

Report on threat patterns and trends identified by the Early Warning System (EWS)

October – December 2009



CIVICUS: World Alliance for Citizen Participation

Background on the Early Warning System

Over the past few years, a trend toward legal and policy environments that hamper rather than enable civil society has been noted with alarm by civil society organisations, the United Nations, other international institutions and bodies and even some governments themselves. Despite this, there has been little detailed research conducted to assess the scope of these restrictions on independent civic voices to support proactive and focused advocacy to ensure respect for civic space. Such research is particularly needed for comparative analysis, and to assist with the early response to such threats.

Based on extensive consultations with local civil society organisations in a range of countries, CIVICUS and the International Center for Not-for-profit Law (ICNL) developed a systematic methodology to track the early signs of restrictions on civil society space. In the first half of 2009 this Early Warning System (EWS) was piloted, evaluated and refined with civil society partners in seven countries. Following these refinements, the EWS was rolled out in October 2009 for the first full year of implementation through 14 civil society partners in Egypt, Ethiopia, Kazakhstan, Lebanon, Nicaragua, Pakistan, Philippines, Russia, Solomon Islands, United States, Uzbekistan, Venezuela, Vietnam and Zimbabwe. CIVICUS anticipates that the number of EWS partners will continue to expand each year.

As its central goal, the Early Warning System seeks to protect the freedoms of association, assembly and expression, enshrined in both international law and in many national constitutions. The EWS monitors the manner in which states respect and protect these rights and provides early alerts to enable the mobilisation of timely responses when these rights may be at risk

Threat Patterns and Trends

External Threats or Restrictive Influences

This includes national security concerns and fear of foreign influence expressed by governments, negative influences of neighbouring countries or allies, agreements undertaken with other governments and international or regional bodies that may negatively impact on civil society.

In **Russia**, the authorities attempted to cast aspersions on the credibility of non-governmental organisations (NGOs) by declaring that a video statement on the systemic abuses made by a police major was the handiwork of NGOs that receive funding from abroad. Additionally, the Secretary General of Reporters sans Frontiers and the head of the European Desk were denied entry visas into Russia. In a clear sign of paranoia towards civil society having links internationally, the **Venezuelan** government launched an investigation into

foreign travels by civil society members and members of the political opposition. In **Pakistan**, reports were received regarding outfitting security forces with increased weapons from the United States to take on Taliban fighters. There remain doubts that some of the sophisticated equipment received by Pakistan from the United States government could actually be used to prevent civil society groups from carrying out their monitoring activities over state actions due to enhanced surveillance. Regardless, strengthening the military with sophisticated weaponry could have a long term impact on the rule of law in the country. In **Lebanon**, a Brazilian cultural group was denied permission to perform, citing religious reasons. In **Ethiopia**, the authorities blamed international civil society groups of giving false information about the situation in the country to the media. In **Nicaragua**, the government accused the independent media of having financial ties with the United States government to whom it is politically opposed.

Threats and Restrictions on Civil Society Organisations (CSOs)

This includes questioning of civil society's credibility and political impartiality, targeting of individual civil society actors by the state and unwarranted official restrictions on civil society.

Reports continued to flow in from the **Philippines** with regard to targeted assassinations and stringent surveillance of civil society activists and political opponents. There was a targeted political massacre of 57 persons allegedly carried out by the henchmen of a provincial governor reportedly close to the President. The dead included members of the political opposition, journalists and civil society advocates. This incident sent shockwaves and instilled fear amongst groups critical of official actions around the country. From **Uzbekistan** there were reports of motivated prosecutions against activists. The head of the Human Rights Alliance of Uzbekistan was sentenced to five years imprisonment on charges of committing fraud. Another human rights defender was accused of extortion and detained on allegedly planted evidence while yet another was put under house arrest upon returning to the country after five years. In **Russia**, the head of one of the best respected groups, Memorial Human Rights Center, was forced to pay compensation by a court to the Chechnyan President for 'libel' for asking the Chechnyan President to take political responsibility for the murder of human rights defender Natalya Estimirova. Numerous reports were received from Russia concerning the systematic intimidation of civil society groups. In one incident, the office of an organisation called "Ethnics," which works to protect the rights of minorities, was raided by law enforcement agents and their computers were confiscated on suspicion of carrying pirated software. From **Ethiopia**, reports were received about downsizing civil society groups due to the implementation of the Charities Law which places stringent restrictions on foreign funding to support human rights work of NGOs. As a result of the Charities Law, fourteen organisations have reportedly shut down. Additionally, some activists were accused of harbouring political ambitions under the guise of civil society work by the state owned media. From the **United States**, reports were received

detailing allegations levelled against Muslim faith based civil society groups regarding their involvement in terrorist activities. In **Venezuela**, the draft of the International Cooperation Law continues to hang as a 'Sword of Damocles' over civil society. The draft which seeks to severely restrict foreign funding for CSOs was included in the legislative agenda of the National Assembly, raising serious concerns about contraction of civil society space in the near future. In **Nicaragua**, reports were received about physical attacks on civil society members and harassment of their family members.

Restrictions on Civil and Political Rights

This includes restrictions on the media, anomalies with the political and electoral process and restrictions on civil liberties in general.

