Fisheries agreement with Morocco is an instrument of soft power for EU

By Willy Fautre, Human Rights Without Frontiers

Euractiv (16.02.2017) – http://bit.ly/2BZH3sV – At the end of the last UN Universal Periodic Review (UPR) of Morocco's human rights record in May 2017, Rabat agreed to implement a number of recommendations and has since opened legislative debates on several issues.

Trade relations and human rights have been interrelated in many resolutions of the European Parliament and have been on the agenda of civil society advocacy.

The EU as a soft power has often used its commercial agreements with third countries to promote human rights and good practices in a number of areas. Before Morocco's next UPR in four years, the EU will have the opportunity to monitor the progress, or lack thereof, in the field of human rights and European standards.

The EU-Morocco Partnership provides a particular opportunity to the EU to play a major role in Morocco's future and to develop European human rights standards in the country on various issues such as freedom of association and assembly, freedom of expression, women's and children's rights and domestic violence, where improvements are needed.

In 2012 EU exports to Morocco were worth about €7 billion and imports from the Kingdom just over EUR 9 billion, making the EU a major trade partner.

In the short term, there will be concrete opportunities for the EU to articulate political dialogues, economic agreements

and human rights.

On 8 February, the Morocco-EU Joint Parliamentary Committee met in Strasbourg to monitor the work done in relation with the European Neighbourhood Policy (ENP) launched in 2003 on various issues: security, migration, human development, the fight against radicalism, economic and trade cooperation, and the relation between the EU and the African Union. Follow up meetings are scheduled.

An important area of cooperation is agriculture. On 31 January, Morocco and the EU initialed in Brussels a document strengthening their partnership under the farm agreement already binding the two parties. In 2016, the EU imported more than €3 billion worth of agricultural products from Morocco.

Another area of strategic cooperation between the two parties will concern the fisheries as the existing agreement will come to an end in July.

Fisheries are a main source of employment in Morocco. With its 3500 kilometers of coastlines (500 km on the Mediterranean coast and 3000 km on the Atlantic), the country has huge potential economic activity, export and income. With a production of 1.3 million tons in 2014, Morocco is the largest maritime fisheries producer in Africa and it occupies the 25th position in the world, according to the UN Food and Agriculture Organization.

Fisheries represent 2.3% of the GDP of the country and the sector creates direct employment for 170 000 fishermen and indirect employment to an additional 500 000 people, according to the FAO which estimates that 3 million people in Morocco depend on fisheries for their livelihoods.

According to the last EU evaluation report on the Protocol to the Sustainable Fisheries Partnership Agreement, the estimates of the socio-economic impact of this agreement already show substantial benefits for the local population, especially in

the southern regions of Dakhla-Oued Eddahab and Laayoune-Boujour-Sakia El Hamra (also called Western Sahara).

On the EU side, it is noteworthy that about 120 European vessels from 11 EU countries have access to the Kingdom's fishing areas: France, Germany, Ireland, Italy, Latvia, Lithuania, Netherlands, Poland, Portugal, Spain and UK. The European Commission and the Council as well as all major EU Member States support the renewal of the partnership.

The renewal of the EU-Morocco Fisheries Agreement will benefit the social and economic rights of all the Moroccans as well as social stability as it will constitute a sustainable factor contributing to local employment. If it were not renewed, tensions might affect the relations between the EU and Morocco. Moreover, the EU, as a soft power, might lose major leverage to induce positive changes in Morocco and improvements of civil and political rights. Such an asset should not be put at risk.

…….

If you want to be regularly informed about different violations of human rights in the world, click here for a free subscription to our newsletters!

Also:

HRWF database of news and information on over 70 countries: http://hrwf.eu/newsletters/human-rights-in-the-world/

List of hundreds of documented cases of believers of various faiths in 20 countries: http://hrwf.eu/forb/forb-and-blasphemy-prisoners-list/

Romanian TV airs taped evidence against the DNA anti-corruption unit

Romanians tuned in to Antena 3's Sinteza Zilei television show last night to hear taped evidence about the country's anti-corruption unit, the DNA. The broadcast has caused shock waves regarding the DNA's methods and activity.

By Gary Cartwright

EU Today (12.02.2018) – http://bit.ly/2ElgEan – Tapes were broadcast that revealed how two Romanian prosecutors created false evidence and how they instructed witnesses to produce falsified evidence. The tapes also included the prosecutors stating that these actions had been sanctioned by Laura Kovesi, the head of the DNA. They referred to this sanctioning as a "green light".

The two prosecutors accused in the evidence revealed last night had been praised in the past by Ms Kovesi for their "performance and activity".

These television revelations about the DNA come just after concerns were raised in Brussels in a report published 22 January 2018 on the Romanian Justice System. The report analysed why judicial and penal reforms that were required of Romania prior to EU accession have still not been fulfilled. The report, published by EU Today, presented case studies to illustrate the politicised nature of the Romanian justice system, and highlighted the situation in Romanian prisons.

Further concerns have also been raised in Brussels by the organisation Human Rights Without Borders, who hosted an event at the Brussels Press Club on 24 January 2018 where speakers including former senior counter-terrorism chief Daniel Dragomir and analyst David Clark presented concerns over the independence of Romania's judiciary and interference by the intelligence services in the judicial process.

…….

If you want to be regularly informed about different violations of human rights in the world, click here for a free subscription to our newsletters!

Also:

HRWF database of news and information on over 70 countries: http://hrwf.eu/newsletters/human-rights-in-the-world/

List of hundreds of documented cases of believers of various faiths in 20 countries: http://hrwf.eu/forb/forb-and-blasphemy-prisoners-list/

Romania's anti-corruption crackdown echoes a darker past

By Daniel Dragomir

EU Observer (06.02.2017) – http://bit.ly/2FQsx4q – Last week, Jean-Claude Juncker lavished praise on Romania for its anti-corruption crackdown and expressed concern about proposed reforms.

This betrayed a lack of understanding of what is happening in my homeland.

The EU Commission has been complicit in failures of due

process and abuses of powerthat have been evidenced for all to see in recent years.

Corruption is a blight on any civilised society, but an unaccountable, flawed clampdown that derogates the rule of law is a form of corruption in and of itself.

Sadly, this is what has happened on the EU's watch.

Assisted by the Romanian security services, who have fallen back into a mould that we hoped had disappeared with the collapse of communism, the anti-corruption authorities' have adopted a pattern of abusive behaviour that conjures memories of darker times.

In 1989, my fellow Romanians huddled in Revolution Square to hear Nicolae Ceausescu speak for what would be the final time.

Having endured decades of surveillance and oppression at the hands of the secret police agency, the Securitate, a faint spark of hope had ignited in our hearts for a society free from its ubiquitous power.

For those who did not live through the era of communism, it is hard to imagine the significance of the Securitate's downfall.

This was a Romania on its knees – an era of chronic food shortages, widespread power cuts, and underpinning everything, the coercion, police terror and 'all-seeing eye' of the Securitate.

Going on trips overseas, having foreign friends, even making jokes – all were seen as indications of possible dissent; with one in every thirty people believed to have been recruited as a Securitate informer by the 1980s, its reach was inescapable.

