the-country> (available in English)
- > **COSTA RICA** “Políticas migratorias y Derechos Humanos en la región de las Américas”, March 2009, <http://www.fidh.org/La-FIDH-presenta-su-informe-de-analisis-y-llama-a> (available in Spanish)
- > **DEMOCRATIC REPUBLIC OF CONGO** “La dérive autoritaire du régime”, July 2009, <http://www.fidh.org/Republique-democratique-du-Congo-la-derive> (available in French and English)
- > **FRANCE / The Observatory**¹⁶ “The Offence of Solidarity – Stigmatisation, repression and intimidation of defenders of migrants’ rights”, June 2009, <http://www.fidh.org/Delit-de-solidarite-Stigmatisation-repression-et> (available in French and short version in English)
- > **FRANCE** “Le procès Colonna : la justice anti-terroriste dans l’impasse”, June 2009, <http://www.fidh.org/Publication-d-un-rapport-de-mission> (available in French)
- > **GEORGIA** “After the rose, the thorns: political prisoners in post-revolutionary Georgia”, September 2009, <http://www.fidh.org/After-the-rose-the-thorns-Political-prisoners-in> (available in English)
- > **GULF STATES** “Freedom of association in the Arabian Gulf: the case of Bahrain, Kuwait and Yemen”, février 2009, <http://www.fidh.org/Freedom-of-Association-Report-on-Bahrain-Kuwait> (available in English and Arabic)
- > **IRAN** “A state terror policy”, April 2009, <http://www.fidh.org/La-peine-de-mort-en-Iran-une-politique-de-la> (available in English and Persian)
- > **ISRAEL / PALESTINE** “Operation Cast Lead, Gaza strip one year after – Accountability a key challenge for peace”, December 2009, <http://www.fidh.org/Operation-Cast-Lead-One-Year-After-Accountability> (available in English)
- > **KAZAKHSTAN / KYRGYZSTAN** “Exploitation of migrant workers, protection denied to asylum seekers and refugees”, October 2009, <http://www.fidh.org/Kazakhstan-Kyrgyzstan-Exploitation-of-migrant> (available in English)
- > **MAGHREB / MIDDLE EAST** “Judicial Councils Reforms for an Independent Judiciary. Examples from Egypt, Jordan, Lebanon, Morocco and Palestine”, April 2009, <http://www.fidh.org/Les-conseils-superieurs-de-la-magistrature> (available in French and English)
- > **MEXIQUE / The Observatory**¹⁷ “Defensores de los Derechos Humanos frente a la mutación política y la violencia”, February 2009, <http://www.fidh.org/Defensores-de-Derechos-Humanos-frente-a-la> (available in Spanish)

15. The Observatory for the Protection of Human Rights Defenders, a joint FIDH/OMCT programme.

16. Idem.

17. Idem.

- > **PAKISTAN** “A Long March for Democracy and the Rule of Law” 2007-2008, January 2009, <http://www.fidh.org/Une-longue-marche-pour-la-democratie-et-l-Etat-de> (available in French and English)
- > **PERU** “Bagua - Bloodshed in the Context of Amazon Protest - Urgent Need for Good Faith Dialogue”, October 2009, <http://www.fidh.org/Derramamiento-de-sangre-en-el-contexto-del-paro> (available in English and Spanish)
- > **RUSSIA** “Une société sous contrôle – Du détournement de la lutte contre le terrorisme et l’extrémisme en Russie”, July 2009, <http://www.fidh.org/Une-societe-sous-contrôle-du-détournement-de-la> (available in French and Russian)
- > **RUSSIA / The Observatory**¹⁸ “Ramzan Kadyrov vs. C. Oleg Orlov and the human rights center Mémorial”, December 2009, <http://www.fidh.org/Publication-of-a-judicial-observation-report-on> (available in French and English)
- > **TUNISIA** “Les élections présidentielles et législatives, l’environnement de la campagne électorale”, October 2009, <http://www.fidh.org/Les-elections-presidentielles-et-legislatives-l> (available in French and Arabic)
- > **TUNISIA** “L’affaire Khaled Ben Saïd- Le premier procès d’un tortionnaire tunisien en France”, March 2009, <http://www.fidh.org/L-affaire-Ben-Saïd-le-premier-proces-en-France-d> (available in French)

Thematic reports

International Justice

- > “A step by step approach to the use of universal (criminal) jurisdiction in Western European States”, April 2009, <http://www.fidh.org/NOTE-DE-LA-FIDH-SUR-LA-COMPETENCE-UNIVERSELLE-Une> (available in French, English and Persian)
- > “The issues at stake in the closure of the international criminal tribunals for the Former Yugoslavia (ICTY) and Rwanda (ICTR)” April 2009, <http://www.fidh.org/Les-enjeux-de-la-fermeture-des-Tribunaux-penaux> (available in French and English)
- > “The first years of the international criminal court”, March 2009, <http://www.fidh.org/Note-de-la-FIDH-sur-les-premieres-annees-de-la> (available in English, French and Spanish)
- > “Recommendations to the Eighth Assembly of State Parties to the Rome Statute”, November 2009 <http://www.fidh.org/FIDH-Recommendations-to-the-Eighth-Session-of-the> (available in English)