From the **Philippines**, reports about the harassment of civilians in ongoing counter-insurgency operations continued to be received. Additionally, executive powers were given to local police units to support government sponsored surveillance programmes against civilians. These powers could lead to increased vigilantism and impact the physical safety of members of civil society involved in the documentation of human rights violations. In some areas of the country, martial law was declared through a government proclamation. In a harsh blow for due process rights in **Pakistan**, the army was given the power to detain terrorist suspects for 90 days. In **Nicaragua**, reports were received about the lack of proper investigations against allegations of police abuse. Also reports were received of the routine use of violence against protestors by law enforcement agencies. In **Kazakhstan**, a report by Human Rights Watch warned of rampant corruption in the police, judiciary and customs service. In **Lebanon**, reports were received of widespread censoring of media content and banning of publications. Some journalists critical of official policies were laid off by media companies citing financial reasons but it is widely believed they were removed under political pressure. Lawsuits were also instigated against journalists citing defamation and slander provisions by state actors. From **Egypt**, a trend of a clampdown on the activities of bloggers was reported with the Prime Minister declaring that restrictions on information circulation and censorship of films was being considered. From **Russia**, there were also reports about the harassment of bloggers. The editor of an opposition blog reported a grave threat to this life, also citing that his predecessors were assassinated. Youth opposition activists in the country also reported harassment by the authorities. In **Venezuela**, a controversial electoral process law was passed which could vest ruling party members with an unfair advantage. There is enhanced militarisation due to a new law on conscription and military enlistment which could have severely negative influences on civil liberties. In **Uzbekistan**, during the December parliamentary elections, activists who opposed the government were put under constant surveillance, warned against travelling or reporting and ordered to remain at home.

Restrictive Influence Of and Threats from Non-State Actors

This includes influences of the private sector that may negatively affect civil society and other threats to civil society from non-state actors.

Threats from religious extremists carrying out terrorist attacks including bomb blasts, assassinations, maiming, etc in **Pakistan** continued to create a heavily disabling environment for civil society in the country. Additionally some NGOs have been forced to clear out of conflict zones. In **Russia**, members of the pro-government youth movement threatened a journalist and human rights defender for publishing an “anti-nationalistic” article. In **Kazakhstan**, reports were received about targeting of workers unions and labour groups by powerful private sector entities. In the **Solomon Islands**, it was reported that the logging and mining industries are becoming disproportionately powerful which could impact environmental groups opposed to their activities.

Miscellaneous

This includes other negative influences, positive changes and achievements observed.

In **Kazakhstan**, the authorities signalled their intention to draft Freedom of Information legislation which could become an important tool for civil society to pursue accountability of the government. In the **United States**, a civil society group was able to score a court victory, which ordered the return of its wrongfully seized equipment.

Past and Planned Engagement in EWS Responses

EWS partners across six continents have agreed to support each other in their advocacy efforts and are in regular communication through a joint e-mail list server. Building upon the monitoring of threats to civil society, EWS partners and CIVICUS work together to develop and link together local, regional, and international responses to identified threats.

As a first level of response, the identified threats are highlighted and disseminated through the CIVICUS website, e-CIVICUS, the CSW Monthly Bulletin and the Communications department’s network of media contacts. EWS partners and CIVICUS then jointly identify both the grassroots advocacy taking place and how CIVICUS can support raising these voices at the regional and international level. Some prominent examples in 2009 and plans for 2010 include the following:

Severe restrictions on civil society space in Ethiopia

In response to the January 2009 approval of a national Charities and Societies Law in Ethiopia, CIVICUS developed and issued a statement analysing the restrictive aspects of the law and its projected implications for the capacity of civil society to advocate human rights concerns. This was followed by a submission to the UN Human Rights Council in April 2009 outlining the negative aspects of the Charities Law as well as the draft anti-terrorism proclamation in Ethiopia that severely restricts the freedom of expression and the right to peaceful protest. When the activities of 42 NGOs were suspended in July 2009, CIVICUS issued a follow-up press release and was interviewed regarding the Charities Law as part of the South African Broadcasting Corporation's international programme.

Threats to human rights defenders in Kazakhstan

In March 2009, when the government announced plans to amend the Kazakh law on religion, CIVICUS thoroughly analysed the proposed amendments and presented a submission to the Kazakh President arguing that the amendment went against commitments made under the International Covenant on Civil and Political Rights (ICCPR) and to the Organisation for Security and Cooperation in Europe (OSCE). In October 2009, when Kazakh human rights defender, Yvgeny Zhovtis, was convicted and imprisoned for an automobile accident after a flawed trial, CIVICUS again wrote to the Kazakh President highlighting the concerns of serious procedural irregularities. Unfortunately the Government has taken no remedial action and a court appeal by Mr. Zhovtis was denied.

Impunity in the Philippines

Following a spate of assassinations of civil society activists in the Philippines over the past few years, and particularly in response to the political killing of 57 people in November 2009, CIVICUS and seven EWS partners issued a joint press statement in English and Spanish calling for an immediate, impartial investigation and supported local civil society's call of "End Impunity! Justice Now!" Jointly, CIVICUS published an interview with the Deputy Secretary General of our EWS partner in the Philippines that discussed the threats to civil society within the country.