These dreams of freedom become a reality just a few hectic weeks later. The Securitate's powers were stripped back, their structures dismantled, and, almost thirty years later, modern-day Romania has become a thriving European democracy.

Lingering shadow

For all of this, however, uncomfortable shadows from the past still linger.

Towards the end of last year, a Romanian Parliamentary Commission examined the relationship between the Anti-Corruption Directorate (DNA) and the Secret Service (SRI).

Corruption in Romania has long been endemic, strangling much-needed foreign investment and undermining public trust in our national institutions and public services.

The DNA has embarked on a much-needed crackdown, aided by intelligence from the SRI. However, there are increasing concerns that, in their determination to secure convictions, the DNA and SRI are leaving the rule of law by the wayside.

As a former SRI Colonel, I have testified before the commission three times.

My first appearance was to reveal the scale of the SRI's wiretapping programme: there have been, since 2015, over 20,000 wiretaps per year on behalf of the DNA. This is ten times the number carried out for reasons of national security, and an unacceptable contravention of Romanian citizens' basic right to privacy.

More recently, I testified before the commission about attempts to undermine the independence of judiciary, at the highest levels of the SRI.

Its secretary-general, Dumitru Dumbrava, had used social media to contact judges, prosecutors and journalists involved in ongoing investigations. He met with judges presiding over DNA cases, discussed the DNA and SRI's allegations, pressuring them to secure convictions using personal relations, coercion, blackmail and the promise of career advancement.

Dumbrava did so by first using Facebook, and then via a fake

VK (Russia-based social network) account in an effort to avoid detection. A ludicrous allegation, but made all the more absurd when it transpired to be true.

He reportedly admitted his actions before the commission in testimony which unfortunately remains classified, triggering parliament's request for his demotion.

Such a scandal has served to highlight the extent of the SRI and DNA's opaque alliance.

Since stepping down from the SRI and speaking publicly about my concerns, I have found myself subject to a raft of allegations and false charges by what one might call 'the Securitate 2.0'.

Six months detention

I have been subjected to six months in pre-trial detention in Romania's ancient and overcrowded prison system – an inhumane practice in appalling conditions, tantamount to a jail sentence before having been found guilty by any court of law. Sadly, my treatment was by no means an exception.

The US-based NGO Fair Trials International found that the European Court of Human Rights' (ECHR) standards on pre-trial detention regularly fails to be upheld in the DNA's decision-making process, citing ill-treatment of pre-trial detainees, extended periods of detention, and the use of mistreatment to extract evidence later treated as admissible in court.

Furthermore, reports from Association for the Defence of Human Rights in Romania say the detention system falls short of ECHR and Committee for the Prevention of Torture standards on preventing torture, inhumane or degrading treatment, leading in many instances to 'serious violations of human rights'.

The collusion between aspects of the SRI and DNA, characterised by abundant wiretaps, erosion of judicial

independence and targeted reputational smears, undermines not just much-needed and legitimate anti-corruption efforts, but Romania's entire democratic system.

EU response?

And how does the EU respond? Not with condemnation or criticism, but praise for the unusually high conviction rates and ignorance of the true reality.

Juncker's comments, threatening to prevent the country's accession to Schengen (the passport-free travel zone) should it proceed with reform, were a shameless use of carrot and stick. Ignorance of the assault on freedom ongoing in Romania, trickles down from the very top of the European Union and we must fight to ensure this story is heard.

At the end of last year, I outlined a manifesto for ending these corrupt practices.

This must be a fight that strikes at the heart of post-communist Romania, a fight against a return to a dark chapter in our history and the return to the Securitate's toxic practices.

The rule of law, democratic accountability and judicial independence cannot be threatened by an unaccountable cabal at the highest levels of Romania's anti-corruption and intelligence apparatus.

This is an issue that reaches every corner of the European Union, through the associated use of the European Arrest Warrant. I hope that Juncker examines the evidence and finally acknowledges what is really going on in Romania.

Our international partners must sit up, take notice and join us Romanians in saying 'enough is enough'.

…….

If you want to be regularly informed about different violations of human rights in the world, click here for a free subscription to our newsletters!

Also:

HRWF database of news and information on over 70 countries: http://hrwf.eu/newsletters/human-rights-in-the-world/

List of hundreds of documented cases of believers of various faiths in 20 countries: http://hrwf.eu/forb/forb-and-blasphemy-prisoners-list/

Russia's hidden world of North Korean labor

By Emma Burrows & Matthew Chance

CNN (16.01.2018) – http://cnn.it/2D6OWcK – In pre-fabricated buildings, down a muddy track on the outskirts of St. Petersburg lies a world of hidden North Korean labor in Russia.

On a construction site near their shabby living quarters, a group of laborers building apartment blocks told CNN they are from North Korea. Working in conditions the US State Department calls "slave-like" labor, they are among an estimated 50,000 workers in Russia from the isolated state.

US diplomats say up to 80% of their earnings are sent back to

Pyongyang to help prop up the regime of North Korean leader Kim Jong Un.

The United Nations has expressed concern that this money – totaling $500 million a year from North Korea's expatriate workers globally – helps to fund Kim's missile and nuclear programs.

According to a UN Security Council resolution aimed at curbing North Korea's nuclear ambitions, countries are allowed to employ quotas of North Korean workers but not to authorize new work permits.

Under the most recent round of sanctions, Resolution 2397 states that all North Korean workers must be sent home by December 2019, cutting off a crucial source of income for Pyongyang. However, because it is unclear how many North Korean workers are currently in Russia, analysts say it is not clear whether all of them will go home.

The restriction placed on workers was part of a package of sanctions passed by the Security Council last December, which included limiting North Korea's oil imports and expanding bans on exports to the country of industrial equipment, machinery and metals.

The tougher sanctions were implemented following another North Korean missile test. Launched on November 29, the Hwasong-15 reached the highest-ever altitude by a North Korean missile, putting the entire US mainland in range, state media said.

Tighter sanctions

Although Russia backed the December UN resolution against North Korea, one senior Russian lawmaker has expressed doubts about the effectiveness of sanctions as a way to limit Kim Jong Un's ability to develop his weapons program.

“Like North Korea, Russia is also under economic sanctions. I am sure that these economic sanctions, including American sanctions, have never had any impact on our domestic or foreign policy,’ Konstantin Kosachev, chairman of the Russian parliamentary Committee on Foreign Affairs, told CNN.

“Sanctions are the wrong instrument. This is not the solution to the problem of North Korea,” he said.

Tensions easing

North Korea dubbed the latest round of sanctions an “act of war” but since they were introduced, tensions have eased on the Korean peninsula with the start of the first face-to-face talks between North and South Korea in almost two years.

South Korean President Moon Jae-In credited US President Donald Trump’s pressure campaign with producing the right environment for talks but North Korea’s state news agency hit back, saying that the breakthrough came with better inter-Korean relations.

“It is unbearable to look at South Korea’s servile attitude of thanking Trump as if the results of inter-Korean talks happened because of their international sanctions and pressures,” said the report.

