

# JULY

## YEAR IN REVIEW



**VENEZUELA:** Widespread protests culminated in a one-day national strike in July, as an economic crisis fuelled anger about the lack of essential goods.



**ZAMBIA:** A 90-day state of emergency, declared in July, impacted on civil society freedoms, and made it harder to express dissent.

# JULY YEAR IN REVIEW

July saw a positive step forward for Liberia's civil society and media when then-President Ellen Johnson Sirleaf **submitted** a bill to decriminalise libel, acknowledging that current laws impede the freedom of expression and the practice of journalism. In Mongolia, after years of civil society advocacy, a **new law** came into effect criminalising discrimination against people on the basis of their sexual orientation or gender identity. LGBTI Pride Days that took place the following month were therefore a special celebration. July in Botswana saw the **launch** of the **Right to Wear What We Want** campaign against gender-based violence, with women marching in mini-skirts to protest against the violent assault of a young woman.

The government of Uzbekistan continued to show some tentative, sometimes contradictory, signs of greater openness, when in July it stated that it was prepared to welcome a **visit** by a Human Rights Watch delegation. The visit, the first in seven years, **took place** in September. Earlier, the government announced that it was reviewing a request for reaccreditation by the BBC World Service's Uzbek service, forced out in 2005, while the UN High Commissioner for Human Rights was able to visit in May. However, many activists remained in detention or subject to restrictions on their freedom of movement, causing many in Uzbekistan's civil society to remain suspicious about the potential for changes to go beyond piecemeal reforms aimed at improving the government's international reputation.

China remained a state that appeared to care little for its international human rights reputation. In July, Chinese Nobel Peace Prize-winner **Liu Xiaobo** died in jail aged 61, with the authorities having sparked condemnation for refusing widespread international pleas to allow him to travel for medical help. Liu Xiaobo was first detained following the Tiananmen Square protests in 1989, and was jailed again in 2008 after calling for the end of one-party rule.

Saudi Arabian authorities executed **four men** for taking part in protests. Zuhair Al-Basri, Yusuf Al-Msheikhass, Amjad Al-Muaybed and Mahdi Al-Sayegh were sentenced to death in June 2016 after taking part in protests in Saudi Arabia's

Eastern Province. Six people were executed the day before, making a total of 10 executions in two days. At least three Colombian **activist leaders** were shot dead in July: union leader Alberto Román Acosta, who campaigned on poor working conditions in the sugar industry, Héctor William Mina, who defended the rights of members of the Afro-descendant community, and Ezequiel Rangel, who worked with small farmers to defend their rights and ensure the proper implementation of Colombia's peace accord. Killings of Colombian activists and journalists **continued** in the following months. Meanwhile in the USA, CNN journalist **Andrew Kaczynski**, who filed a story about President Trump tweeting a video showing simulated violence against a **CNN reporter**, reported receiving hundreds of abusive phone calls, while freelance journalist Jared Yates Sexton reported receiving death threats after speaking out about the video on Twitter. The incident showed once again how, when political leaders vilify journalists, it leads directly to threats.

**A one-day national strike in Venezuela** in July was one of many protests in the country during 2017, as economic crisis fuelled anger about the lack of essential goods. The DRC saw further **mass protests** against President Kabila's evident campaign to extend his reign. Over 100 people were arrested, including a reported 15 journalists, following protests held in several cities at the end of July. Protesters called for the country's electoral commission to publish a timetable for the holding of elections. Protests were heavily policed, and live ammunition and teargas were used in the city of Bakuvu. Many other civil society activists were detained, and evidence grew of gross human rights violations being committed in the DRC's **Kasai** region, including summary executions and sexual violence. In response to the rising unrest, the following month over 40 civil society leaders, including from citizen movements and the church, issued the Manifesto of the Congolese Citizen, calling for a new system of government based on constitutional freedoms and the rule of law. Next door in Congo-Brazzaville, a spontaneous **protest** following legislative elections was dispersed by the police, with around 10 arrests. Ahead of the elections, authorities **prevented** a planned youth-led

protest about continuing insecurity in the country's Pool region from taking place. Meanwhile, new **police rules** in Sierra Leone effectively banned groups from jogging together on public streets, in what seemed a move to stop people holding spontaneous political protests.