Narrowed civil society space in Nicaragua

To address the worsening situation in Nicaragua that came to a head in the final months of 2009, CIVICUS and local partners jointly organised a fact-finding and solidarity mission to the country in January 2010. Over three days CIVICUS delegates met with a diverse range of civil society groups who have had to face restrictions in recent times. The delegation heard stories of commonplace violations of the national Constitution, pressure being applied by the authorities on independent civil society groups, curtailment of independent media and media self-censorship and internal challenges with which civil society grapples, such as ensuring political autonomy.

CIVICUS was also able to meet with national representatives from the government administration as well as a parliamentary committee and members of current opposition parties. The delegation noted that in these meetings the government officials and parliamentarians expressed a willingness to engage openly with civil society and consider the concerns communicated to them by national civil society groups.

The public focal point of the mission was a half day civil society forum organised in Managua where both CIVICUS and local civil society presented on various issues relating to the central topic of “Civil Society Organisations in the Current Context.” Approximately 200 people from a variety of civil society organisations and international cooperation agencies attended the forum. There was strong local media coverage of the event with delegation members and civil society partners interviewed by multiple newspapers and television stations.

Online database on threats to civil society

CIVICUS has commenced developing a database that once tested and refined will be available as an online tool supplementing the CIVICUS website and electronic newsletters. The database will be a secure, dynamic platform for project partners and civil society groups in different locations to share information on threats. As the EWS grows, an online community linked to the database that will facilitate networking for peer support and shared learning will be developed between partners in participating countries. The online community in turn will have the potential to link with existing real-world meetings such as the CIVICUS World Assembly. Likewise, the online database will be a useful resource for the press, intergovernmental bodies, diplomatic missions and other interested stakeholders to gain quick information on civil society issues.

Expansion of civil society engagement at international forums

In 2010, CIVICUS will continue to strengthen its engagement at the global policy level to increase the space for civil society participation. The overarching goal of this work is to further international dialogue on enabling environments for civil society in global governance, with a vision to expand spaces and processes for civil society engagement in decision making processes.

Additionally, CIVICUS will proactively expand its outreach to international and regional human rights bodies to highlight threats tracked by project partners. For EWS partners whose countries will come under the Universal Periodic Review (UPR) in 2010, CIVICUS will collaborate with them in the preparation of joint submissions to the UN Human Rights Council and in the lobbying of governmental representatives. As an ongoing campaign, CIVICUS plans to revive the “Civil Society Behind Bars” to exert pressure on governments to free prisoners of conscience.

Annex I
Country summaries of main trends in threats to civil society tracked by EWS
October – December 2009

EGYPT

The bi-weekly reports were compiled and submitted by the EWS partner: Egyptian Association for Community Participation Enhancement (EACPE).

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator	Number of related events
Restrictions to civil liberties	2
Electoral processes	4
Targeting of individual civil society actors by state	2
National security concerns	1
Unwarranted official restrictions on civil society	2
Questioning of civil society's credibility	3

II. Trends of Threats to Civil Society

- **Freedom of expression** seems to be under massive threat in Egypt. Targeted bloggers have restricted online expression of opinion.
- **Targeted attacks on individual civil society actors** have resulted in restricted freedom of expression¹. Such attacks, which violate the international charters that Egypt has signed, have continued without explanations from the state.
- The Committee for Political Parties Affairs exercises some control over **electoral processes** as it regulates the registration of political parties and unfairly refuses to grant registration to some political parties.²
- **Freedom of assembly** is under threat through the negative amendments of the new Law of Civil Associations that will transfer authority from the Ministry of Social Solidarity to the Union of Civil Associations, which in turn will control foreign funding and civil society areas of operation. Law 100, which governs the work of all syndicates including lawyers and artist,

¹ A blogger has been banned from attending the University of Sinai due to the political and social opinions expressed in his blog.

² The party El-Wasat has been denied registration four times.

is facing a possible amendment which could control political affiliation of members.³

- **Freedom of expression is under** attack as the Prime Minister declared that there will be many restrictions on information circulation and that the government is considering censoring films. Bloggers continue to face close governmental scrutiny, and some have been detained.

³ The Giza Syndicate of Lawyers has been facing power struggles related to political affiliation. Lawyers' and engineer's syndicates are under judicial authority with no independent board.

ETHIOPIA

The bi-weekly reports were compiled and submitted by the EWS partner: Organisation for Social Justice – Ethiopia (OSJE).⁴

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator	Number of related events
Questioning of civil society's credibility	1
Restrictions on media	1
Electoral processes	3
Unwarranted official restrictions on civil society	3
Questioning of civil society's political impartiality	1

II. Trends of Threats to Civil Society

- The NGO bill **Charities and Society Proclamation** has been a huge blow to Ethiopian civil society. The bill defines “Ethiopian civil society” and “non-Ethiopian civil society” groups based on funding mechanisms. An “Ethiopian civil society” group must be 90% funded from Ethiopia rather than from foreign sources.
- Civil society organizations have been forced to lay-off staff due to the restricted funding generated by the new NGO bill, and around 14 organizations have completely shut down due to funding difficulties. This clearly indicates that there are **unwarranted official restrictions on civil society** in Ethiopia.
- Despite engagements between government officials, particularly the President, and some international organizations, the law is being fully implemented as civil society space continues to shrink.
- The proclamation censors certain areas of civil society, stating that activities such as human and democratic rights, child and disability rights and conflict resolution should be left to ‘Ethiopian CSOs’. This severely restricts financial resources available to civil society groups, limiting knowledge building and mobilization efforts.
- The government also ordered all civil society organizations to re-register in staggered periods, further restricting civil society. The time periods provided for re-registration are short and the government has implied that organizations not registered within those time frames will have their licenses revoked.