Russia has been widely accused of undermining the spirit of the sanctions on Pyongyang by employing North Korean workers and the Russian Foreign Ministry has defended the country against reports that it has provided North Korea with shipments of fuel, saying, under the sanctions, countries are allowed to supply oil under a “quota.”

Sen. Konstantin Kosachev denied any suggestion that Russia was not committed to the UN resolution on North Korea, telling CNN that Russia firmly adheres to “any sanctions which are

supported by the Security Council."

Russian lifeline

However, according to Alexander Gabuev, chair of the Russia in the Asia-Pacific Program at the Carnegie Moscow Center, Russia's support of sanctions is begrudging and stems from a desire to prevent pro-western regime change in Pyongyang.

"I don't think Russia really believes in the sanctions," Gabuev said.

"There comes a point when Russia cannot afford to be the villain" and rip up sanctions against Pyongyang, Gabuev said, as "this may worsen an already bad relationship with the United States."

"While signing the international sanctions," he said, "Russia fights to make them as toothless as it can."

Ahead of the adoption of additional sanctions against North Korea last December, Russian President Vladimir Putin was reported by the South Korean presidential spokesman as saying that Russia was against cutting off oil supplies to North Korea.

"Keeping Pyongyang afloat is an important task," Gabuev said. "The country cannot do without imported fuel, which is why Russia concentrated its diplomatic effort on this, in order not to squeeze the regime too hard."

On the building site in St Petersburg, CNN approached camera-shy workers having their lunch in a canteen with signs in Korean on the walls.

Positions as overseas laborers are coveted, according to Gabuev, as workers can provide for their families as they take home better wages abroad.

But although Russia insists that the money earned by workers is used to help North Koreans to survive, critics believe the reason it continues to employ them is because it wants to avoid pro-western regime change.

“The uncontrolled collapse of North Korea means either refugee flows or war, but also ultimately a reunified Korea which is allied to the United States,” Gabuev told CNN. “This could mean US troops on the Russian border which is definitely not something Russia would like to see,” he added.

Moscow is engaged in a delicate balancing act – formally backing international sanctions to pressure the North Korean regime, but also extending Pyongyang a crucial lifeline.

…….

If you want to be regularly informed about different violations of human rights in the world, click here for a free subscription to our newsletters!

Also:

HRWF database of news and information on over 70 countries: http://hrwf.eu/newsletters/human-rights-in-the-world/

List of hundreds of documented cases of believers of various faiths in 20 countries: http://hrwf.eu/forb/forb-and-blasphemy-prisoners-list/

Safeguarding civil society participation in the Helsinki process – a matter of the OSCE's raison d'être

International Partnership for Human Rights (11.12.2017) – http://bit.ly/2nXqGXl – We, members of the Civic Solidarity Platform (CSP), believe that restricting civil society participation in the work of the OSCE would be a tremendous setback for the Helsinki process and a betrayal of the spirit and founding values of this unique peace advancement initiative.

For four decades, civil society groups have played a crucial role in monitoring, documenting and reporting on the implementation of the human dimension commitments undertaken by participating States in the framework of the Conference and later the Organization for Security and Cooperation in Europe. By engaging with the OSCE, NGOs have helped to keep human rights high on the agenda, mobilize attention to human rights crises and shape OSCE action on pressing human rights issues. Now some governments, which have adopted legislation and policies restricting civil society activities in their own countries, are pushing for new rules and regulations to limit civil society participation at the level of the OSCE. Introducing measures to this end would negatively and irreversibly affect the OSCE's credibility at a time when civil society actors are facing unprecedented pressure across the region and, more than ever, need OSCE forums to make their voices heard.

The OSCE was the first international structure to embrace a comprehensive approach to security, with participating States agreeing to establish respect for human rights as one of its

founding pillars and to be held accountable to each other and to their citizens for their achievements in this regard. When signing the Helsinki Final Act in 1975, states from both the then Western and Eastern bloc also acknowledged the right of individuals to know and act upon their rights, as well as to contribute to the Helsinki process, commitments that have subsequently been reiterated in numerous OSCE documents. In addition, the signatories to the Helsinki Final Act undertook to publish and disseminate this document as widely as possible within their countries. The Helsinki Conference and Final Act inspired the emergence of so-called Helsinki groups in the Soviet Union and Eastern Europe to monitor compliance with the accords. Although these groups were forced to operate underground and were fiercely persecuted by their governments, they carried out their activities in a determined manner, supported by solidarity groups set up in Western countries. As we know from history, the Helsinki groups were part of the grassroots movements that helped bring about the collapse of the communist rule and the end of the Cold War. Both these pioneers and civil society groups that have continued their groundbreaking work have been guided by the belief that citizens' participation is an intrinsic element of the Helsinki process and thus of efforts to secure peace and prosperity in the OSCE region.

The current modalities for civil society participation in OSCE events are laid down in the Concluding Document from the 1992 Helsinki meeting, as well as Permanent Council decision no. 476 adopted in 2002. These regulations grant NGO representatives the right to participate and provide input on an equal footing with government representatives at human rights review conferences, implementation meetings and seminars on condition that they register with the Office for Democratic Institutions and Human Rights (ODIHR). States that seek to change these rules and restrict NGO access advocate for procedures that would grant governments the right to approve and thereby block the participation of civil society

representatives, for example, because their organizations are not registered at the national level, they are considered to lack “relevant” experience or they are accused of supporting “extremism” or ”terrorism”. Any state approval procedure of this kind would be contrary to the basic principle of unhindered and equal NGO participation in OSCE events and would open the door for arbitrary, selective, discriminatory and politically motivated decisions to limit access for organizations and individuals who criticize the policies of their governments and address issues that are inconvenient to them. In the past, some participating States have already sought to prevent the participation of outspoken civil society representatives from their countries at the annual Human Dimension Implementation Meeting and other OSCE events.

Recent years have seen a growing trend of shrinking and even closing civil society space in many countries of the OSCE region.[i] As part of this trend, states have exploited security concerns to justify far-reaching restrictions on civil society and to crack down on NGOs that work on “sensitive” issues, in particular human rights. Among others, states have denied registration and forced NGOs to close down, labelled them “foreign agents”, and prosecuted their leaders using broadly worded extremism and terrorism legislation that does not meet the fundamental principle of legality and can be applied to conduct that has nothing to do with violence.[ii] Human rights groups and defenders working to promote women’s rights, minority rights and the rights of vulnerable communities have in particular been singled out for persecution. Repressive policies of this kind pursued at the national level must not be allowed to influence the procedures and rules for NGO participation at the OSCE level by allowing participating States to justify restricting access to groups that have been targeted merely for exercising their fundamental rights to freedom of expression, association and assembly in a peaceful and legitimate way.