Human Rights Defenders

- > The Observatory¹⁹, 2009 Annual FIDH-OMCT Report / “Steadfast in Protest”, June 2009, <http://www.fidh.org/L-Obstination-du-temoignage,6684> (available in French, English, Spanish, Russian and Arabic)

Migrants Rights

- > Guide on the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, by the Coalition of the Global Campaign for Ratification, November 2009, www.migrantsrights.org/ (Russian version)

60th Anniversary of the Universal Declaration of Human Rights

- > Libres et égaux - 60 ans de conquête des droits humains - January 2009, Co-publication Flammarion / FIDH (available in French)

18. Idem.

19. Idem.

Interface 2009 Table – European Union and United Nations

List of Interfaces organised in 2009

Blue = Brussels delegation / Yellow = Geneva delegation / Green = NYC delegation

REGION	COUNTRY	INTERFACE	NGO
Africa	Burkina	United Nations Human Rights Council, Geneva – March 2009	Mouvement Burkinabe des Droits de l'Homme
	Burundi	United Nations Human Rights Council, Geneva – March 2009	Ligue Burundaise des Droits de l'Homme
	Cameroon	European Union institutions – February 2009	Maison des droits de l'Homme
	Chad	United Nations Security Council – March 2009	Ligue Tchadienne des Droits de l'Homme Association Tchadienne pour la Promotion et la Défense des Droits de l'Homme
		UN Human Rights Committee – March 2009	
		European Union institutions – February 2009	Ligue Tchadienne des Droits de l'Homme
	Congo-Brazzaville	Universal Periodic Review, May 2009	Observatoire Congolais des Droits de l'Homme
	DRC	European Union institutions - February 2009	Groupe Lotus
		European Union institutions - July 2009	Ligue des électeurs
		United Nations Security Council, February 2009	Groupe Lotus
		United Nations Security Council, October 2009	
		United Nations Human Rights Council – March 2009	Groupe Lotus
		United Nations Committee on Economic, Social and Cultural Rights, Geneva	Ligue des électeurs
		Universal Periodic Review, Oct / Dec 2009	Ligue des électeurs
	Guinea	European Union institutions – Oct 2009 - NO TRAVEL / VIDEO CONFERENCE	Organisation Guinéenne pour la Défense des Droits de l'Homme
	Ivory Coast	Universal Periodic Review, Decembre 2009	Mouvement Ivoirien des Droits de l'Homme
	Mauritania	European Union institutions – April 2009	Association Mauritanienne des Droits de l'Homme
	Niger	European Union institutions – Oct 2009	Association Nigérienne des Droits de l'Homme
	Senegal	Universal Periodic Review, February 2009	Rencontre Africaine pour la Défense des Droits de l'Homme Organisation Nationale des Droits de l'Homme
	Sudan	United Nations Human Rights Council, Geneva – June 2009	Centre for Peace and Democracy Studies
	EU/UA relations	European Union institutions – April 2009	Ligue des électeurs
ASIA	Bangladesh	Universal Periodic Review, February 2009	ODIKHAR
	Burma	European Union institutions, July 2009	Burma Lawyer's Council The Alternative ASEAN Network on Burma Info Birmanie
		European Union institutions, Sept 2009	Burma Lawyer's Council The Alternative ASEAN Network on Burma UK Burma Campaign
		United Nations Security Council, Oct 2009	Burma Lawyer's Council The Alternative ASEAN Network on Burma
		United Nations General Assembly, Oct 2009	
	Cambodia	European Union institutions, January 2009	Ligue cambodgienne pour la promotion et la défense des droits humains
		Universal Periodic Review, November 2009	Ligue cambodgienne pour la promotion et la défense des droits humains
		European Union institutions, Decembre 2009	Ligue cambodgienne pour la promotion et la défense des droits humains
	China	Universal Periodic Review, February 2009	Human Rights in China
		United Nations Committee for the Elimination of Racial Discrimination, August 2009	Human Rights in China
		European Union institutions, Decembre 2009	Human Rights in China
	Iran	European Union institutions, March 2009	Iran Centre for Human Rights Ligue Iranienne de Défense des Droits de l'Homme
		European Union institutions, Brussels, June 2009	Iran Centre for Human Rights Ligue Iranienne de Défense des Droits de l'Homme