⁴ Due to increasing legal restrictions in Ethiopia, OSJE was compelled to withdraw from participation in the EWS at the end of 2009.

- International organizations such as Action Aid International have had to lay-off staff as they could not continue their research and advocacy program activities. Closure of civil society organizations could open doors for human rights abuses as there would be few organizations to monitor such activities.
- **Individual civil society actors** have been targeted using state owned media to label them as politically ambitious.
- **Lack of full coordination** amongst political parties might cause difficulty in adoption and implementation of the election code of conduct for the upcoming elections. The proposed process for monitoring election reporting is an **electoral process** that restricts independent reporting and opens the door for biased coverage.
- **The credibility of civil society** has been questioned by the government which claimed that international civil society gives false information on the humanitarian situation in Ethiopia.

KAZAKHSTAN

The bi-weekly reports were compiled and submitted by the EWS partner: Institute for Development Cooperation (IDC).

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator	Number of related events
Restrictions to civil liberties	4
Restrictions on media	6
National security concerns	1
Influence of the private sector	1
Targeting of individual civil society actors by state	4
Unwarranted official restrictions on civil society	2
Miscellaneous negative/ positive events	4

II. Trends of Threats to Civil Society

- **Kazakhstan's OSCE chairmanship** is under threat as the country continues to ignore its OSCE human rights commitments. **Religious freedom** is especially under threat as state forces target many religious sector leaders.
- **Denial of the right to assemble** has **restricted media** freedom, and **journalists** have also been the targets of killings. Government representatives have forced some media houses to stop their operations. 38 direct violations of the mass media and 73 cases of violations of freedom of speech have been reported, including denial of access to public information. Unfair trials of journalists, repressive internet laws and other media laws are some of the signs of a **repressed media**.
- **National security concerns** on terrorism activities are high with suspects being tortured and killed.
- Although the government has stepped up its anti-corruption efforts to attract foreign investment and maintain a favorable atmosphere for the OSCE chairmanship, the judiciary, police and customs sector remain highly corrupt, and human rights violations are high according to a Human Rights Watch statement. The government has shown intentions to engage with the NGO sector, including jointly drafting the Law of Information with UNDP to allow the public greater **access to information**. The judiciary is currently ill-informed on human rights agreements as most Kazakhstan laws do not conform to the international standards.
- Some civil society organizations are under heavy influence from the government, restricting their focus and transparency and grossly

promoting the State's interests. Some are questioning the government's intent to cooperate with civil society.

- The influence of the **private sector** has targeted workers' interests, restricting their freedom of association and labor rights in the union movements.

LEBANON

The bi-weekly reports were compiled and submitted by the EWS partner: Association pour la Défense des Droits et des Libertés (ADDL).

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator	Number of related events
National security concerns	3
Restrictions to civil liberties	6
Restrictions on media	12
Electoral processes	1
Targeting of individual civil society actors by state	1
Influence of the private sector	1
Unwarranted official restrictions on civil society	1
Questioning of civil society's political impartiality	1
Threats from non-state actors	2
Miscellaneous negative/ positive events	9
Agreements with national and international bodies	1

II. Trends of Threats to Civil Society

- Events related to threats on Lebanese civil society were mainly associated with media actors. During the last quarter of 2009 media companies laid off a number of journalists citing financial constraints, but the lay-offs were politically motivated. Censoring media content and banning publications was common practice between October and December 2009. Although the Minister of Interior met with some civil society organizations, and parliament held a seminar on the Freedom of Association, the **freedom of the press** still faces a number of obstacles.
- The Municipality ceded to protests by Muslim scholars and banned a Brazilian cultural troupe on religious grounds. This is a clear indicator of restrictions of **civil liberties** as well as **the media and cultural freedom**. Restrictions included banning and censoring documentaries and films. A private school also reported a case of religiously motivated censorship of school study material.
- A grenade explosion in Jabal Mohsen disturbed the civil peace and raised **national security concerns**. The state seems to perceive pro-Syrian groups as a threat to national security.
- Arbitrary lay-offs of journalists by media houses, along with the current

media law, indicate **private sector** influence and political leverage. The lay-offs are a huge blow to journalists because they damage the journalist's reputation and affect their credibility. The current media law needs to be revised to protect journalists against dismissal in exchange for compensation. The Association of Human Rights and the International Catholic Union of the Press - Lebanon raised concerns and spoke out against the lay-offs.