Former UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association Maina Kiai has warned of the danger of closing civil society space at the international level because of the efforts of some governments to silence NGOs not only in their own countries but also on the international stage.[iii] Along with NGOs, he has criticized the existing accreditation procedure for NGOs through the UN Economic and Social Council (ECOSOC), the Committee on NGOs of which decides on UN consultative status for NGOs. Possessing consultative states grants NGOs access to a range of UN bodies and processes, including the Human Rights Council where they can deliver oral and written statements and organize side-events. As highlighted in a joint appeal signed by over 230 NGOs from over 45 countries in May 2016[iv], some states use the ECOSOC accreditation procedure to deliberately delay or block NGOs from participation at the UN, through perpetual questioning and repeated deferrals of applications for accreditation. This has resulted in that NGOs have been denied accreditation for years. Thus, through their actions, individual states have turned what is meant to be a primarily technical role of the ECOSOC NGO Committee into a politicized practice used to obstruct access for NGOs working on issues that they do not like. Human rights NGOs are amongst those facing the most obstacles in gaining accreditation.

As the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association has stressed[v], the misuse of the ECOSOC accreditation procedure to block NGO access has "profoundly undermine[d] the ability of the United Nations to constructively engage with civil society", with negative implications for the effectiveness and credibility of the organization as a whole. This example should serve as a warning to the OSCE. Rather than introducing any regulations or procedures that may be used to restrict NGO access for politically motivated reasons, the OSCE should focus on improving and further strengthening opportunities for NGOs to participate in and contribute to the work of the organization.

To this end, the participating States should consider introducing new formats for government-civil society dialogue and civil society consultations, as a complement to existing ones.[vi] In accordance with its founding values, the OSCE has a responsibility to stand up for civil society organizations that are repressed and denied fundamental rights at home and to provide a platform for them to voice their positions since they lack direct channels of communication with their governments.

The OSCE participating States have themselves repeatedly recognized that the involvement of civil society is crucial in achieving progress on the objectives of the organization and they have committed themselves to ensuring that members of civil society groups have unhindered access to the OSCE and other international organizations. The OSCE Guidelines on the Protection of Human Rights Defenders, which are based on OSCE commitments and universally recognized human rights standards, also require the participating States to refrain from any action undermining the right of human rights defenders to provide information, submit cases or participate in meetings with international bodies, including OSCE institutions.[vii]

As in the case of the UN, ensuring continued unhindered access for NGOs to OSCE events is not only a matter of safeguarding the rights of these groups and the communities they represent, but also of safeguarding the effectiveness, credibility and very *raison d'être* of the OSCE. The organization was established to promote peace, stability, democracy and the rights of the people of the vast region stretching from Vancouver to Vladivostok rather than as a forum for governments to protect their interests. The recent attempts by some participating States to restrict civil society participation run counter to these objectives and may in themselves be considered early warning signs of threats to peace and stability in the OSCE region. The participation of civil society actors, who address crosscutting issues of human

security, is a key element of the organization's comprehensive and inclusive security agenda and a precondition for the success of conflict prevention, democratization and peacebuilding processes in the long term. We appeal to all OSCE participating States to ensure that the organization continues to serve its founding role in years to come and that government-civil society dialogue remains at the heart of the Helsinki process.

Signed by the following CSP members:

International Partnership for Human Rights (IPHR, Belgium)
Bulgarian Helsinki Committee
Public Verdict (Russia)
Helsinki Committee of Armenia
Swiss Helsinki Committee
Macedonian Helsinki Committee
Center for Civil Liberties (Ukraine)
DRA – German-Russian Exchange (Germany)
Kharkiv Regional Foundation "Public Alternative" (Ukraine)
Centre for the Development of Democracy and Human Rights (Russia)
Union of Women of the Don Region (Russia)
Hungarian Helsinki Committee
Citizens' Watch (Russia)
Protection of Rights without Borders (Armenia)
Human Rights Movement "Bir Duino-Kyrgyzstan"
Kazakhstan International Bureau for Human Rights and the Rule of Law
Legal Policy Research Center (Kazakhstan)
Barys Zvozskau Belarusian Human Rights House
Helsinki Citizens' Assembly-Vanadzor (Armenia)
Human Rights Matter (Germany)
Office of Civil Freedoms (Tajikistan)
Helsinki Foundation for Human Rights (Poland)
Public Association "Dignity" (Kazakhstan)
Regional Center for Strategic Studies (Georgia/Azerbaijan)

Austrian Helsinki Association
Crude Accountability (United States)
Human Rights Center “Viasna” (Belarus)
Association of Ukrainian Human Rights Monitors on Law Enforcement (UMDPL)
SOVA Centre for Information and Analysis (Russia)
Article 19 (United Kingdom)
ZARA – Zivilcourage und Anti-Rassismus-Arbeit (Austria)
IDP Women Association “Consent” (Georgia)
Kosova Rehabilitation Centre for Torture Victims (KRCT)
Moscow Helsinki Group
Nota Bene (Tajikistan)
Human Rights Center of Azerbaijan
Netherlands Helsinki Committee
Italian Coalition for Civil Liberties and Rights (CILD)
UNITED for Intercultural Action (Netherlands)
Ludwig Boltzmann Institute for Human Rights (Austria)
Promo LEX (Moldova)
Human Rights Group “Citizen. Army. Law” (Russia)
Humanrights.ch (Switzerland)
Fair Trials (United Kingdom)
Center for Participation and Development (CPD, Georgia)
Human Rights Monitoring Institute (Lithuania)
World Organization against Torture (OMCT)
Minority Rights Group Europe
Institute for Reporters’ Freedom and Safety (IRFS, Azerbaijan)
OSCE Network (Sweden)
Norwegian Helsinki Committee
Women’s International League for Peace and Freedom (WILPF) Germany

[i] See Hamburg Declaration on Protecting and Expanding Civil Society Space, adopted by the participants of the 2016 OSCE Parallel Civil Society Conference, Hamburg, 6-7 December 2017, http://www.civicsolidarity.org/sites/default/files/parallel_civil_society_conference_outcome_documents_hamburg_december_2016_final.pdf ; as well as the outcome document of the 2017 OSCE

Parallel Civil Society Conference, Vienna, 5-6 December 2017.

[ii] See the Vienna Declaration: Preventing Security Measures from Eclipsing Human Rights, adopted by the participants of the 2017 OSCE Parallel Civil Society Conference.

[iii] See comment at http://freeassembly.net/news/commentary-ngo-committee/

[iv] The appeal is available at https://www.ishr.ch/sites/default/files/documents/final_ecosoc_ngo_committee_english.pdf

[v] See http://freeassembly.net/news/commentary-ngo-committee/

[vi] For more recommendations on how to improve civil society participation in the OSCE, see the outcome document of the 2017 OSCE Parallel Civil Society Conference, Vienna, 5-6 December 2017.

[vii] Par. 91 of the Guidelines on the Protection of Human Rights Defenders, http://www.osce.org/odihr/guidelines-on-the-protection-of-human-rights-defenders?download=true

…….