REGION	COUNTRY	INTERFACE	NGO
		United Nations Human Rights Council, June 2009	Iran Centre for Human Rights Ligue Iranienne de Défense des Droits de l'Homme
		United Nations General Assembly, Nov 2009	Iran Centre for Human Rights Ligue Iranienne de Défense des Droits de l'Homme
	Philippines	European Union institutions, Novembre 2009	Philippines Alliance of Human Rights Advocates
	Vietnam	Universal Periodic Review, May 2009	Vietnam Committee on Human Rights
Americas	Canada	Universal Periodic Review, February 2009	Ligue des droits et des libertés
	Chile	United Nations Committee against Torture, May 2009	Corporacion por la promocion y la defensa de los derechos del Pueblo
	Colombia	UN Human Rights Council, 10 th session, March 2009	Corporación Colectivo de Abogados José Alvear Restrepo
		European Union institutions, July 2009	Corporación Colectivo de Abogados José Alvear Restrepo Corporación Colectivo de Abogados José Alvear Restrepo CCAJAR
	Haiti	United Nations Human Rights Council, 11 th Session, June 2009	Réseau National de Défense des Droits Humains
	Peru	United Nations Human Rights Council, 12 th Session, September 2009	Centro de Asesoría Laboral
		European Union institutions, Decembre 2009	Inter-american Institute for Human Rights Asociacion Pro Derechos Humanos
EECA	Kazakhstan/ Kirghizstan	European Union institutions, Octobre 2009	International Bureau for Human Rights and rule of Law
	Azerbaijan	Universal Periodic Review, February 2009	Human Rights Center of Azerbaijan
		United Nations Committee on Migrant Workers , April 2009	Human Rights Center of Azerbaijan
		United Nations Human Rights Committee, July 2009	Human Rights Center of Azerbaijan
		United Nations Committee against Torture, Novembre 2009	Human Rights Center of Azerbaijan
	Russia	European Union institutions, May 2009	Centre for Development of Democracy and Human Rights Memorial Mothers of Daghestan Centre of defence of Media Rights SOVA Center for Information and Analysis Independant Council for Legal Liberties Social Partnership Public Verdict
		United Nations Human Rights Committee, August 2009	Centre for Development of Democracy and Human Rights SOVA Center for Information and Analysis Public Verdict
Maghreb / Mashreck / Gulf	Jordan	Universal Periodic Review, February 2009	Amman Centre
	OPT	United Nations Human Rights Council – Special Session on Cast Lead Operations, January 2009	Palestinian Centre for Human Rights
		European Union institutions, January 2009	Palestinian Centre for Human Rights
		United Nations Human Rights Council, 12 th session, June 2009	Palestinian Centre for Human Rights
	Syria	European Union institutions, Octobre 2009	Damascus Centre for Human Rights studies Swassyah
	Tunisia	Annual Meeting Of Special Procedures	Conseil National pour les Libertés en Tunisie Ligue Tunisienne des Droits de l'Homme Association de Lutte contre la Torture en Tunisie
	Yemen	Universal Periodic Review, May 2009	Sisters' Arab Forum
		United Nations Human Rights Council, 12 th session, September 2009	Sisters' Arab Forum
		United Nations Committee against Torture, November 2009	Sisters' Arab Forum Hood