Following widespread **teachers' strikes** in Peru, the government responded by declaring a state of emergency in some districts, and used teargas to disperse road blockades. In Italy, ongoing **protests** against the construction of the Trans-Adriatic gas pipeline were met with force. Protesters campaigned in particular against the destruction of olive trees. In response, police blocked roads to enable contractors to tear down the trees, and those who resisted were met with aggressive police action and filmed. In Thailand, seven female activists were **arrested** after protesting against proposals to expand a gold mine in Loei province. The same month, a number of academics were summoned for interrogation following their participation in a conference on Thai studies. The conference was apparently deemed to be an illegal political gathering, in a move that seemed to mark a further ominous extension of the state's repressive reach.

Mass **protests** took place in over 100 cities in Poland in July in support of judicial independence, opposing draft laws – ultimately passed in December – to bring judicial appointments under executive control. Despite the denial of police permission in Belize, **protests** broke out demanding justice for a girl allegedly killed by her adoptive parents. The 150<sup>th</sup> **Canada Day** celebration was marked by a number of indigenous peoples' protests, including the erection of a tepee on Parliament Hill in Canada's capital, Ottawa. Ten people were briefly detained.

Protests in Hamburg, Germany, at the **G20 meeting** of the world's most powerful economies, turned violent. An estimated 100,000 protesters mobilised, almost all peacefully, but a faction set fire to cars, damaged property, looted business premises and held running battles with the police. There were also reports of excessive police force, and controversy over the

withdrawal of accreditation from 32 media workers during the summit, as well as high levels of **surveillance**.

A fresh attack on the freedom of expression was also apparent in Senegal where, following July parliamentary elections, which renewed the ruling party's majority, singer Amy Collé Dieng was **arrested** for uploading and sharing social media content deemed "insulting" of President Macky Sall. Ahead of the election, journalist Ouleye Mané was arrested for sharing a cartoon deemed to be offensive to the President.

Following a series of fires in Zambia, the government declared a **state of emergency**, the government declared a state of emergency; there were widespread suspicions that the fires were used as an opportunity to clamp down on fundamental freedoms and restrict opposition. A civil society **report** on the freedom of association in Sudan identified a startling 15 recent cases where the freedom of association had been restricted, through arbitrary arrests, interrogations, spurious prosecutions and closures of CSO offices. CSOs singled out included Sharie Al-Hawadith, a voluntary organisation providing medical treatment in Kassala State, which was ordered to suspend all activities.

At the international level, **Catherine Marchi-Uhel**, a French former judge, was appointed to head a new UN mechanism to collect evidence on violations of international humanitarian law and human rights in Syria. The body was established despite the objections of the Syrian and Russian governments. In New York, the High Level Political Forum on Sustainable Development took place to review progress on the Sustainable Development Goals (SDGs), with around 2,500 people from civil society participating, including from **Action for Sustainable Development**, a growing global coalition with members in over 120 countries. Civil society **expressed concern** about the slow rate of change evident in reports submitted by states, amid rising economic inequality, and about falling state investment in essential public services, compared to growing investments in private sector activity and reductions in corporate

taxation. Civil society also pointed out that its continuing exclusion from decision-making means that the full realisation of the SDGs is impossible, noting that only 10 of the 44 states that presented a voluntary review in 2017 have open civic space.

## VENEZUELA: MULTIPLE CRISES SPARK MASS PROTESTS

Venezuela was rocked by widespread protests in 2017, as an economic crisis combined with rising political conflict and shortages in food and other essentials fuelled a humanitarian emergency. With Venezuela highly polarised between pro and anti-ruling party camps, President Nicolás Maduro's government continued to game the political system to perpetuate its rule, and fell back on attributing criticism to imperialist and foreign insurgent forces. In March, the ruling party-dominated Supreme Court briefly took over the powers of the opposition-led National Assembly, and in July the ruling party established a new body, the National Constituent Assembly, to circumvent the National Assembly and write a new constitution. Given the difficulty in finding political space that was not dominated by ruling party structures, and amid rising hunger and medical need, street protests became the means by which people tried to make their voices heard. Protests reached their peak with a one-day national strike on 20 July. The state's response was, however, brutal.