Also:

HRWF database of news and information on over 70 countries: http://hrwf.eu/newsletters/human-rights-in-the-world/

List of hundreds of documented cases of believers of various faiths in 20 countries: http://hrwf.eu/forb/forb-and-blasphemy-prisoners-li

st/

ECHR: Nagorno-Karabakh : Sargsyan v. Azerbaijan

In the absence of a political solution to the Nagorno-Karabakh conflict, the Court awarded the applicants aggregate sums in just satisfaction

ECtHR Registrar (12.12.2017) – http://bit.ly/2AgcoCR – In today's **Grand Chamber** judgment1 in the case of **Sargsyan v. Azerbaijan** (application no. 40167/06) the European Court of Human Rights ruled on the question of just satisfaction. It held, unanimously, that the Azerbaijani Government had to pay the applicant 5,000 euros (EUR) in respect of pecuniary and non-pecuniary damage and EUR 30,000 in costs and expenses.

The case concerned an Armenian refugee's complaint that, after having been forced to flee from his home in the Shahumyan region of Azerbaijan in 1992 during the conflict over Nagorno-Karabakh, he had since been denied the right to return to his village and to have access to and use his property there.

The Court observed that the principle of subsidiarity underpinned the system of the European Convention on Human Rights. Thus, Armenia and Azerbaijan had given undertakings prior to their accession to the Council of Europe, committing themselves to the peaceful settlement of the Nagorno-Karabakh conflict. The Court could only underline that it was their responsibility to find a solution on a political level to the conflict. Without prejudice to any compensation to be awarded

to the applicant as just satisfaction, the effective execution of the principal judgment called for the creation of general measures at national level.

The Court also noted that the damage did not lend itself to precise calculation. Certain difficulties in assessing the damage derived from the passage of time: the time element made the link between a breach of the Convention and the damage less certain.

In conclusion, the Court underlined the responsibility of the two States concerned to find a resolution to the Nagorno-Karabakh conflict. Pending a solution on the political level, the Court considered it appropriate to award the applicant an aggregate sum for pecuniary and non-pecuniary damage.

Principal facts

The applicant, Minas Sargsyan, an Armenian national, was born in 1929 and died in 2009 in Yerevan after having lodged his complaint with the European Court of Human Rights in 2006. His widow, Lena Sargsyan, his son, Vladimir, and his daughters, Tsovinar and Nina Sargsyan pursued the application on his behalf. Lena Sargsyan died in 2014. Vladimir and Tsovinar Sargsyan pursued the proceedings on the applicant’s behalf.

Mr Sargsyan stated that he and his family, ethnic Armenians, used to live in the village of Gulistan, in the Shahumyan region of the Azerbaijan Soviet Socialist Republic, where they had a house and a plot of land. According to his submissions, his family had been forced to flee from their home in 1992 during the Nagorno-Karabakh conflict.

In a judgment delivered on 16 June 2015 the Grand Chamber dismissed the Government’s preliminary objections and held that there had been continuing violations of Article 1 of Protocol No. 1 (protection of property), Article 8 (right to respect for home and private and family life) and Article 13 (right to an effective remedy) of the Convention. With respect

to Article 1 of Protocol No. 1, it accepted that throughout the period within its jurisdiction, that is, from 15 April 2002 – the date on which Azerbaijan had ratified the Convention – refusing civilians, including the applicant, access to the village had been justified by safety considerations given that it was situated in an area of military activity. However, it considered that the fact that the respondent State had not taken any alternative measures to restore the applicant's property rights or to provide him with compensation for the loss of their enjoyment had placed an excessive burden on him.

As the question of just satisfaction was not ready for decision, the Court reserved it and invited the parties to submit their written observations on that issue and to notify the Court of any agreement they might reach.

Complaints, procedure and composition of the Court

Relying on Article 41 (just satisfaction), the applicant sought just satisfaction in respect of pecuniary and non-pecuniary damage resulting from the violations found in the present case, as well as reimbursement of the costs and expenses incurred in the proceedings before the Court. The application was lodged with the European Court of Human Rights on 11 August 2006. On 11 March 2010 the Chamber to which the case had been assigned relinquished jurisdiction in favour of the Grand Chamber2. The Armenian Government were granted leave to intervene as a third party. A first hearing was held on 15 September 2010.

In a decision of 14 December 2011, the Court declared the application partly admissible. A second Grand Chamber hearing on the merits of the case was held on 5 February 2014. The Grand Chamber delivered its judgment on the merits on 16 June 2015.

Today's judgment on just satisfaction was given by the Grand

Chamber of 17 judges

Decision of the Court

Article 41

In its principal judgment the Court referred to the exceptional nature of the case, owing to a number of features.

The case related to an ongoing conflict situation and the parties had still not reached a peace agreement. Despite a ceasefire agreement concluded 23 years ago, the ceasefire was still not observed. Whereas the events that had led the applicant to flee his property and home had occurred in June 1992, the Republic of Azerbaijan had not ratified the Convention until ten years later, on 15 April 2002. The Court concluded that from the date of entry into force of the Convention in respect of Azerbaijan, the latter had been responsible for continuing violations of the applicant's rights under Article 1 of Protocol No. 1 and Articles 8 and 13 of the Convention.

The Court was thus dealing with a continuing situation which had its roots in the unresolved conflict over Nagorno-Karabakh and the surrounding territories and still affected a large number of individuals. More than 1,000 individual applications lodged by persons who had been displaced during the conflict were pending before the Court, slightly more than half of them being directed against Armenia and the remainder against Azerbaijan. The applicants in those cases represented just a small portion of the persons, estimated to exceed one million, who had had to flee during the conflict and had since been unable to return to their properties and homes or to receive any compensation.

The Court reiterated the importance of the principle of subsidiarity.

As to the political dimension, Armenia and Azerbaijan had

committed themselves prior to their accession to the Council of Europe, to the peaceful settlement of the Nagorno-Karabakh conflict. By now, some 15 years had passed since the ratification of the Convention by the two States without a political solution of the conflict being in sight. The Court could only underline that it was their responsibility to find a solution to the conflict on a political level.

With regard to the legal dimension, the Court reiterated that the principle of subsidiarity underpinned the Convention system. By virtue of Article 1 (obligation to respect human rights), the Contracting States had to secure the rights and freedoms guaranteed by the Convention to everyone within their jurisdiction, while, in accordance with Article 19 (establishment of the Court), it was for the Court to ensure the observance of the engagements undertaken by the States. It was precisely a failure on the part of the Government which obliged the Court to act as a court of first instance, establishing the relevant facts, evaluating evidence in respect of property claims and finally assessing monetary compensation.

Without prejudice to any compensation to be awarded as just satisfaction, the effective execution of the principal judgment called for the creation of general measures at national level. Guidance as to appropriate measures had been given in the principal judgment, where the Court had stated that pending a comprehensive peace agreement, it appeared particularly important “to establish a property claims mechanism, which should be easily accessible and provide procedures operating with flexible evidentiary standards, allowing the applicants and others in their situation to have their property rights restored and to obtain compensation for the loss of their enjoyment”.

The Court concluded overall that the applicant was entitled to compensation for certain pecuniary losses and for non-pecuniary damage, the pecuniary and non-pecuniary damage being

closely connected in the present case.