FIDH Member Organisations

- ALBANIA** > ALBANIAN HUMAN RIGHTS GROUP (AHRG)
- ARGENTINA** > CENTRO DE ESTUDIOS LEGALES Y SOCIALES (CELS)
- ARGENTINA** > COMITE DE ACCION JURIDICA (CAJ)
- ARGENTINA** > LIGA ARGENTINA POR LOS DERECHOS DEL HOMBRE (LADH)
- ALGERIA** > LIGUE ALGÉRIENNE DE DÉFENSE DES DROITS DE L'HOMME (LADDH)
- ALGERIA** > LIGUE ALGÉRIENNE DES DROITS DE L'HOMME (LADH)
- ARMENIA** > CIVIL SOCIETY INSTITUTE (CSI)
- AUSTRIA** > OSTERREICHISCHE LIGA FÜR MENSCHENRECHTE (OLFM)
- AZERBAIJAN** > HUMAN RIGHTS CENTER OF AZERBAIJAN (HRCA)
- BAHRAIN** > BAHRAIN CENTER FOR HUMAN RIGHTS (BCHR)
- BAHRAIN** > BAHRAIN HUMAN RIGHTS SOCIETY (BHRS)
- BANGLADESH** > ODHIKAR
- BELARUS** > HUMAN RIGHTS CENTER VIASNA
- BELGIUM** > LIGUE DES DROITS DE L'HOMME (LDHB)
- BELGIUM** > LIGA VOOR MENSCHENRECHTEN (LVM)
- BENIN** > LIGUE POUR LA DÉFENSE DES DROITS DE L'HOMME (LDDH)
- BHUTAN** > PEOPLE'S FORUM FOR HUMAN RIGHTS IN BHUTAN (PFHRB)
- BOLIVIA** > ASAMBLEA PERMANENTE DE LOS DERECHOS HUMANOS DE BOLIVIA (APDHB)
- BOTSWANA** > THE BOTSWANA CENTRE FOR HUMAN RIGHTS (DITSHWANELO)
- BRAZIL** > CENTRO DE JUSTICA GLOBAL (JG)
- BRAZIL** > MOVIMENTO NACIONAL DE DIREITOS HUMANOS (MNDH)
- BURKINA FASO** > MOUVEMENT BURKINABE DES DROITS DE L'HOMME & DES PEUPLES
- BURUNDI** > LIGUE BURUNDAISE DES DROITS DE L'HOMME (ITEKA)
- CAMBODIA** > LIGUE CAMBODGIENNE DE DÉFENSE DES DROITS DE L'HOMME (LICADHO)
- CAMBODIA** > CAMBODIAN HUMAN RIGHTS AND DEVELOPMENT ASSOCIATION (ADHOC)
- CAMEROON** > LIGUE CAMEROUNAISE DES DROITS DE L'HOMME (LCDH)
- CAMEROON** > MAISON DES DROITS DE L'HOMME (MDH)
- CANADA** > LIGUE DES DROITS ET DES LIBERTÉS DU QUEBEC (LDL)
- CENTRAL AFRICAN REPUBLIC** > LIGUE CENTRAFRICAINE DES DROITS DE L'HOMME (LCDH)
- CENTRAL AFRICAN REPUBLIC** > ORGANISATION POUR LA COMPASSION ET LE DÉVELOPPEMENT DES FAMILLES EN DÉTRESSE
- CHAD** > ASSOCIATION TCHADIENNE POUR LA PROMOTION ET LA DÉFENSE DES DROITS DE L'HOMME (ATPDH)
- CHAD** > LIGUE TCHADIENNE DES DROITS DE L'HOMME (LTDH)
- CHILE** > CORPORACION DE PROMOCION Y DEFENSA DE LOS DERECHOS DEL PUEBLO
- CHINA** > HUMAN RIGHTS IN CHINA (HRIC)
- COLOMBIA** > ORGANIZACIÓN FEMININA POPULAR (OFP)
- COLOMBIA** > COMITE PERMANENTE POR LA DEFENSA DE LOS DERECHOS HUMANOS
- COLOMBIA** > CORPORACION COLECTIVO DE ABOGADOS (CCA)
- COLOMBIA** > INSTITUTO LATINO AMERICANO DE SERVICIOS LEGALES ALTERNATIVOS (ILSA)
- CONGO** > OBSERVATOIRE CONGOLAIS DES DROITS DE L'HOMME (OCDH)
- COSTA RICA** > ASOCIACION SERVICIOS DE PROMOCION LABORAL (ASEPROLA)
- CROATIA** > CIVIC COMMITTEE FOR HUMAN RIGHTS (CCHR)
- CUBA** > COMISION CUBANA DE DERECHOS HUMANOS Y RECONCILIACION NATIONAL
- CZECH REPUBLIC** > HUMAN RIGHTS LEAGUE (HRL)
- DEMOCRATIC REPUBLIC OF CONGO** > ASSOCIATION AFRICAINE DES DROITS DE L'HOMME
- DEMOCRATIC REPUBLIC OF CONGO** > GROUPE LOTUS
- DEMOCRATIC REPUBLIC OF CONGO** > LIGUE DES ÉLECTEURS (LE)
- DJIBOUTI** > LIGUE DJIBOUTIENNE DES DROITS HUMAINS (LDDH)
- DOMINICAN REPUBLIC** > COMISION NATIONAL DE LOS DERECHOS HUMANOS (CNDH)
- ECUADOR** > CENTRO DE DERECHOS ECONOMICOS Y SOCIALES (CDES)
- ECUADOR** > COMISION ECUMENICA DE DERECHOS HUMANOS (CEDH)
- ECUADOR** > FUNDACION REGIONAL DE ASESORIA EN DERECHOS HUMANOS (INREDH)
- EGYPT** > EGYPTIAN ORGANIZATION FOR HUMAN RIGHTS (EOHR)
- EGYPT** > HUMAN RIGHTS ASSOCIATION FOR THE ASSISTANCE OF PRISONNERS (HRAAP)
- EL SALVADOR** > COMISION DE DERECHOS HUMANOS DE EL SALVADOR (CDHES)
- ETHIOPIA** > ETHIOPIAN HUMAN RIGHTS COUNCIL (EHRCO)
- EUROPE** > ASSOCIATION EUROPÉENNE POUR LA DÉFENSE DES DROITS DE L'HOMME
- FINLAND** > FINNISH LEAGUE FOR HUMAN RIGHTS (FLHR)
- FRANCE** > LIGUE DES DROITS DE L'HOMME ET DU CITOYEN (LDH)
- GEORGIA** > HUMAN RIGHTS INFORMATION AND DOCUMENTATION CENTER (HRIDC)
- GERMANY** > INTERNATIONALE LIGA FÜR MENSCHENRECHTE (ILMR)
- GREECE** > LIGUE HELLÉNIQUE DES DROITS DE L'HOMME (LHDH)
- GUATEMALA** > CENTRO PARA LA ACCION LEGAL EN DERECHOS HUMANOS (CALDH)
- GUATEMALA** > COMISION DE DERECHOS HUMANOS DE GUATEMALA (CDHG)
- GUINEA** > ORGANISATION GUINÉENNE POUR LA DÉFENSE DES DROITS DE L'HOMME
- GUINEA-BISSAU** > LIGA GUINEENSE DOS DIREITOS DO HOMEN (LGDH)
- HAITI** > COMITÉ DES AVOCATS POUR LE RESPECT DES LIBERTÉS INDIVIDUELLES (CARLI)
- HAITI** > CENTRE ŒCUMÉNIQUE DES DROITS DE L'HOMME (CEDH)
- HAITI** > RÉSEAU NATIONAL DE DÉFENSE DES DROITS HUMAINS (RNDDH)
- INDIA** > COMMONWEALTH HUMAN RIGHTS INITIATIVE (CHRI)
- IRAN** > DEFENDERS OF HUMAN RIGHTS CENTER (DHRC)
- IRAN** > LIGUE IRANIENNE DE DÉFENSE DES DROITS DE L'HOMME (LDDHI)
- IRAQ** > IRAQI NETWORK FOR HUMAN RIGHTS CULTURE AND DEVELOPMENT (INHRCDC)
- IRELAND** > COMMITTEE ON THE ADMINISTRATION OF JUSTICE (CAJ)
- IRELAND** > IRISH COUNCIL FOR CIVIL LIBERTIES (ICCL)