Nizar El Fakih of Proiuris, a Venezuelan CSO that works to defend the rule of law, describes the scale and motivations of protests:

*The progressive deterioration in the provision of basic services fuelled the desire for a national leadership change. Between March and June thousands of people took to the streets of Venezuelan towns and cities to express their discontent... The demonstrations were clearly protests against the government.*

Protests were widespread and extensive, with over 6,700 protests reported to have taken place between April and July. While repression meant that the number of protests declined after August, they continued to occur: Incide, a human rights CSO in Sucre State, recorded 111 protests about food and medicine in its state alone between July and September, and protests on the food crisis and poverty continued into December and January 2018. In all, the Venezuelan Observatory of Social Conflict reported that there were 9,787 protests in 2017, a 41 per cent increase from 2016. Protests were widespread and sustained because the causes behind them – urgent need and lack of voice – were common and profound, as Nizar identifies:

*The main cause of the protests was the huge and ongoing economic and social crisis, the most dramatic expressions of which were food and medicine shortages disproportionately affecting the most impoverished parts of the Venezuelan population. People rummage through the trash in search of food, and the shortage of medications reaches 85 per cent, and up to 95 per cent for the treatment of chronic diseases. The health of patients with chronic diseases declines and they die because the drugs they need are very expensive and the state is not supplying them in a timely manner. The shortage of antiretroviral drugs for people living with HIV/AIDS, for example, is now the worst in 20 years. This is a crisis without precedent in Venezuela, and in the face of this the government tries to wash off its responsibility by invoking an alleged 'economic war' they claim is being promoted from abroad.*

*The social and economic tragedy has deepened as a result of the government's inefficiency in responding to contingencies. But the complex humanitarian crisis Venezuela is going through has structural causes: it is the result of the progressive destruction of the country's productive apparatus and its increasing dependence on imports, which in turn have diminished substantially due to the fall in international oil prices.*



*In short, the Venezuelan state is currently not able to guarantee its citizens' right to food. The health situation is also extremely serious. Epidemics such as malaria and diphtheria, which were eradicated from Venezuela 50 years ago, have returned and caused deaths that are known only **unofficially**, because the authorities insist on illegally hiding the reports that show how serious the situation is.*

Because the protesters exposed major governance failures in a politically polarised context, the response was extremely violent. In a June speech President Maduro **made clear** he would use weapons and violence to defend the government, and the threat proved no idle one. Among the major **violations** of protest rights were the use of live ammunition, sniper fire, armoured vehicles, water cannon and teargas, including large amounts of teargas dispensed from helicopters and the use of teargas in enclosed spaces, along with raids on homes, arbitrary arrests and detentions and mistreatment during detention, including sexual assault of detainees. An August **report** from the UN High Commissioner for Human Rights, based on interviews with victims of human rights violations and their families, concluded that the security forces and pro-government armed groups were responsible for most of the killings. Armed civilian supporters of the government – often supplied with guns by the state – were reported to have threatened protesters and raided residences, while national guard members were reported to have engaged in theft. Amnesty International **recorded** that at least 47 illegal raids took place at the peak of protests between April and July.

By the time protests had passed their peak, **more than 5,000 people** were reported to have been arrested, and at least 750 people were subjected to trial by military court. Venezuela was said to have **216** political prisoners, and it was **reported** that at least 19 people were kept in detention even after judicial orders for their release were granted. There were also concerns about mistreatment during detention and the **denial** of access to healthcare. As well as arrests and detentions there was violence: Human Rights Watch **reported** that 2,000 people were injured in protests in the first half of 2017

alone. Nizar recalls the violent repression of protests and vilification of those involved, which eventually dissipated protest momentum:

*Far from addressing the legitimate demands of the population, the Venezuelan government reacted with **extreme violence**, a violence much greater than that applied during **protests in 2014**.*

*Needless to say, the government did everything possible to **discredit** protests, including by calling them terrorist acts and characterising what happened in the course of protests as military crimes. In an authentic democratic system, there would be institutional checks and balances preventing these kinds of presidential excesses, but in Venezuela the government has co-opted all institutions and makes efforts to censor any form of dissent. This has been a decisive component of the current crisis.*

*The brutal government repression, along with the lack of a leadership able to channel citizen discontent, ended up weakening the protests.*

It is important, Nizar suggests, to locate the repression of protests within a wider context in which the ruling party has established its own structures of control and is hostile towards anything outside these:

*The economic and social crisis has continued deepening to the point where it has been impossible to silence the causes of discontent and dissent other than through political and electoral manoeuvres. Special mention should be given to the establishment of a self-proclaimed 'National Constituent Assembly' (ANC) with plenipotentiary powers, which was convened, elected and established outside of the Constitution and encroached on the jurisdiction of the National Assembly, the only opposition-controlled public institution.*

The ANC elections took place on 30 July with no access for independent observers or media, while the company that provided the voting technology

stated that turnout figures had been **tampered with**. The election was held against a backdrop of continuing protests, which although officially banned, were estimated to have covered **92 per cent** of the country, and which continued to be violently repressed.

The ANC was given broad powers, and left the opposition-controlled National Assembly sidelined. To try to block it, the National Assembly called a plebiscite ahead of the ANC elections, on 16 July. A reported 7.5 million people voted to reject President Maduro's plans to rewrite the constitution. The National Assembly and government also clashed over the composition of the Supreme Court: in July, the National Assembly **appointed** 33 new Supreme Court judges, attempting to reverse the government's 2015 decision to flood the Court with its supporters. The judges appointed by the National Assembly were then targeted by the state: one was jailed, while others fled the country. Attorney General **Luisa Ortega Díaz** was targeted after she **spoke out** against human rights violations, including the killings of protesters, and petitioned to overturn the government's appointment of Supreme Court judges. In June, her assets were frozen and a travel ban imposed, and in July her deputy was fired and a government supporter appointed as replacement. In August, after being dismissed by the ANC, she fled the country. The government's contempt for the rule of law had been made clear.

**Elections** for regional governors held in October were largely won by the ruling party, but the opposition refused to accept the results. Incidents of violence were documented during the elections, along with attacks on the freedom of expression. Many parties were deemed illegal in advance and, again, civil society was not allowed to monitor the elections. In December the ANC approved a **new law**, the Anti-Hate Law for Peaceful Coexistence and Tolerance, that increased constraints on the freedom of association by further limiting the principles and activities that CSOs are allowed to pursue. The new law also contained sweeping punishments for vaguely-defined offences of hate and violence, leaving wide scope for official interpretation.

In a polarised context, the freedom of expression suffered. Venezuelan CSO Espacio Público **recorded** 1,001 freedom of expression violations in 2017, a significant increase on the 355 they **documented** in 2016. Twenty cases of freedom of expression violations were **documented** during the 20 July strike alone, and that same month at least two journalists were charged with military rebellion. President Maduro accused international TV channels of waging a "communication battle" against the government, and took CNN **off air** in February after it broadcast a programme on the fraudulent sale of Venezuelan passports and visas. By September, regulatory body CONATEL had **closed down** more than 50 media outlets, targeting both domestic and international companies. Popular social media platforms were apparently **blocked** for a spell on 28 June. There were also raids on media offices, a reported explosive attack, and a hacking attack on a media website, while journalist **Carlos Rojas** was detained for over 45 days. CONATEL also ordered the media not to describe the National Assembly's plebiscite as a 'popular consultation' or to encourage people to participate in it. In addition, four journalists were **detained** in February while investigating payments by disgraced Brazilian firm Odebrecht (*see January*) to Venezuelan officials. Odebrecht was alleged to have paid US\$98 million to the Venezuelan government between 2005 and 2015.

Nizar describes how violence was used to repress the freedom of expression:

*Journalists and media, both national and international, were the victims of censorship and government reprisals for reporting on social conflict. On 25 June, the National Union of Press Workers **reported** that between 31 March and 24 June, 376 media workers had been assaulted, and that in 60 per cent of these cases, those responsible were military officers from the National Guard.*

*In the context of the protests, many citizens were brutally repressed for documenting and disseminating information on what was happening on the streets of Venezuela. And they were not just arrested, but they*

---

also suffered physical aggressions and the **theft of their cameras and cell phones**.