The Court noted, however, that the damage sustained did not lend itself to precise calculation. Certain difficulties in assessing the damage derived from the passage of time: the time element made the link between a breach of the Convention and the damage less certain. The violation of the right to respect for possessions was a continuing one and almost ten years had elapsed between the applicant's displacement from Gulistan and the entry into force of the Convention in respect of Azerbaijan, and some 15 years had elapsed thereafter. The Court considered that an award could still be made, notwithstanding the large number of imponderables involved.

Lastly, the Court reiterated that it was the responsibility of the two States concerned to find a resolution to the Nagorno-Karabakh conflict. Pending a solution on the political level, it considered it appropriate to award an aggregate sum for pecuniary and non-pecuniary damage.

Just satisfaction (Article 41)

The Court held that Azerbaijan was to pay Vladimir Sargsyan and Tsovinar Sargsyan EUR 5,000 jointly in respect of pecuniary and non-pecuniary damage, and EUR 30,000 in respect of costs and expenses.

Separate opinion

Judge Hüseynov expressed a concurring opinion, which is annexed to the judgment.

…….

Also:

HRWF database of news and information on over 70 countries: http://hrwf.eu/newsletters/human-rights-in-the-world/

List of hundreds of documented cases of believers of various faiths in 20 countries: http://hrwf.eu/forb/forb-and-blasphemy-prisoners-list/

ECHR: Nagorno-Karabakh : Chiragov and Others v. Armenia

In the absence of a political solution to the Nagorno-Karabakh conflict, the Court awarded the applicants aggregate sums in just satisfaction

ECtHR Registrar (12.12.2017) – http://bit.ly/2Az3hl7 – In today's **Grand Chamber** judgment1 in the case of **Chiragov and Others v. Armenia** (application no. 13216/05) the European Court of Human Rights ruled on the question of just satisfaction. It held, unanimously, that the Armenian Government had to pay 5,000 euros in respect of pecuniary and non-pecuniary damage to each of the applicants and a total amount of 28,642.87 pounds sterling for costs and expenses.

The case concerned the complaints by six Azerbaijani refugees that they were unable to return to their homes and property in the district of Lachin, in Azerbaijan, from where they had been forced to flee in 1992 during the Nagorno-Karabakh

conflict.

The Court observed that the principle of subsidiarity underpinned the system of the European Convention on Human Rights. Thus, Armenia and Azerbaijan had given undertakings prior to their accession to the Council of Europe, committing themselves to the peaceful settlement of the Nagorno-Karabakh conflict. The Court could only underline that it was their responsibility to find a solution on a political level to the conflict. Without prejudice to any compensation to be awarded to the applicants as just satisfaction, the effective execution of the principal judgment called for the creation of general measures at national level.

The Court also noted that the damage did not lend itself to precise calculation. Certain difficulties in assessing the damage derived from the passage of time: the time element made the link between a breach of the Convention and the damage less certain. In conclusion, the Court underlined the responsibility of the two States concerned to find a resolution to the Nagorno-Karabakh conflict. Pending a solution on the political level, the Court considered it appropriate to award the applicants aggregate sums for pecuniary and non-pecuniary damage.

Principal facts

The applicants, Elkhan Chiragov, Adishirin Chiragov, Ramiz Gebrayilov, Akif Hasanof, Fekhreddin Pashayev and Qaraca Gabrayilov are Azerbaijani nationals. The sixth applicant died in 2005; the application was pursued on his behalf by his son.

The applicants submitted that they were Azerbaijani Kurds who lived in the district of Lachin, in Azerbaijan. They stated that they were unable to return to their homes and property there, after having been forced to leave in 1992 during the conflict over Nagorno-Karabakh. Since then they had not been able to return to their homes and properties because of the

Armenian occupation. In a judgment of 16 June 2015 the Court held that there had been continuing violations of Article 8 (right to respect for home and private and family life) and Article 13 (right to an effective remedy) of the European Convention on Human Rights and of Article 1 of Protocol No. 1 (protection of property) to the Convention. With respect to Article 1 of Protocol No. 1, it concluded that, as from 26 April 2002 – the date on which Armenia had ratified the Convention – no aim had been indicated which could justify the denial of access of the applicants to their property and the lack of compensation for that interference. The Court found the Republic of Armenia responsible for the breaches of the applicants' rights.

As the question of just satisfaction was not ready for decision, the Court reserved it and invited the parties to submit their written observations on that issue and to notify the Court of any agreement they might reach.

Complaints, procedure and composition of the Court

Relying on Article 41 (just satisfaction), the applicants sought just satisfaction amounting to several million euros in respect of damage sustained and of costs and expenses.

The application was lodged with the European Court of Human Rights on 6 April 2005. On 9 March 2010 the Chamber to which the case had been assigned relinquished jurisdiction in favour of the Grand Chamber. The Azerbaijani Government were given leave to intervene as a third party. A first Grand Chamber hearing was held on 15 September 2010.

In a decision of 14 December 2011, the Court declared the complaints admissible. A second hearing was held on 22 January 2014. The Grand Chamber delivered its judgment on the merits on 16 June 2015.

Today's judgment on just satisfaction was given by the Grand Chamber of 17 judges.

Decision of the Court

Article 41

In its principal judgment the Court referred to the exceptional nature of the case, owing to a number of features. The case related to an ongoing conflict situation and the parties had still not reached a peace agreement. Despite a ceasefire agreement concluded 23 years ago, the ceasefire was still not observed. Whereas the events that had led the applicants to flee their property and homes had occurred in May 1992, the Republic of Armenia had not ratified the Convention until ten years later, on 26 April 2002. The Court concluded that from the date of entry into force of the Convention in respect of Armenia, the latter had been responsible for continuing violations of the applicants' rights under Article 1 of Protocol No. 1 and Articles 8 and 13 of the Convention.

The Court was thus dealing with a continuing situation which had its roots in the unresolved conflict over Nagorno-Karabakh and the surrounding territories and still affected a large number of individuals. More than 1,000 individual applications lodged by persons who had been displaced during the conflict were pending before the Court, slightly more than half of them being directed against Armenia and the remainder against Azerbaijan. The applicants in those cases represented just a small portion of the persons, estimated to exceed one million, who had had to flee during the conflict and had since been unable to return to their properties and homes or to receive any compensation.

The Court considered it appropriate to emphasise the principle of subsidiarity. As to the political dimension, Armenia and Azerbaijan had committed themselves prior to their accession to the Council of Europe, to the peaceful settlement of the Nagorno-Karabakh conflict. By now, some 15 years had passed since the ratification of the Convention by the two States

without a political solution of the conflict being in sight. The Court could only underline that it was their responsibility to find a solution to the conflict on a political level.

With regard to the legal dimension, the Court reiterated that the principle of subsidiarity underpinned the Convention system. By virtue of Article 1 of the Convention (obligation to respect human rights), the Contracting States had to secure the rights and freedoms guaranteed by the Convention to everyone within their jurisdiction, while, in accordance with Article 19 (establishment of the Court), it was for the Court to ensure the observance of the engagements undertaken by the States. It was precisely a failure on the part of the Government which obliged the Court to act as a court of first instance, establishing the relevant facts, evaluating evidence in respect of property claims and finally assessing monetary compensation.