ISRAEL > ADALAH

ISRAEL > ASSOCIATION FOR CIVIL RIGHTS IN ISRAEL (ACRI)

ISRAEL > B'TSELEM

ISRAEL > PUBLIC COMMITTEE AGAINST TORTURE IN ISRAEL (PCATI)

ITALY > LIGA ITALIANA DEI DIRITTI DELL'UOMO (LIDU)

ITALY > UNIONE FORENSE PER LA TUTELA DEI DIRITTI DELL'UOMO (UFTDU)

IVORY COAST > MOUVEMENT IVOIRIEN DES DROITS DE L'HOMME (MIDH)

IVORY COAST > LIGUE IVOIRIENNE DES DROITS DE L'HOMME (LIDO)

JORDAN > AMMAN CENTER FOR HUMAN RIGHTS STUDIES

JORDAN > JORDAN SOCIETY FOR HUMAN RIGHTS (JSHR)

KENYA > HUMAN RIGHTS COMMISSION

KOSOVO > CONSEIL POUR LA DÉFENSE DES DROITS DE L'HOMME ET DES LIBERTÉS

KYRGYZSTAN > KYRGYZ COMMITTEE FOR HUMAN RIGHTS (KCHR)

LAOS > MOUVEMENT LAOTIEN POUR LES DROITS DE L'HOMME (MLDH)

LATVIA > LATVIAN HUMAN RIGHTS COMMITTEE (LHRC)

LEBANON > ASSOCIATION LIBANAISE DES DROITS DE L'HOMME (ALDHOM)

LEBANON > FOUNDATION FOR HUMAN AND HUMANITARIAN RIGHTS IN LEBANON (FHHRL)

LEBANON > PALESTINIAN HUMAN RIGHTS ORGANISATION (PHRO)

LIBERIA > LIBERIA WATCH FOR HUMAN RIGHTS

LIBYA > LIBYAN LEAGUE FOR HUMAN RIGHTS (LLHR)

LITHUANIA > LITHUANIAN HUMAN RIGHTS ASSOCIATION (LHRA)

MALAYSIA > SUARAM

MALI > ASSOCIATION MALIENNE DES DROITS DE L'HOMME (AMDH)

MALTA > MALTA ASSOCIATION OF HUMAN RIGHTS (MAHR)

MAURITANIA > ASSOCIATION MAURITANIEENNE DES DROITS DE L'HOMME (AMDH)

MEXICO > COMISION MEXICANA DE DEFENSA Y PROMOCION DE LOS DERECHOS HUMANOS

MEXICO > LIGA MEXICANA POR LA DEFENSA DE LOS DERECHOS HUMANOS (LIMEDDH)

MOLDOVA > LEAGUE FOR THE DEFENCE OF HUMAN RIGHTS IN MOLDOVA (LADOM)

MOROCCO > ASSOCIATION MAROCAINE DES DROITS HUMAINS (AMDH)

MOROCCO > ORGANISATION MAROCAINE DES DROITS HUMAINS (OMDH)

MOZAMBIQUE > LIGA MOCANBICANA DOS DIREITOS HUMANOS

NETHERLANDS > LIGA VOOR DE RECHTEN VAN DE MENS (LVRM)

NEW CALEDONIA > LIGUE DES DROITS DE L'HOMME DE NOUVELLE CALÉDONIE

NICARAGUA > CENTRO NICARAGUENSE DE DERECHOS HUMANOS (CENIDH)

NIGER > ASSOCIATION NIGÉRIENNE DES DROITS DE L'HOMME (ANDDH)

NIGERIA > CIVIL LIBERTIES ORGANISATION (CLO)

