Amnesty International UK
Submission to the Conservative Human Rights Commission

Human Rights violations suffered by Professionals

Amnesty International is a worldwide movement of people who campaign for internationally recognised human rights to be respected and protected. Our vision is for every person to enjoy all of the human rights enshrined in the Universal Declaration of Human Rights (UDHR) and other international human rights standards. Our mission is to conduct research and take action to prevent and end grave abuses of all rights - civil, political, social, cultural and economic. From freedom of expression and association to physical and mental integrity, from discrimination to the right to shelter - these rights are indivisible.

Amnesty International UK welcomes the opportunity to contribute to the work of the Conservative Human Rights Commission as it examines human rights violations suffered by professionals. Amnesty International does not make a distinction between human rights defenders and activists and those whose human rights are abused as a result of their professional occupations. However, in its research the organisation does identify how people may become the targets of abuses as a result of undertaking the everyday duties and responsibilities that their professions entail. This submission documents a selection of such cases from 2011.

Human Rights violations as suffered by professionals in 2011

- **Bahrain**
  
  Health professionals: Earlier this year thousands of Bahrainis gathered for a peaceful “Day of Rage” demonstration in support of their demands for greater freedom and social justice. As security forces resorted to unwarranted violence, medical officers assisting wounded protestors were harassed, sometimes seriously injured and even tortured. Several testimonies reveal that medical staff were prevented from treating the victims of violence and another doctor revealed that he was afraid of going to work because he heard of colleagues being attacked trying to reach the hospital. These attacks were unprovoked and unjustifiable. The 47 health professionals initially detained incommunicado were then formally charged. Charges against some of the health workers include hiding weapons and explosives in the hospital, as well as attempting to overthrow the regime by force. However, the court has failed to provide any evidence of that. Twenty health professionals were sentenced by a military court in Bahrain on 29 September to between 5 and 15 years in prison. Amnesty International believes that the charges were politically motivated, that the proceedings did not meet international fair trial standards and that they may be prisoners of conscience. Although some charges were dropped at the appeal hearing they are still at risk of unfair trial.

  Teachers and Nurses: Two Bahraini women activists were detained for their involvement in pro-reform protests. Roula al-Saffar, head of the Bahrain Nursing Society, and Jalila al-Salman, vice-president of the Bahrain Teacher’s Association (BTA), were held for several months near the capital Manama. Both women allege they were tortured in detention. It was reported on 19 October that preceding her release on bail in August after over five months of detention, Jalila al-Salman had been re-arrested in Bahrain and sent to jail ahead of her appeal hearing on 1 December. Amnesty International fears she might be at risk of torture or other ill-treatment and that she may be a prisoner of conscience.

  Lawyers: Mohammed al-Tajer, a prominent Bahraini defence lawyer, was arrested without an arrest warrant by a group of over 20 masked security officers who then took him to an unknown location. On 12 June he was brought before the National Safety Court of First Instance, a military court, and formally charged with offences that included spreading rumours and malicious news and incitement of hatred towards the regime. He pleaded not guilty. His trial was then referred to a civilian court. In August he was released from prison. He told Amnesty International that his current legal status is unclear and he thinks the charges against him have not been dropped. He was required to sign papers as a condition of his release stating he would appear in court
and be available for interrogation at any time, and that he would not undertake any activity against the country. Photographs of the upper part of his body and his legs were taken and a doctor signed papers stating that he was in good health at the time of his release. Mohammed al-Tajer said he had been beaten, deprived of sleep and forced to stand up for long hours during the first three weeks of his detention. He also reported that his bank account had been frozen and that none of the items taken from his office by security officials, including computers, laptops and databases, have been returned. Additionally, his wife has been dismissed from her job.

**Belarus**

Six months after the Presidential elections, clampdown on dissenting voices continues unabated. The arrest and detention of hundreds of demonstrators following a post-election protest continues. Amnesty International continues its calls for the release of all prisoners of conscience who have been detained and sentenced for the peaceful exercise of their rights to freedom of assembly and expression. Many leading journalists and opposition activists have been charged with the criminal offence of “organizing mass disorder” and could face up to 15 years in prison. Opposition activists and journalists have been detained and charged with trumped up criminal offences, and independent media outlets, journalists and human rights organizations have been subjected to searches and interrogations in what appears to be a coordinated attempt to silence them in violation of their right to freedom of expression.