Without prejudice to any compensation to be awarded as just satisfaction, the effective execution of the principal judgment called for the creation of general measures at national level. Guidance as to appropriate measures had been given in the principal judgment, where the Court had stated that pending a comprehensive peace agreement, it appeared particularly important “to establish a property claims mechanism, which should be easily accessible and provide procedures operating with flexible evidentiary standards, allowing the applicants and others in their situation to have their property rights restored and to obtain compensation for the loss of their enjoyment”.

The Court concluded overall that the applicants were entitled to compensation for certain pecuniary losses and for non-pecuniary damage, the pecuniary and non-pecuniary damage being closely connected in the present case.

The Court noted, however, that the damage sustained did not

lend itself to precise calculation. Certain difficulties in assessing the damage derived from the passage of time. The time element made the link between a breach of the Convention and the damage less certain. The period over which the Court had jurisdiction had started 15 years ago in April 2002, that is, ten years after the military attack and the applicants' flight in May 1992. The Court considered that an award could still be made, notwithstanding the large number of imponderables involved.

Lastly, the Court reiterated that it was the responsibility of the two States concerned to find a resolution to the Nagorno-Karabakh conflict. Pending a solution on the political level, it considered it appropriate to award aggregate sums for pecuniary and non-pecuniary damage.

Just satisfaction (Article 41)

The Court held that Armenia was to pay each of the applicants 5,000 euros (EUR) covering all heads of damage, plus 28,642.87 pounds sterling to all the applicants in respect of costs and expenses.

…….

Uzbek President pardons 2,700 convicts

Ferghana News (08.12.2017) – http://bit.ly/2yeTt9L – President of Uzbekistan Shavkat Mirziyoyev has pardoned 2,700 convicts by his decree, reports the National News Agency of Uzbekistan on 6 December.

The agency emphasises that it is just the pardon, not an amnesty. An amnesty would have released prisoners who had committed certain types of crimes or can be related to a certain group (women, veterans, foreigners). A case of pardoning a prisoner is considered individually. Amnesty is held regularly in Uzbekistan (in October 2016, 37.9 thousand people were amnestied), while the mass pardon comes for the first time.

Since September 2017, special commissions have travelled to prisons, communicated to inmates, delved into the details of their cases. As a result, 956 prisoners had been identified for early release. Besides, the pardon will apply to 1,744 citizens, whose conviction is not connected with imprisonment. Members of the commissions concluded that various circumstances pushed these convicts to crime, but now they repent their deeds and pose no risk to the public safety.

Pardon is timed to the 25th anniversary of the adoption of the Constitution of Uzbekistan. The anniversary will be celebrated on 8 December. The national news agency notes that the pardon decision will be “another vivid confirmation of the humanistic orientation of democratic transformations in all spheres of life of the state and society.”

According to the International Centre for Prison Studies, as

of 2017, Uzbekistan ranks 101st in the world regarding the number of prisoners. There are 150 prisoners per 100,000 residents in the country, 43,900 people are kept in places of deprivation of liberty.

…….

If you want to be regularly informed about different violations of human rights in the world, click here for a free subscription to our newsletters!

Also:

HRWF database of news and information on over 70 countries: http://hrwf.eu/newsletters/human-rights-in-the-world/

List of hundreds of documented cases of believers of various faiths in 20 countries: http://hrwf.eu/forb/forb-and-blasphemy-prisoners-list/

Two North Korean football players in Italy present possible violations of UN sanctions

Image source: http://www.espnfc.com/italian-serie-b/story/3215371/kwang-song-han-forbidden-from-going-on-tv-by-north-korea-perugia-chief

By Lea Perekrests, *Deputy Director, Human Rights Without Frontiers*

HRWF (07.12.2017) – Han Kwang-Song and Choe Song Hyok are two 19 year-old North Koreans who are currenty playing football in Perugia, Italy. It is reported that the North Korean government was directly involved in the creations of contracts for the two players.

Football connections

In 2012, a discussion between Pyongyang and Italian Senator Antonio Razzi began.

In 2014, an Italian delegation, lead by Senator Razzi, and comprised of several football recruiters and coaches, traveled to North Korea to build diplomatic and friendly relationships, partially through the common interest of football.

Later that year, Han Kwang-Song and Choe Song Hyok were recruited to play for Italian football teams by Alessandro

Dominici, the owner of Italian Soccer Management, a company which specializes in recruiting and training young athletes.

Pyongyang financially benefitting?

Choe signed his first contract with the Fiorentina team. Immediately, rumors began to flow of his salaries final destination being Pyongyang.

It is commonly known amongst experts that North Korean overseas workers do not get to keep their salaries, or even the majority of their salaries – reports estimate the Pyongyang usually takes between 70-90% of the earnings, leaving the individual with 10-30% of their earnings.

In the spring of 2016, Michele Nicoletti, a member of the Italian parliament's committee on foreign affairs, expressed concern that North Korea is 'extorting salaries' from these athletes, and called on the foreign ministry and ministry of labour to investigate.

After reviewing Choe's contract and payment procedures closely, it seems that the football club was paying his salary directly into Choe's bank account. However, investigators could not tell where the money went following this initial transaction.

Pyongyang's growing interest in football

Commenting on the rare case of the North Korean football players, the New York Times suggested that the regime's increasing interest in training football players may hint at the players' proven financial benefit:

> "The entire initiative, experts said, is in line with a pattern of behavior from the North Korean government in recent years apparently meant to bolster the country's soccer fortunes. In 2013, the government opened the Pyongyang International Football School to train a few

> hundred of the country's best young players. In 2016, Jorn Andersen, a German citizen born in Norway, became the first foreigner in almost three decades to coach the North Korean men's national team.
>
> Christopher Green, who has interviewed more than 350 North Korean defectors as part of his research on the political landscape of the country, said that even physical education classes in the country's schools began placing a greater emphasis on soccer in recent years. "North Korea has always had an interest in developing sporting talent – that's not new – but the focus on football seems to be new," Green said."

Choe and Han's freedom in question

In addition to investigating the financial routes of the player's salaries, Nicoletti also raised his concern about whether Choe and Han's human rights are being violated. For most North Korean overseas workers, they are subject to constant surveillance and restrictions on personal liberties.

Adding to this suspicion, the players never made comments or answered questions in the media – a regular occurance for football players. When asked why, some said that it was because the two did not speak Italian. However, they both attended Italian schools and spoke regularly with their coaches and teammates.

In September 2017, Kwang-Song Han was scheduled for an interview on the Italian show Domenica Sportiva. However, just before he was to leave for the event, the government of North Korea ordered a ban on his appearance.

Their coach in Perugia insists that the two are not under any surveillance or control – that they live a normal life without any human rights violations.

'Aiding and abetting a dangerous regime'

As in many other countries in Europe (Poland) and across Africa, if any portion of the North Korean workers are being taken by the North Korean Regime, Italy would be violating the United Nations sanctions on North Korea.

As US Secretary of State, Rex Tillerson, said this past July, any country hosting North Korean workers was “aiding and abetting a dangerous regime”.