OCCUPIED PALESTINIAN TERRITORIES > AL HAQ

OCCUPIED PALESTINIAN TERRITORIES > PALESTINIAN CENTRE FOR HUMAN RIGHTS (PCHR)

OCCUPIED PALESTINIAN TERRITORIES > RAMALLAH CENTRE FOR HUMAN RIGHTS STUDIES

PAKISTAN > HUMAN RIGHTS COMMISSION OF PAKISTAN (HRCP)

PANAMA > CENTRO DE CAPACITACION SOCIAL (CCS)

PERU > ASOCIACION PRO DERECHOS HUMANOS (APRODEH)

PERU > CENTRO DE ASESORIA LABORAL (CEDAL)

PHILIPPINES > PHILIPPINE ALLIANCE OF HUMAN RIGHTS ADVOCATES (PAHRA)

POLYNESIA > LIGUE POLYNÉSIENNE DES DROITS HUMAINS

PORTUGAL > CIVITAS

ROMANIA > LIGUE POUR LA DÉFENSE DES DROITS DE L'HOMME (LADO)

RUSSIA > CITIZEN'S WATCH (CW)

RUSSIA > MOSCOW RESEARCH CENTER FOR HUMAN RIGHTS (MRCHR)

RWANDA > ASSOCIATION POUR LA DÉFENSE DES DROITS DES PERSONNES ET LIBERTÉS PUBLIQUES (ADL)

RWANDA > COLLECTIF DES LIGUES POUR LA DÉFENSE DES DROITS DE L'HOMME (CLADHO)

RWANDA > LIGUE RWANDAISE POUR LA PROMOTION ET LA DÉFENSE DES DROITS DE L'HOMME (LIPRODHOR)

SENEGAL > RENCONTRE AFRICAINE POUR LA DÉFENSE DES DROITS DE L'HOMME

SENEGAL > ORGANISATION NATIONALE DES DROITS DE L'HOMME (ONDH)

SERBIA > CENTER FOR PEACE AND DEMOCRACY DEVELOPMENT

SPAIN > ASOCIACION PRO DERECHOS HUMANOS

SPAIN > FEDERACION DE ASOCIACIONES DE DEFENSA Y DE PROMOCION DE LOS DERECHOS HUMANOS (FADPDH)

SUDAN > SUDAN HUMAN RIGHTS ORGANISATION

SUDAN > SUDAN ORGANISATION AGAINST TORTURE (SOAT)

SWITZERLAND > LIGUE SUISSE DES DROITS DE L'HOMME (LSDH)

SYRIA > DAMASCUS CENTER FOR HUMAN RIGHTS STUDIES (DCHRS)

SYRIA > COMITÉ POUR LA DÉFENSE DES DROITS DE L'HOMME EN SYRIE (CDF)

TAIWAN > TAIWAN ASSOCIATION FOR HUMAN RIGHTS (TAHR)

TANZANIA > THE LEGAL & HUMAN RIGHTS CENTER

THAILAND > UNION FOR CIVIL LIBERTY (UCL)

TOGO > LIGUE TOGOLAISE DES DROITS DE L'HOMME

TUNISIA > ASSOCIATION TUNISIENNE DES FEMMES DÉMOCRATES (ATFD)

TUNISIA > CONSEIL NATIONAL POUR LES LIBERTÉS EN TUNISIE (CNLT)

TUNISIA > LIGUE TUNISIENNE DES DROITS DE L'HOMME (LTDH)

TURKEY > HUMAN RIGHTS FOUNDATION OF TURKEY (HRFT)

TURKEY > INSAN HAKLARI DERNEGI/ANKARA (IHD/A)

TURKEY > INSAN HAKLARI DERNEGI/DIYARBAKIR (IHD/D)

UGANDA > FOUNDATION FOR HUMAN RIGHTS INITIATIVE (FHRI)

UNITED KINGDOM > LIBERTY

U.S.A. > CENTER FOR CONSTITUTIONAL RIGHTS (CCR)

UZBEKISTAN > HUMAN RIGHT SOCIETY OF UZBEKISTAN (HRSU)

UZBEKISTAN > LEGAL AID SOCIETY (LAS)

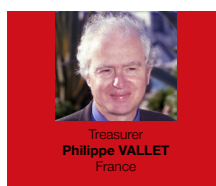
VIETNAM > COMMITTEE ON HUMAN RIGHTS & QUE ME: ACTION FOR DEMOCRACY IN VIETNAM

YEMEN > HUMAN RIGHTS INFORMATION AND TRAINING CENTER (HRITC)