**Politicians and Journalists:** Former Presidential candidate, Alyaksei Mihalevich, who was released on bail in February, held a press conference on 28 February, where he spoke out about the torture and other ill-treatment that had been inflicted on him. He said that detainees were taken out of the cells five or six times a day for body searches. They would be made to stand with their legs so far apart that it was difficult to walk afterwards because of the pain. They would be made to stand naked for about 40 minutes in a room where the temperature did not exceed 10°C. He also said that during the searches detainees would be made to perform physical exercises.

Alyaksei Mihalevich has since secured refugee status abroad. His stories were corroborated by another former Presidential candidate and prisoner of conscience, Andrei Sannikau, who was sentenced on 14 May to 5 years’ imprisonment. His wife, journalist Iryna Khalip, who had been under house arrest, was given a two-year suspended sentence on 16 May. During his trial, Andrei made a statement, saying that the evidence being used against him was obtained under torture. He said that when first detained on 19 December, he was beaten and denied access to a toilet for hours. He reported that he was made to carry all his personal belongings to a cold cellar every day, where he was forced to stand naked by the wall, with arms and legs outstretched for long periods and made to squat. Despite complaining of a painful leg, which was injured during his detention, he was not allowed to change position. People in masks hit the walls with batons, shouted and kicked him. He added that he had been kept in handcuffs constantly in detention and made to walk in stress-positions. Andrei also stated that when he refused to confess, during a conversation with the head of the KGB, he was told ‘in this case we will apply more brutal measures to your wife and child.’ Both men claimed that other detainees were also being ill-treated.

**China**

Amnesty International called on the Chinese authorities to show that none of those tried in the Xinjiang Uighur Autonomous Region for “endangering state security” were punished for simply exercising their freedom of expression. The Chinese authorities announced that 376 cases were tried in 2010 for “endangering state security”, including some connected with the protests and violence in the region’s capital, Urumqi, in July 2009.

**Journalists:** Various individuals, such as Hairat Niyaz, an Uighur journalist, who was sentenced to 15 years imprisonment, have been charged and sentenced for “endangering state security” for nothing more than exercising their freedom of expression, including giving interviews to the media and posting articles on the internet regarding the unrest of July 2009 in Urumqi. Amnesty International called on the Chinese authorities to conduct trials according to international fair trial standards, including allowing defendants to hire lawyers of
their own choosing, allowing them access to their family and lawyers, and informing family members in a timely fashion of detentions, charges and trials.

**Zhang Jialong**, a former Caijing magazine journalist who has covered the detention of acclaimed artist Ai Weiwei, went missing in April after reportedly being approached by a person claiming to represent Beijing police.

Scores of government critics, lawyers, activists, bloggers, artists and "netizens" have been arrested since February, amid government fears of a "Jasmine Revolution" inspired by events in the Middle East and North Africa. China’s crackdown on foreign journalists covering potential protests signals the government’s fear of popular protests. The Foreign Correspondents Club of China said more than a dozen reporters, including from the BBC, CNN, and Bloomberg, were beaten or detained by security officers as they went to cover possible protests. Plain clothes officers beat and kicked a video journalist, who required hospital treatment. Police stripped journalists of their equipment and forced them to leave the area, identified as the site of a potential protest by anonymous online activists. Few, if any, protesters actually appeared at the site, in light of heavy government security presence.

**Lawyers: Li Xiongbing**, a prominent Beijing human rights lawyer known for taking on politically sensitive cases, went missing in May after he was telephoned by police.

Those who have spoken out about their detention – including internationally renowned artist Ai Weiwei and human rights lawyers Jiang Tianyong and Liu Shihui– have revealed how they were beaten and kicked, repeatedly interrogated, kept under constant watch, deprived of sleep and made to sit motionless for up to 15 hours.

**Writers:** Although the world saw the release of artist Ai Weiwei and most of his colleagues recently, attention has now fallen on the jailed Nobel peace laureate **Liu Xiaobo**. He was sentenced to 11 years in prison in 2009 for “inciting subversion of state power” following an unfair trial. Contrary to China’s own laws, he had been held in incommunicado detention since December 2008.

- **Ethiopia**

  Journalists and Politicians: Journalist **Eskinder Nega**, and opposition politicians **Andualem Arage**, **Nathanial Mekonnen** and **Asaminew Berhanu**, of the Unity for Democracy and Justice (UDJ) party, and **Zemene Molla**, general secretary of the Ethiopian National Democratic party, were arrested in September. Journalist **Sileshi Hagos** was arrested on 9 September. They were all detained on accusations of involvement with the Ginbot 7 group, a banned political party. All those arrested are vocal critics of the government and had recently undertaken public or written activities calling for reform. They are being held at the Maikelawi Federal Police Central Investigation centre and are at immediate risk of torture and other ill-treatment.