The situation for independent CSOs was therefore very difficult. But, as Nizar explains, CSOs continued to do what they could to hold the authorities to account for human rights violations:

*Organised civil society that has an advocacy mission reacted in various ways: from submitting formal complaints, despite being aware of the mechanisms of impunity at work within a justice administration system that is subordinate to the government, to developing various creative forms of expression, including a ‘Wall of Shame’ exposing government officials that were deemed responsible for the repression and the violation of human rights. Various forms of artistic expression – singing, dancing and theatre performances – were incorporated into the protests and deployed in public places such as squares and shopping malls. Other important reactions were the formation of alliances with the media to publicise abuses, and the organisation of **protests by groups of neighbours** taking place close to their places of residence.*

Civil society groups that identify themselves as progressive have in the past been reluctant to be seen as criticising leftist political movements such as Venezuela’s, fearing that it puts them uncomfortably close to the right-wing enemies of such regimes. But autocracy of any political stripe should be condemned, and no ruling party that kills and jails protesters deserves a free pass. Despite the rhetoric of distraction employed by Venezuela’s ruling party, there is a need to hold onto fundamental rights. Looking forward, suggests Nizar, international civil society, and particularly Latin America’s civil society, should stand by and support their Venezuelan peers. There are also essential needs that must be met:



A protester lies on the floor during a demonstration in Caracas, the capital, against the lack of medicines



*At this point, our priority is to get international organisations to admit that a complex **humanitarian crisis** is taking place in Venezuela that the state cannot or will not resolve. In that sense, it is significant that, for instance, when issuing its **2017 World Malaria Report**, the World Health Organization (WHO) for the first time explicitly recognised that there is a humanitarian crisis under way in our country. And beyond mere recognition of the humanitarian crisis, it is vital that, where necessary, international organisations are flexible with their protocols in order to address it, to provide Venezuelans the help they need, especially food and medicine.*

*The Venezuelan human rights movement has carried out invaluable work to document human rights violations and bring them to the attention of international organisations. However, it has not been easy to compete with the official propaganda apparatus, which goes out of its way to show that Venezuela has a vigorous democracy and that the chaos that resonates with the international press is part of the alleged ‘war’ being waged by imperialistic powers against Venezuela.*

*Venezuela is not the first country in the world to suffer an authoritarian government that tries to perpetuate its power. Venezuelan civil society would appreciate their peers in Latin America and the world sharing their accumulated organisational experience to fight against the system that oppresses us, and that they contribute to denouncing and making visible the systematic abuses that are being committed in Venezuela. We Venezuelans would be grateful if the outside world looked into the complex humanitarian crisis affecting us through a human rights lens, on the basis of a recognition of human dignity and by means of an effective exercise of solidarity. We are confident that the true promoters and defenders of human rights in any part of the world will not remain indifferent to the incontrovertible fact that there are children who are starving to death in Venezuela.*

## ZAMBIA: STATE OF EMERGENCY AND POLARISED POLITICS TEST CIVIL SOCIETY

Zambia’s long-standing reputation as a peaceful democracy received a setback when President Edgar Lungu decreed a 90-day state of emergency in July. His decree was **ratified** by the 85 members of parliament (MPs) of his ruling Patriotic Party, with 48 opposition United Party for National Development MPs having been **suspended** from parliament in June for boycotting a presidential speech. The state of emergency was called following a series of fires, including one that burnt down the **main market** in the capital, Lusaka. The government claimed that opposition parties were behind arson attacks, with the intent of causing terror and panic.

But, as described by civil society activist **McDonald Chipenzi**, who we spoke to shortly after the state of emergency was called, there was no public consensus on who was responsible for the apparent arson attacks. There was also civil society concern about the impacts of the state of emergency on fundamental freedoms:

*The government attributed the acts of arson to opposition political parties’ sympathisers but failed to produce any report or evidence incriminating anybody for the arson.*

*The declaration of the Threatened State of Public Emergency on 5 July by President Lungu, after invoking Article 31 of the Constitution over a suspiciously stage-managed spate of fires believed by some to have been sponsored by the party in power, left devastating effects on people’s rights and freedoms. This meant the enforcement of the Preservation of Public Security Act Cap 112 of the laws of Zambia, which gives sweeping powers to the police to search, arrest and*



*detain suspects for longer than the constitutional requirement of 48 hours for a detained suspect to be brought before court. The Act also automatically derogates citizens' freedoms of assembly, expression and movement, and media freedom.*