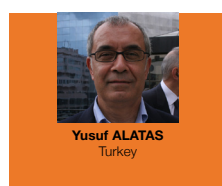
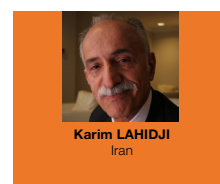
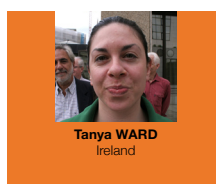
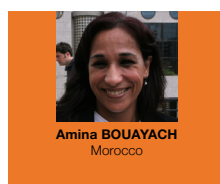
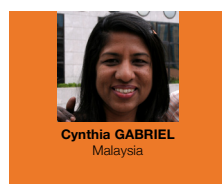
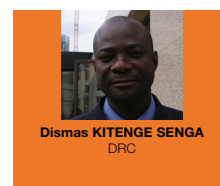
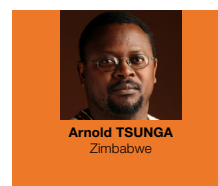
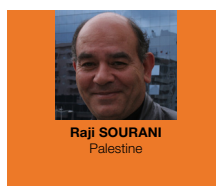
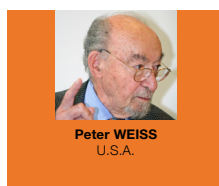
YEMEN > SISTERS' ARABIC FORUM FOR HUMAN RIGHTS (SAF)

ZIMBABWE > HUMAN RIGHTS ASSOCIATION (ZIMRIGHTS)

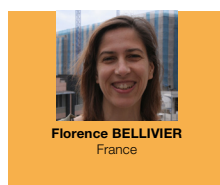
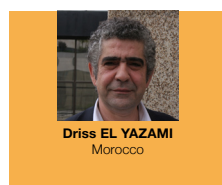
International Board 2009



Vice-Presidents



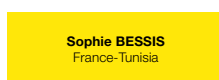
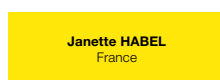
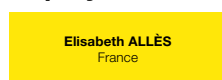
General Secretaries



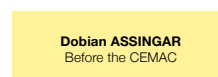
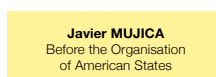
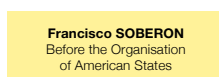
Honorary Presidents