  All six appeared before a court on 15 September and were remanded in custody for 28 days. When Eskinder Nega was brought before the court, family members and journalists were blocked from entering the courtroom, giving rise to significant concern that he has already been ill-treated in detention.

  Since March at least 100 opposition politicians and six journalists have been arrested in Ethiopia. All have been accused of terrorism-related offences. Amnesty International is deeply concerned that these arrests indicate a pattern of arresting and detaining those who are critical of the government.

- **India**

  Doctors: A number of social and political activists and human rights defenders have been imprisoned for highlighting the human rights situation. Among them is **Dr. Binayak Sen**, declared as a Prisoner of Conscience by Amnesty International.
Dr. Sen is a human rights defender and a medical doctor, providing health care for marginalized communities in Chhattisgarh. As General Secretary of the state branch of the People’s Union of Civil Liberties, Dr Sen has publicly criticized the violent activities of the Salwa Judum, a civil militia believed by human rights activists and others to be state-sponsored. The state government claim that the violence is a spontaneous response by the adivasis (Indigenous people) of Chhattisgarh against armed Maoists. Dr Sen spent more than two years in prison and was released on bail by India’s Supreme Court in April 2011, after he was convicted of sedition and sentenced to life by a lower court.

- **Iran**

**Journalists:** Emadeddin Baghi, one of Iran’s most outspoken human rights activists, was released in May after serving two concurrent one-year jail sentences for “propaganda against the state”. One related to his founding of the Association to Defend Prisoners’ Rights and the other to an interview broadcast by the BBC. He was also banned from any political activity for five years. A further five-year prison term was overturned by an Appeals Court, although he spent an extra 19 days in prison.

Hundreds were arrested in advance of protests in Iran on 14 February, including writer and journalist Taghi (or Taqi) Rahmani, one of the banned political party Melli Mazhabi (National Religious Alliance), who had been arrested on 9 February 2011 by four or five plain-clothed individuals. He was released on 15 May from Tehran’s Evin Prison on 150 million Rial (about US$14,000) bail. They entered his family’s apartment and failed to show either identification or an arrest warrant. The residence was subsequently searched and his documents were confiscated. His wife, Narges Mohammadi, was charged with “spreading propaganda against the system”, “gathering and collusion to commit a crime against national security”, and “being a member of the Centre for Human Rights Defenders (CHRD)” at a closed court session on 27 June. These charges, which she denied in court, stem from her work with the CHRD, a human rights organization founded by Nobel Peace Laureate Shirin Ebadi, which was forcibly closed by authorities in December 2008.

Women’s rights activist and journalist Faranak Farid (aged 50), was arrested by plainclothes officers on 3 September while shopping in Tabriz. Her arrest was apparently in connection with protests that began in April 2011 calling on the Iranian authorities to remove dams on rivers feeding Lake Oroumieh, which is at risk of drying up. She was detained without charge and her home was searched. During her arrest, she is reported to have been assaulted and beaten so severely that she is now unable to move one of her arms. She also lost the hearing in her left ear, at least temporarily. She was interrogated for many hours at a detention centre in Tabriz. Her glasses were taken from her and she was forced to sign a document that she could not read. She is believed then to have been brought before a judge, who ordered her temporary detention for 10 days. It appears that she may have been accused of “insulting the Supreme Leader”, “propaganda against the system”, and “acting against national security”. Despite requesting access to a doctor, she is not known to have received medical care up to now, deepening concern for her health and well-being. She is now being held in the women’s section of Tabriz Central Prison. Her sister was allowed to visit her in September 2011 but an independent lawyer appointed to represent her has not yet had access to her.

**Lawyers:** Human rights lawyer Nasrin Sotoudeh, a mother of two young children, was arrested on 4 September 2010 and is now serving an 11-year prison sentence. Sentenced on 9 January 2011, she has also been banned from practising law and leaving the country for 20 years. She was sentenced to 10 years in prison on the charge of “acting against national security, including membership of the Centre for Human Rights Defenders (CHRD)” and to one year for “propaganda against the system.”