- Palestinian refugees were affected by a government **structural agreement** that prevented the construction of their homes. The Security Directorate has detained large numbers of refugees. They have not been released despite completion of their sentences, in violation of human rights standards.
- Several journalists have been forced to pay heavy fines as a result of lawsuits and interrogations filed by state actors on claims of defamation and slander. This is a clear indication of **media restrictions** by the publications court.
- Ammunition explosions near Hezbollah residences by **non state actors** triggered **National security concerns** and threatened civil peace. Militant action against Israel also threatened civil peace.
- **Freedom of expression** and **civil liberties** are being restricted through the publications Court, which censors and bans publications perceived as anti-government. Use of torture on political prisoners to extract forced confessions has been condemned by human rights organizations. The government has not implemented the Optional Protocol of the Convention Against Torture.
- There is general misinformation on the fate and whereabouts of political prisoners. For example Johnny Nassif was thought to be in jail, yet he was long dead.
- The Interior Ministry refused to lower the voting age to 18 years for political gain.
- **Political impartiality** was questioned on a science expedition tasked with exploring national security concerns.
- **Homosexuality** is punishable under Lebanese law, and an NGO advocating for homosexual rights is still not registered.

NICARAGUA

The bi-weekly reports were compiled and submitted by the EWS partner: Centro de Investigación de la Comunicación (CINCO).

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator	Number of related events
Questioning of civil society's credibility	3
Restrictions to civil liberties	6
Restrictions on media	1
Electoral processes	1
Targeting of individual civil society actors by state	6
Unwarranted official restrictions on civil society	5
Questioning of civil society's political impartiality	4
Threats from non-state actors	5
Miscellaneous negative/ positive events	6

II. Trends of Threats to Civil Society

- It is difficult for Nicaragua civil society to carry out operations due to the government's readiness to thwart every move. It seems that the 2008 municipality elections triggered disputes, because many believed that the results were rigged. Violence against protesters and members of the opposition party is common.
- Use of state infrastructure for political gain is prevalent. Civil servants are denied their civil liberties and forced to participate at government functions. Those who refuse to act pro-government are threatened with dismissal.
- Police abuse and use of force on suspects is usually not investigated, making **individual civil society actors** an easy target. They have no safety guaranteed by the police. No arrests against perpetrators of violence have been reported to date as a result of little or no police investigation. Victims are threatened and kept under close surveillance.
- There are several signs of prevalent targeted attacks on civil society actors, including **restricted freedom of speech** from tapping CSO phones, attacks to CSO members, and harassment of CSO members' families. There is general censorship on public demonstrations, restricting civil liberties.
- There are heavy **restrictions on independent media** which is further accused of having financial ties with the US government. Individual attacks on journalists have also been witnessed. The state uses national

media for political gain. **Journalists** have been physically attacked whilst covering anti-government protests.

- Some ministries have reported being required to force their workers to attend rallies and prevent anti-government protesters from marching on the streets against injustices.
- Civil society faces additional restrictions with the amendment of a law giving full autonomy of institutions of higher learning and jeopardizing the education of youth.
- **Freedom to associate and freedom of speech** are restricted by government use of physical attacks against opposition party members and the countering of opposition marches with parallel celebration activities. Some reports accuse the government of using gangs to attack opposition party members and civil society actors.
- **Restrictions on civil liberties** have also been prevalent in the health and education sectors where amendments to legislation will unfairly regulate doctors' operations.
- The violence by pro-government groups has been ignored by police as civil society has been accused of destabilizing the state and society. Access to public transport systems is under threat from state actors who seek to prevent protesting opposition supporters from boarding public transport
- There are **restrictions on media** through **declining access of public information** on hurricane Ida's impact and relief aid.
- The religious sector and human rights organizations, including Amnesty International, have condemned the **restrictions on freedom of speech** and ongoing violence.
- President Ortega's reelection violates the country's constitution, which stipulates a maximum of 2 terms.
- Some **positive events include** a peaceful march by the opposition party, arrangements for cooperation between political parties and civil society, and police agreement to protect marchers from both opposition and pro-government groups.

PAKISTAN

The bi-weekly reports were compiled and submitted by the EWS partner: NGOs Coalition on Child Rights (NCCR).

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator	Number of related events
Questioning of civil society's credibility	5
Restrictions to civil liberties	9
Restrictions on media	5
National security concerns	9
Targeting of individual civil society actors by state	2
Influence of the private sector	1
Threats from non-state actors	49
Miscellaneous negative/ positive events	14

II. Trends of Threats to Civil Society

- Pakistan civil society has difficulty carrying out operations due to various threats from the state targeting civil society. Threats from non-state actors to civilians and civil society at large are also common.
- Violence in the form of bomb blasts, arbitrary killings, maiming, explosions, disappearances (around 992 in one province), kidnappings, assassinations and suicide attacks by **non-state actors** are prevalent. The headquarters of the army general were also attacked. The army has been granted powers to detain civilians for 90 days as it sees fit due to national security concerns.
- Some NGOs have had to leave war zones or been **forced to shut down** due to threatened civil society space. Civilians are always faced with the possibility of violence. The army retaliates with gruesome killings of militants.
- Some international NGOs have not been allowed to operate in conflict zones due to national security concerns.
- **Individual civil society actors** linked with development organizations have been targeted and curfews have been instigated in some parts of the country, **restricting civil liberties**.
- Drafts of restrictive NGO laws to **question civil society's credibility** have been reported.
- The government has failed to deliver on its promises to build schools. Through the influence of the **private sector** inflation has shot up on some basic commodities.
- Government representatives have expressed concerns about national

security and resolved to obtain resources to protect themselves, including facilities and arms.