*Religious freedoms were not spared and are steadily declining. In August the police sealed off the Cathedral of the Holy Cross, where worshippers were supposed to conduct their Thanksgiving Prayers, on account of the fact that they had not notified the police. The largest opposition party was also prevented from carrying out its public political activities, because the invocation of Article 31 was still in force.*

The state of emergency came during a period of increasingly polarised politics in Zambia. Although President Lungu only narrowly won the 2016 presidential election, gaining just over half the vote, his critics accused the government of taking an increasingly hard-line approach. The 2017 **State of Civil Society Report** documented a number of government attacks on journalists and media outlets before and after the election. In April, defeated opposition candidate Hakainde Hichilema, who claimed the election was rigged, was arrested and detained for 100 days on treason charges before being released in **August**, following negotiations led by the Commonwealth. He was **arrested** after failing to make way for the president's motorcade. President Lungu accused his critics of **misusing** the freedom of expression and **stated** that any protest in support of Hichilema while he was in detention would be illegal and could lead to protesters themselves being detained.

For McDonald, these instances were indicative of broader problems in Zambia's governance:

*Zambia has slipped into a governance crisis. All signs are pointing to the fact that the freedom of expression and association, and demonstrations or protests in Zambia, have been curtailed, even when citizens follow the procedure prescribed by the law governing public assemblies. The civic, political and general democratic spaces have shrunk. Citizens are now either living in fear or have taken a docile and passive position.*

*Law enforcers have sacrificed professionalism, ethical conduct and integrity levels. They have become vulnerable to political patronage. The judiciary, especially the Constitutional Court, faces public contempt. Ruling elites hold a myopic view that democracy means the ballot or elections and that since these are not going to be held again until 2021, the country is on the right path as far as democracy is concerned. Freedom of the media is under constant threat, and self-censorship by government-owned*

TO CURTAIL THE EXERCISE OF POWER BY THE GOVERNMENT, CITIZENS MUST NOT ADOPT THE ROLE OF VICTIMS, BUT VICTORS, AND BECOME EFFECTIVE PARTICIPANTS IN GOVERNANCE PROCESSES

*media has become the norm. Opposition and divergent views are never entertained in government-owned media, despite all citizens contributing a monthly levy to its management. Civic and political spaces continue to shrink on a daily basis.*

The challenge for civil society was that it could get drawn into polarised politics, and be accused of being allied with one side or the other. Legitimate civil society scrutiny and criticism risked being viewed as partisan; pro-government politicians **accused** critics of being unpatriotic and damaging the country's international reputation. In March, a group of people supporting the ruling party **stormed** and occupied the offices of the Law Association of Zambia, after it was revealed that its president used to work for an opposition party leader. No arrests were made of those who carried out the attack, implying tacit support from the authorities. In September, **six people**, civil society activists and opposition leaders, were arrested and detained after picketing at the entrance of parliament during the presentation of the 2018 national budget. The group were protesting about the costly procurement of 42 fire engines and demanding greater accountability in public procurement. They were held for a day and a half and at the time of writing face trial on charges of holding an unlawful assembly and disobeying lawful orders.

Given these threats and restrictions, and conditions of political polarisation, one logical response from civil society might be to play safe and avoid controversy. But McDonald points to the dangers of this, and the need to engage, and stand by those who try to be active in the governance of their country:

*There is no more critical moment since the fall of the one-party system in Zambia in 1991 than now, in which citizens have seen the scary emergence of a strong state that has put so much power in itself and coerced opponents and critical voices. Civil society, including the church, trade unions and students' union movements, have not been spared from fear of the executive, if not divided on tribal and partisan*

*lines. These movements, like most citizens, have adopted a 'wait and see' approach, and the notion of waiting for the 2021 elections to sanction the political culprits.*

*Perhaps it is time that civil society in Zambia rediscovered itself and stopped leaving a 'burning pot' unattended. Zambian civil society and the citizens at large must not leave this battle to a few... To curtail the exercise of power by the government, citizens must not adopt the role of victims, but victors, and become effective participants in governance processes. This is currently lacking in the Zambian situation. There is a lot of fear of being arrested and then of failing to have resources to hire legal representation. There is a need to enhance solidarity efforts among citizens and discard the spirit of fear of government and its leadership that has engulfed many citizens. Zambia's civil society movement needs to push and advocate for a more competent, more trustworthy, more tolerant, more democratic and more benevolent government and leadership.*