Nasrin Sotoudeh has denied that she has ever been a member of the CHRD. These charges stem solely from her work as a human rights lawyer. Before her arrest, she had been warned to stop representing Shirin Ebadi, or face reprisals. Amnesty International considers Nasrin to be a prisoner of conscience, held solely on account of her peaceful human rights activities, including her work as a defence lawyer. Since her arrest, she has been held in Evin Prison, including for a lengthy period spent in solitary confinement. Her health has been weakened by three hunger strikes in protest at her arrest and at the conditions of her detention. Initially allowed very infrequent contact with her family and lawyer, she is now allowed to call her family once a week. Her two children have been allowed to visit her on only two occasions, both times behind a glass screen. Her husband is now permitted to visit her once a fortnight. Nasrin has defended many high profile human rights campaigners and political activists, as well as juvenile offenders on death row.
Nasrin Sotoudeh’s own lawyer, Nasim Ghanavi, has faced pressure from the authorities, including threats of arrest, apparently on account of her representation of Nasrin. Amnesty International believes that Nasrin’s arrest is part of a concerted effort by the Iranian authorities, who have implemented a series of measures intended to prevent Iranians – particularly those critical of the authorities - from being able to access appropriate, competent legal representation, a basic right and important fair trial guarantee.

Iranian authorities have been attempting to limit the independence of the Bar Association for years, by preventing candidates from standing for election to senior positions on discriminatory grounds, including their imputed political opinions and their peaceful human rights activities.

**Iraq**

Journalists: Journalist and writer Hadi al-Mehdi joined the 'Day of Rage' protests in Tahrir on 25 February. He told Amnesty International that after the demonstration finished, he was having lunch with three friends when at least 15 soldiers stormed the restaurant, beat him and his three friends with their rifles and forced them into vehicles. He told Amnesty International that he was taken to a detention centre, which was later identified as the former building of the Defence Ministry, and interrogated. He said he was frequently beaten during the interrogation. He received electric shocks to his feet twice and was threatened with rape. He was subsequently released in the early hours of 26 February. He was later shot twice in the head in his flat in Baghdad in September, ahead of a planned protest he was due to attend in Tahrir Square.

Al-Mehdi was an outspoken political critic, and his popular Radio show “To Whoever Listens” took on a wide range of issues. No-one across the political spectrum was spared his scrutiny, and his analysis was described as irreverent and witty, drawing on his theatrical background.

In August, Iraq’s Parliament passed a new law on legal protections for journalists, who face ongoing politically motivated threats and attacks. However, the law does not provide for their physical protection.

**Syria**

 Freedoms of expression, association and assembly continue to be severely restricted in Syria despite the lifting of the 48-year-old state of emergency on 21 April. The Syrian authorities responded in the most brutal manner to largely peaceful popular protests calling for political reform. Amnesty International has obtained the names of more than 2,200 people reported to have died or been killed during or in connection with the protests since mid-March; many are believed to have been shot by security forces using live ammunition while participating in peaceful protests or attending funerals of people killed in earlier protests. Thousands of other people were arrested, with many held incommunicado at unknown locations in which torture and other ill-treatment are reported to be rife. Syrian human rights defenders have found it increasingly difficult to operate in this climate of repression; a number have been arrested and others have been forced into hiding out of fears for their safety.

Lawyers: Amnesty International urged the Syrian authorities to free all prisoners of conscience following the release of a 79-year-old human rights lawyer, Haytham al-Maleh, who was freed in March 2011. The following day President Bashar al-Assad issued an amnesty for several categories of prisoners, including those aged over 70, those suffering from incurable diseases and others accused of minor offences. Haytham al-Maleh was serving a three-year sentence after being convicted by a military court in July 2010 of "conveying within Syria false news that could debilitate the morale of the nation" and "weakening national sentiment". The charges against him were related to a television interview he gave in September 2009 in which he criticized the lack of democracy, excessive powers wielded by security officials and corruption among officials in Syria. He is also believed to have been targeted for his published articles exposing human rights abuses in the country. Since 1980, his work as a rights defender has earned him two stretches in jail, in 1980-1986 and 2009-2011, while harassment from the authorities helped force the closure of the Human Rights Association of Syria, which he headed.

Former political prisoners in Syria face a range of restrictions on their activities. For five years after release,
they are not able to be employed in the public sector, to teach, to vote or stand for election, nor to own, publish or edit a newspaper or any other publication.