- Militants have **targeted media** to restrict media freedom, and some cases of poor working conditions for journalists have been reported. Journalists face threats from both the government and the Taliban. A policy to prevent media independence by centralizing the media is being implemented. Media houses have been forced to tighten security in their offices.
- Closure of educational institutions due to threats by **non-state actors** and seizure of property of religious minorities is a violation of human rights and denial of the right to education. The government has failed many times to protect civilians from violence.
- **Corruption** is rife according to the Transparency International Index meaning development has been negatively affected and some political figures have criminal records.
- Civil liberties are restricted as the security forces terrorize people instead of protecting them.
- Civilians have been displaced due to violent conflict against the military. The security forces have created a **gender based civil liberties restriction**, instructing women to carry security passes when traveling. Access to obtain such passes is difficult.
- **Poverty** continues to escalate with the poorest selling their kidneys to survive.

PHILIPPINES

The bi-weekly reports were compiled and submitted by the EWS partner: Karapatan: Alliance for the Advancement of People's Rights.

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator	Number of related events
Restrictions to civil liberties	3
Restrictions on media	2
National security concerns	1
Targeting of individual civil society actors by state	14
Electoral processes	2
Miscellaneous negative/ positive events	2

II. Trends of Threats to Civil Society

- **Philippines individual civil society actors** face many threats, including loss of life. Most civil society organizations are under constant surveillance on their activities. Respect for the rule of law is under constant threat, because the police fail to protect civilians against perpetrators of human rights abuses. Some officers are themselves among the perpetrators.
- **Individual civil society actors**, including religious sector leaders, were targeted in extrajudicial killings, abductions, forced evacuations, raids and spying (even obvious monitoring of activities of some civil society organizations) by government intelligence and security forces.
- Civilians have been subjected to harassment, illegal checkpoints and forced military recruitment in clear violation of their **civil liberties**.
- The state is implementing its insurgency program, especially the RA1866 on the illegal possession of firearms, to target any possible suspects of the revolutionary movement, citing **national security concerns**. The government has used the insurgency operation to justify violations of the rule of law by granting powers to local police units to form 'small armies' to support government surveillance programs against civilians. (Executive Order 546)
- **Restrictions on the media** have surfaced as police have arrested and interrogated individual journalists, restricting their operations.
- **The Lumad** indigenous people have been especially targeted with killings of their leaders. The formation of a paramilitary group to supplement the armed forces has exacerbated the human rights violations.
- Police and other security units have massacred supporters of **election candidates** as well as issued threats to the candidates themselves. There are also reports that police have attacked civilians during rallies and

confiscated journalists' cameras.

- Although the President officially declared **martial law** in some provinces through Proclamation 1959, opening doors for massive human rights violations and preventing any perpetrators from being held legally accountable, the proclamation was lifted eight days after it was implemented. The **constitutionality** of the imposition of the martial law has been questioned by civic rights groups.

RUSSIA

The bi-weekly reports were compiled and submitted by the EWS partner: Youth Human Rights Movement (YHRM).

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator	Number of related events
Targeting of individual civil society actors by the state	4
Infringements on the rights for freedom of speech and press	7
Unwarranted official restrictions on civil society	6
Fear of foreign influence and obstacles to international contacts of civil society	4
Obstacles to exercise the rights for freedoms of assembly	4

II. Trends of Threats to Civil Society

- There were four cases of **targeting individual civil society actors** during the last quarter of 2009. Harassment by police⁵, unfair trials in the courts, and threats to activist educational institutions were among the methods used. Lawyers, human rights activists and students were targeted, as well as their relatives and friends.
- **Freedom of the press and speech was repressed**⁶ as evidenced by the attacks on bloggers for “anti-constitutionalism” and threats to journalists and website owners.
- Attacks on civil society groups through raids on their offices and the restriction of their members’ movements evidence **unwarranted restrictions on civil society**⁷. Interrogation of civil society actors and eviction of civil society groups from their current housing is prevalent.
- The government prevented international civil society contact by denying visas to participant of foreign NGO on grounds of **fear of foreign influence**. The Russian Federation did not support its citizens who were

⁵ Valery Shukhardin and Sergey Ezhov on different occasions were beaten up by police while the head of “Memorial” Human Rights Center Oleg Orlov was forced to pay a fine to the president of Chechnya for statements uttered regarding the murder of Natalya Estemirova.

⁶ Alexander Padrabinek was threatened by the pro government youth movement “Nashi” regarding his article in the *Ezhednevnyi Zhurnal* (The Daily Journal). Bloggers Dmitri Kirilin and Alexander Alymov were subjected to restrictions and questioning regarding their blog posts which were deemed anti-constitutional.

⁷ Ethnics and Left Front both had their offices raided while the Moscow Helsinki Group and the For Human Rights Movement were evicted from their offices. Members of the antifascist group Autonomous Action from Izhevsk face regular harassment from local law enforcement.

in detention and on trial in Belarus and Turkmenistan⁸. Some NGOs, such as Novorosyisk Committee for Human Rights, which is funded by USAID, have been accused of being motivated by foreign purposes. NGO participants at the OSCE HDIM were required to be pre-approved to prevent 'unregistered groups' from participating at the conference.

- **Freedom of assembly** has been hampered by the use of force to disperse assembled activists and detain participants. In some cases, the right to assembly has been denied⁹ to civil society actors.