HRWF calls for the Italian government to further investigate the tracking of the salaries. Unless it can be proven with certainty that Pyongyang is not benefitting, the two football players contracts should be dismissed.

Sources:

https://www.nytimes.com/2017/11/15/sports/soccer/north-korea-soccer-italy.html

http://www.umbriaon.it/perugia-han-e-choe-intrigo-internazionale/

https://www.thesun.co.uk/sport/football/4567053/north-korean-kim-jong-un-kwang-song-han-perugia/

http://www.telegraph.co.uk/news/2016/05/27/north-korea-suspected-of-extorting-young-footballers-wages/

https://www.violanation.com/fiorentina-latest-news-updates/2017/2/9/14546662/fiorentina-news-lates-choe-song-hyok-north-korea-primavera-figc-court-arbitration-sport-scandal

…….

If you want to be regularly informed about different violations of human rights in the world, click here for a free subscription to our newsletters!

Also:

HRWF database of news and information on over 70

countries: http://hrwf.eu/newsletters/human-rights-in-the-world/

List of hundreds of documented cases of believers of various faiths in 20 countries: http://hrwf.eu/forb/forb-and-blasphemy-prisoners-list/

Rape and no periods in North Korea's army

By Megha Mohan

BBC (21.11.2017) – http://bbc.in/2B351i2 – For almost 10 years Lee So Yeon slept on the bottom bunk bed, in a room she shared with more than two dozen women. Every woman was given a small set of drawers in which to store their uniforms. On top of those drawers each kept two framed photographs. One was of

North Korea’s founder Kim Il-sung. The second was of his now deceased heir, Kim Jong-il.

It was more than a decade ago that she left, but she retains vivid memories of the smell of the concrete barracks.

“We sweat quite a bit.

“The mattress we sleep on, it’s made of the rice hull. So all the body odour seeps into the mattress. It’s not made of cotton. Because it’s rice hull, all the odour from sweat and other smells are there. It’s not pleasant.”

One of the reasons for this was the state of the washing facilities.

“As a woman, one of the toughest things is that we can’t shower properly,” says Lee So Yeon.

“Because there is no hot water. They connect a hose to the mountain stream and have water directly from the hose.

“We would get frogs and snakes through the hose.”

The daughter of a university professor, So Yeon, now 41, grew up in the north of the country. Many male members of her family had been soldiers, and when famine devastated the country in the 1990s she volunteered – motivated by the thought of a guaranteed meal each day. Thousands of other young women did the same.

“The famine resulted in a particularly vulnerable time for women in North Korea,” says Jieun Baek, author of North Korea’s Hidden Revolution. “More women had to enter the labour force and more were subject to mistreatment, particularly harassment and sexual violence.”

To begin with, buoyed by a sense of patriotism and collective endeavour, the 17-year-old Lee So Yeon enjoyed her life in the army. She was impressed with her allocated hairdryer, although

infrequent electricity meant she had little use for it.

Daily routines for men and women were roughly the same. Women tended to have slightly shorter physical training regimes – but they were also required to perform daily chores such as cleaning, and cooking that male soldiers were exempted from.

“North Korea is a traditional male-dominated society and traditional gender roles remain,” says Juliette Morillot, author of North Korea in 100 questions, published in French. “Women are still seen *ttukong unjeongsu*, which literally translates as ‘cooking pot lid drivers’, and means that they should ‘stay in the kitchen where they belong’.”

The hard training and dwindling food rations took their toll on the bodies of Lee So Yeon and her fellow recruits.

“After six months to a year of service, we wouldn’t menstruate any more because of malnutrition and the stressful environment,” she says.

“The female soldiers were saying that they are glad that they are not having periods. They were saying that they were glad because the situation is so bad if they were having periods too that would have been worse.”

So Yeon says that the army failed to make provision for menstruation, during her time in the military, and that she and other female colleagues often had no choice but to reuse sanitary pads.

“Women to this day still use the traditional white cotton pads,” says Juliette Morillot. “They have to be washed every night when out of men’s sight, so women get up early and wash them.”

And having just returned from a field visit where she spoke to several female soldiers, Morillot confirms that they often do miss their periods.

“One of the girls I spoke with, who was 20, told me she trained so much that she had skipped her periods for two years,” she says.

Though Lee So Yeon joined the army voluntarily, in 2015 it was announced that all women in North Korea must do seven years’ military service from the age of 18.

At the same time North Korea’s government took the unusual step of saying it would distribute a premium female sanitary brand called Daedong in most female units.

“This may have been a way to atone for conditions of the past,” says Jieun Baek. “That statement may have been to overcorrect for this well-known phenomenon that conditions for women used to be bad. It may have been a way to boost morale and get more women to think, ‘Wow, we will be taken care of.'”

A premium cosmetic brand Pyongyang Products was also recently distributed to several female aviation units, following a call by Kim Jong-un in 2016 for North Korean beauty products to compete with global brands like Lancome, Chanel and Christian Dior.

Despite this, female soldiers stationed in the countryside don’t always have access to private toilets, with some telling Morillot they often have to relieve themselves in front of men, making them feel especially vulnerable.

Sexual harassment, say both Baek and Morillot, is rife.

Morillot says that when she broached the subject of rape in the army with serving female soldiers, “most women said it happens to others”. None said they had experienced it personally.

Lee So Yeon also says that she was not raped during her time in the army between 1992 and 2001, but that many of her comrades were.

“The company commander would stay in his room at the unit after hours and rape the female soldiers under his command. This would happen over and over without an end.”

North Korea’s military says that it takes sexual abuse seriously, with a jail sentence of up to seven years for men found guilty of rape.

“But most of the time nobody is willing to testify. So men often go unpunished,” says Juliette Morillot.

She adds that silence about sexual abuse in the army is rooted in the “patriarchal attitudes of North Korean society” – the same attitudes that ensure that women in the army do most of the chores.

Women from poor backgrounds recruited into construction brigades, and housed in informal small barracks or huts, are especially insecure, she says.

“Domestic violence is still widely accepted, and not reported, so it is the same in the army. But I should really stress the fact that you have the same kind of culture (of harassment) in the South Korean army.”

Lee So Yeon, who served as a sergeant in a signals unit close to the South Korean border, finally left the army at the age of 28. She was relieved to have the chance to spend more time with her family, but also felt she wasn’t equipped for life outside the military and struggled financially.

It was in 2008 that she decided to escape to South Korea.

At the first attempt she was caught at the border with China and sent to a prison camp for a year.

On her second attempt, shortly after leaving prison, she swam the Tumen river and crossed into China. There, at the border, she had a rendezvous with a broker, who arranged for her to move through China to South Korea.

Listen to BBC Outlook **A Woman Inside North Korea's Army**

…….

If you want to be regularly informed about different violations of human rights in the world, click here for a free subscription to our newsletters!

Also:

HRWF database of news and information on over 70 countries: http://hrwf.eu/newsletters/human-rights-in-the-world/

List of hundreds of documented cases of believers of various faiths in 20 countries: http://hrwf.eu/forb/forb-and-blasphemy-prisoners-list/