Political activists Hassan ‘Abd al-‘Adhim, aged 79, and ‘Omar Qashaash, aged 85, were arrested in April, apparently for statements they made to the media in support of the protests. Hassan ‘Abd al-‘Adhim is a lawyer and the Secretary General of the Democratic Arab Socialist Union Party in Syria. He was arrested at his office in Damascus by State Security. He reportedly suffers from diabetes, for which he needs regular medication. ‘Omar Qashaash was arrested in Aleppo and is the leading member of the Syrian Democratic People’s Party and a long-standing union activist.

In September Amnesty International called on the Syrian Bar Association to end disciplinary proceedings instigated against Syrian Kurdish human rights lawyer Mustafa Kheder Osso, as they appeared to be aimed at penalizing him for expressing political views in a TV interview and taking part in a protest. Amnesty International believes he is being disciplined principally for giving an interview to Al Jazeera during which he made statements calling into question the legitimacy of the Syrian President, as well as other statements that, according to the referral decision, harmed the state’s “sovereignty and solemnity”; and for taking part in a protest in front of a court building in al-Hasakah calling for the release of political prisoners. Mustafa is also the President of the unauthorized Kurdish Organization for the Defence of Human Rights and Public Freedoms in Syria sees the referral decision as politically motivated.

Amnesty International’s concerns about the case of Mustafa Osso are heightened in light of the outcome of previous disciplinary proceedings taken by the Bar Association against other lawyers known for their human rights work, in particular Muhammad al-Hassani, who in 2009 was banned for life from practising law on grounds that explicitly related to his legitimate and peaceful human rights work.

Syria’s President pledged for a second time in April to release all protest-related detainees, except those accused of committing crimes “against the nation and the citizens”, but hundreds of protestors are still believed to be held and are at risk of torture or other ill-treatment.

Journalists: Among those detained are Mohammed Zaid Mastou, a journalist with dual Syrian–Norwegian nationality who is reported to have been assaulted by security officials who took him from an internet cafe on 6 April; Khaled Sid Mohand, an Algerian freelance journalist who has contributed to Le Monde, was arrested on 9 April. They are at risk of torture or other ill-treatment.

Dorothy Parvaz, an Al Jazeera journalist, was arrested upon arrival at Damascus International Airport in April. According to Al Jazeera, she flew from Qatar to help cover the ongoing events.

More recently, Adel Walid Kharsa was arrested by security forces in his hometown of Hama in August, seemingly in connection with his news reports on the protests. Syrian security forces have been carrying out widespread arrests in response to mass protests calling for President Bashar al-Assad to step down, which began in March. The arrests have targeted people perceived to have organized or openly supported those protests, whether in public gatherings, in the media or on the internet.

- Zimbabwe

The situation for professional journalists in Zimbabwe remains of concern to Amnesty International. The 2002 Access to Information & Protection of Privacy Act (AIPPA) has been used to stifle the work of professional journalists and independent media in Zimbabwe. This is despite an August 2010 ruling by the African Commission on Human and People’s Rights, that sections of the AIPPA contravene section 9 of the African Charter on Human and People’s Rights on freedom of expression, and a recommendation that Zimbabwe strike down several provisions of AIPPA. Whilst several independent newspapers have been licensed since the formation of the Government of National Unity, broadcasting is still closed to independent radio stations and the state broadcaster, the Zimbabwe Broadcasting Corporation, dominates Zimbabwe’s airwaves. Despite ongoing campaigns, no community radio stations have been issued with licenses yet and their
staff suffer harassment. Journalists are tightly controlled and closely monitored by state agents; arrests of journalists going about their work continue.

**Recommendations to the Conservative Human Rights Commission**

The UK government can take steps to protect human rights defenders and their work by implementing the following measures:

- Raise concerns about the situation of human rights defenders with other countries in bi-lateral or multilateral fora, such as the UN HRC Universal Periodic Review mechanism;
- Provide support to international and regional mechanisms, ensuring that they receive technical assistance and advice on implementation of human rights standards;
- Ensure that all UK Missions are implementing the EU Human Rights Defenders Guidelines and are including the protection of local human rights defenders in their contingency plans for emergency situations;
- Speed up the visa process for human rights defenders who have to relocate due to serious threats;
- Through their diplomats show local support for human rights defenders, visiting their offices and inviting them to Missions for briefings and reports of the situation on the ground;
- Ensuring that FCO funding for Human Rights programmes, such as the Strategic Programme Fund are maintained and enhanced;
- High level meetings (Ministerial) with human rights defenders visiting the UK.

These measures send a strong signal that violations against defenders will have international repercussions.