⁸ Environmental activists Andrei Ozharovskiy and Andrey Zatoka did not receive support from the Russian government during their detentions and trials.

⁹ The right to assemble was denied to activists who wanted to honour Anna Politkovskaya. Demonstrators against the results of the regional elections in Moscow, Left-Wing activists, and the Moscow Helsinki Group (honoring Article 31 of the Russian Constitution) were briefly detained after being dispersed by special police forces.

SOLOMAN ISLANDS

The bi-weekly reports were compiled and submitted by the EWS partner: Development Services Exchange (DSE).

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator ¹⁰	Number of related events
Influence of the private sector	1
Questioning of civil society's credibility	1

II. Trends of Threats to Civil Society ¹¹

- **Civil Society in Solomon Islands** generally operates in a more stable environment than other countries in the Melanesia. Events recorded in the last quarter of 2009 were of low or moderate volatility.
- **The absence of a formal working relationship** between civil society and government in Solomon Islands prompted a group of CSOs to develop the framework for a memorandum of understanding in working with the government on policy development and implementation as well as law reform. The government has refused to officially recognize NGOs through a formalized relationship, arguing that it would compromise the powers of the state.
- **Corruption in the private sector** is rife; especially in the logging industry where there is no transparency or accountability. Tax evasion tops the list of corruption symptoms.

¹⁰ Although the reports received from the EWS partner in the last quarter were not classified according to indicators, these indicators seem to be slightly reflected in the events.

¹¹ There is little reported material from the EWS partner from October to December 2009. The trends look similar for the first quarter of 2010. A paper submitted by DSE staff member, David Lidimani outlines the laws governing civil society in Solomon Islands http://www.paclii.org/gateway/Files/ICNL_Country_Reports/SI.pdf.

UNITED STATES OF AMERICA

The bi-weekly reports were compiled and submitted by the EWS partner: Charity and Security Network.

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator	Number of related events
National security concerns	8
Restrictions to civil liberties	7
Fear of foreign influence	4
Questioning of civil society's political impartiality	1
Electoral processes	1
Targeting of individual civil society actors by state	3
Unwarranted official restrictions on civil society	2
Miscellaneous negative/ positive events	9

II. Trends of Threats to Civil Society

- Events related to threats on American civil society were linked to two or more EWS indicators. Most events are related to the activities carried out by intelligence officials. The miscellaneous events included two positive victories for civil society.
- Most threats to American civil society centre on terrorism investigations which are at the helm of **national security** threats. Muslim civil society groups in particular have been the targets of allegations of terrorism. Government responses have included allegations of Muslim spies on Capitol Hill, seizure of Muslim owned property such as the Alavi Foundation, temporary closure of charities, iron-hand implementation of anti-terrorism laws on refugees seeking asylum, and the unlawful collection of intelligence on citizens by the FBI. There have been an increasing number of allegations of terrorism links levied against humanitarian organizations.
- The CIA has increased restrictions to **freedom of speech** by monitoring social media through an investment made to a monitoring technology company, Visible Technologies. This opens loopholes for intelligence officials to unduly use gathered information for political advantage. The Bush administration indicated that amnesty would be provided to telecommunications companies linked to spying through electronic wiretapping.
- Some **miscellaneous negative and positive events** included the

promotion of openness and limited regulation of non-profits, as well as the increased potential for abuse by corporations and politicians through unlimited use of soft money to promote or engage in political advantage activities. Civil liberties achieved a victory against the Transportation Security Administration, preventing the screening of passengers to detect crimes not linked to transportation security. Government regulation and control of groups providing non-violent conflict resolutions faced constitutional scrutiny for violation of First Amendment protections on freedom of speech. A court favorably ruled that material removed from the CAIR offices by an intern whom CAIR had previously labeled an intelligence spy be returned to CAIR

- There has been an increase in the **restriction of civil liberties** through surveillance mechanisms. These mechanisms include granting increased surveillance powers to government agencies, collecting data on civilians through credit card and phone use, tracking suspects through questionably accurate face recognition technology, using biased information in the FBI agent conduct guidelines, investing in surveillance technology companies, and linking radical thoughts to terrorism.
- The powers granted to the Attorney General to issue civil penalties to companies that do not register with the state is a form of **restriction on civil society**. Registration and filing fees for charities have increased, restricting operations of civil society.
- **Fear of foreign influence** has been evidenced by the unlawful gathering of intelligence by homeland security officials on American citizens and groups to identify links to terrorist groups and the Islamic nation.

UZBEKISTAN

The bi-weekly reports were compiled and submitted by the EWS partner: Rapid Response Group (RRG).

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator	Number of related events
Targeting of individual civil society actors by the state	9
Infringements on the rights for freedom of speech and press	3
Unwarranted official restrictions on civil society	3
Obstacles to exercise the rights for freedoms of assembly	1

II. Trends of Threats to Civil Society

- **Targeting individual civil society actors** was more prevalent than other threats in Uzbekistan during the last quarter of 2009. Unfair trials¹² based on planted evidence, constant surveillance¹³, restriction of movement¹⁴, false accusations with subsequent trials, torture, and denial of medical attention during detention¹⁵ are some of the threats that individual civil society actors face in Uzbekistan.
- Although human rights groups expressed concern for ill-treatment of children in the cotton fields, the government denied any labor violations documented by the Human Rights Defenders Association, **restricting freedom of speech**. Members of Human Rights Alliance who protested at the annual cotton fair were detained and beaten.
- The parliamentary elections brought more threats against some activists who faced constant surveillance, restriction of movement, and threats from police during the campaign period. A documentary screened on a government owned channel portrayed human rights defenders as violent

¹² Human rights activists Ganikhon Mamatkhonov, Farkhod Mukhtarov and Maksim Popov on separate incidents faced trials of extortion and fraud respectively based on planted evidence.