Deputy General Secretaries



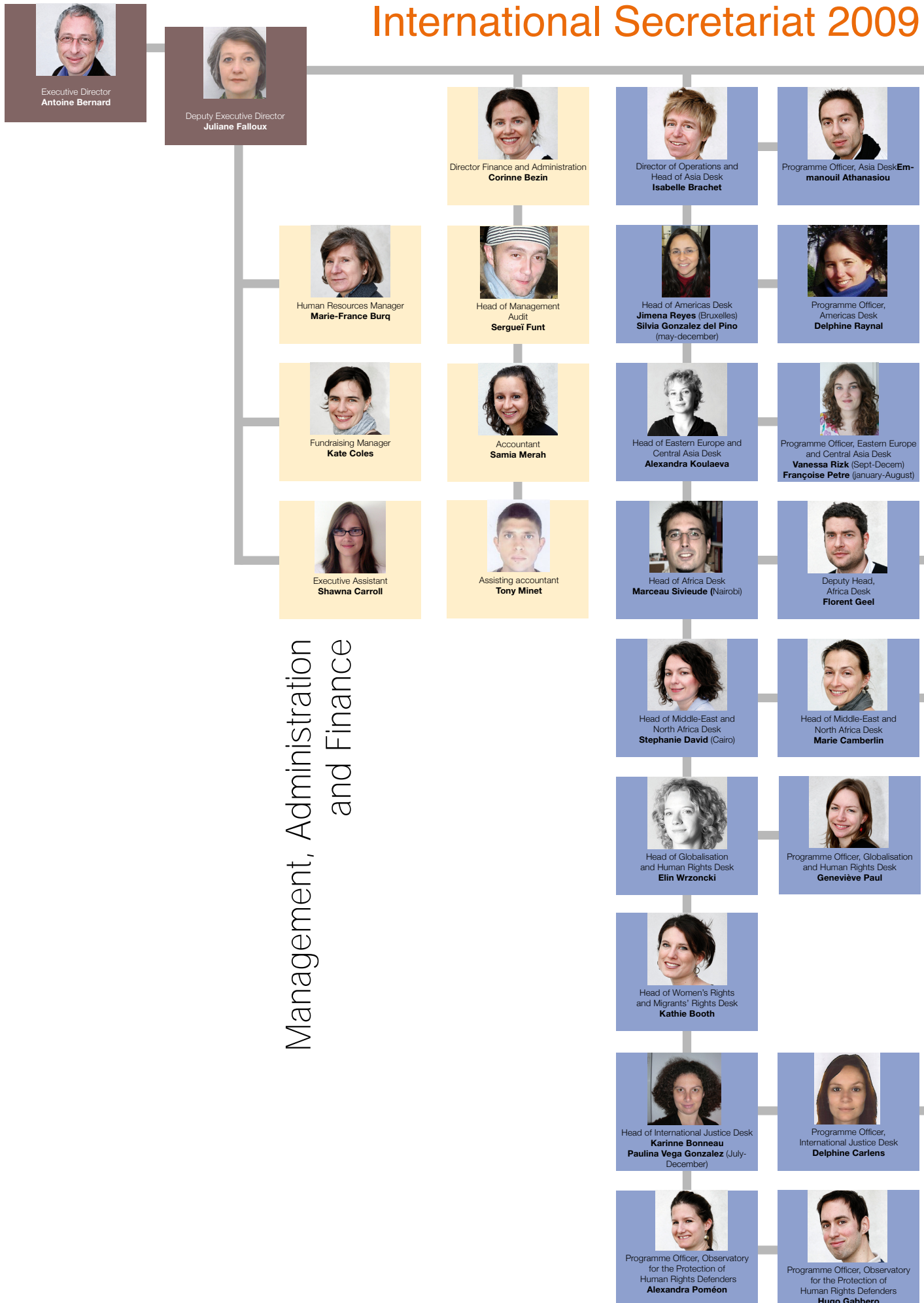
Permanent Delegates



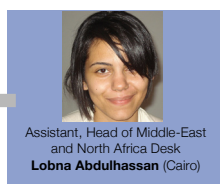
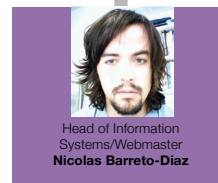
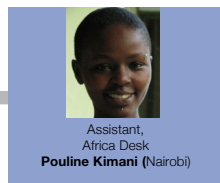
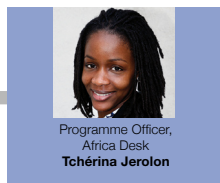
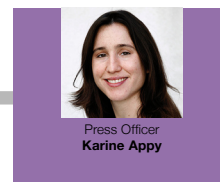
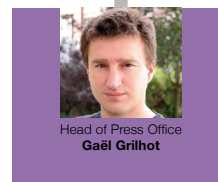
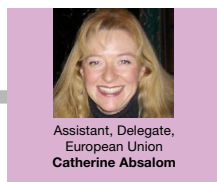
Representatives before the International Board



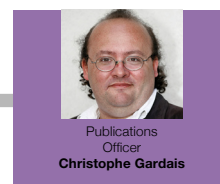
International Secretariat 2009



Research and Operations



Mobilisation of International Intergovernmental Organisations



Communication and Development





*In 2009, FIDH was marked by the tragic loss of Babacar Fall,
Director of Management Control at the International Secretariat.
All of the FIDH team pay high tribute to a dear colleague,
friend, and committed human rights professional.*

FIDH represents 164 human rights organisations on 5 continents

Keep your eyes open

Establishing the facts

investigative and trial observation missions

Through activities ranging from sending trial observers to organising international investigative missions, FIDH has developed, rigorous and impartial procedures to establish facts and responsibility. Experts sent to the field give their time to FIDH on a voluntary basis.

FIDH has conducted more than 1 500 missions in over 100 countries in the past 25 years. These activities reinforce FIDH's alert and advocacy campaigns.

Supporting civil society

training and exchange

FIDH organises numerous activities in partnership with its member organisations, in the countries in which they are based. The core aim is to strengthen the influence and capacity of human rights activists to boost changes at the local level.

Mobilising the international community

permanent lobbying before intergovernmental bodies

FIDH supports its member organisations and local partners in their efforts before intergovernmental organisations. FIDH alerts international bodies to violations of human rights and refers individual cases to them. FIDH also takes part in the development of international legal instruments.

Informing and reporting

mobilising public opinion

FIDH informs and mobilises public opinion. Press releases, press conferences, open letters to authorities, mission reports, urgent appeals, petitions, campaigns, website... FIDH makes full use of all means of communication to raise awareness of human rights violations.

FIDH - International Federation for Human Rights

17, passage de la Main-d'Or - 75011 Paris - France

CCP Paris : 76 76 Z

Tel: (33-1) 43 55 25 18 / Fax: (33-1) 43 55 18 80

Site internet: <http://www.fidh.org>

Director of the publication : Souhayr Belhassen

Editors and Coordination : Antoine Bernard

and Juliane Falloux

Author : FIDH

FIDH represents 164 human rights organisations on 5 continents



Article 8: Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law. Article 9: No one shall be subjected to arbitrary arrest, detention or exile. Article 10: Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him. Article 11: (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence. (2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed. Article 12: No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks. Article 13: (1) Everyone has the right to freedom of movement and residence within the borders of each state. (2) Everyone has the right to leave any country, including his own, and to return to his country. Article 14: (1) Everyone has the right seek

About FIDH

- **FIDH takes action for the protection of victims of human rights violations, for the prevention of violations and to bring perpetrators to justice.**
- **A broad mandate**
FIDH works for the respect of all the rights set out in the Universal Declaration of Human Rights: civil and political rights, as well as economic, social and cultural rights.
- **An universal movement**
FIDH was established in 1922, and today unites 164 member organisations in more than 100 countries around the world. FIDH coordinates and supports their activities and provides them with a voice at the international level.
- **An independent organisation**
Like its member organisations, FIDH is not linked to any party or religion and is independent of all governments.