¹³ Human rights defender Yusuf Jumaev's daughter, Firuza Jumaeva, complained that the police check on her regularly, enquiring about her travel plans. Rapid Response Group member Abdusalom Ergashev is under constant surveillance in his home and has received threats from law enforcement agents.

¹⁴ Bakhodir Choriev, a human rights activist who was in exile in the US and returned to Uzbekistan, was placed under house arrest and had his passport confiscated to prevent him from meeting with his sympathizers.

¹⁵ Four members of the Human Rights Society of Uzbekistan were accused of planting bombs and are being tortured while in detention.

and criminal¹⁶.

- In a move to **officially restrict civil society** and opposition parties the government required parties to submit party election lists and platform descriptions for the Legislative Chamber of the Parliament. Banks were instructed to monitor the inflow of funds for human rights activists especially from abroad. **Freedom of religion** was restricted when Baptist Union members Pavel Peichev, Yelena Kurbatova and Dmitri Pitirimov were charged with tax evasion and involving children in religious activities.

¹⁶ Human rights defenders Isak Abdullaev, Salijon Abdurakhmonov, Yusuf Jumaev, and Oyazimkhon Khidirova were portrayed as violent and despicable criminals on the 21st of December.

VENEZUELA

The bi-weekly reports were compiled and submitted by the EWS partner: Sinergia: Venezuelan Association of Civil Society Organizations.

Indicators of threats to civil society – Summary of trends and events

I. Indicators Matrix

Indicator	Number of related events
Political-electoral processes	4
Restrictions to civil liberties	9
Unwarranted restrictions on civil society	2
Fear of foreign influence, democracy and human rights as foreign concepts	6
Questioning of the legitimacy of CSOs to represent the interest of the people	1
Threats to CSO actors, torture, arbitrary detention	4
Unwarranted restrictions on CSOs to participate in matters of public interest	1
Restrictions on media	2
Influence of the private sector	1
Miscellaneous negative events	2

II. Trends of Threats to Civil Society

- **Post electoral processes** have given the government powers to modify electoral circumscriptions at will through the unconstitutional New Electoral Processes Law which was passed on October 14, 2009. The ruling party (PSUV) members have a majority say in the newly constituted Selection Committee of the directors of the Electoral Council as well as the National Electoral Council. This implies that the independence of electoral bodies will be affected since they will be heavily influenced by ruling party members. Limitations on reelection of political authorities have been ruled out by the Supreme Tribunal; contrary to Article 8 of the Electoral Processes Law.
- There has been an increase in the **restriction of civil liberties** through legislation like the approval of the New Organic Law of the Bolivarian National Armed Forces, the new Law on Conscription and Military Enlistment and new text of the International Cooperation Law which have transferred all military powers to the President, militarized the government, and restricted funding and operations of civil society. A state owned company is military training its workers, increasing the militarization of society. The Comptroller's office further restricted civil society by denying access to public information, namely Espacio Publico. Opposition party

office holders have been under attack by the government directly or indirectly, for example through restrictive budget allocations to opposition mayors and physical attacks during protests. The Comptroller's office published a list of 400 people banned from running for political office, denying them their constitutional right.

- A University students' protest on safety was violently crushed by police, restricting their **freedom of expression**. The new Organic Law on Communal Councils is a further restriction on freedom of expression as it allows direct execution of public policy at community level.
- The **torture** of four detained **youth activist** highlights the threat of physical harm to civil society or political actors. Cases of detention without trial have also surfaced. The Supreme Tribunal has publicly denied that the police force uses torture or is repressive. Non-state actors also organized a takeover of facilities used by a cultural association with the support of state police, indicating the shrinking space for civil society. The assassination of Mijail Martinez, who conducted a TV program against corruption, is another example of impunity in cases of violence against civil society actors as the case was not investigated further by police.
- The Supreme Court's refusal to reinstate Judge María Cristina Reverón as ruled by the Inter-American Court of Human Rights is a clear sign that the **judiciary is not independent** from the state. Chavez can overturn a ruling by the judiciary at will as in the case of Judge Maria Afinui, who was thrown into prison.
- **Fear of foreign influence** has been evidenced by the National Assembly's move to investigate travel of some civil society actors and opposition party members on grounds of espionage against the government. President Chavez has publicly uttered statements declaring war against the US army bases and the Colombian government as well as praising authoritarian leaders. The Minister responsible for Public Infrastructure indicated to the public that there will be **ensorship and sanctions of the media** in relation to the versions of Chavez's statements of war. Offices of an independent newspaper were temporarily closed by a municipality.
- The government clamped down on the banking sector resulting in the nationalization of some banks. The influence of some government actors in the **private sector** has also given rise to cases of corruption.