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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/2nXqGXI> - 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 status 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 Zvozkau 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>

The UN will hold its first meeting to discuss witchcraft-related violence

Every year, thousands of people are accused of witchcraft and face persecution, abuse, and even death. Now the United Nations is organizing to defend victims of witch hunts.

By Caroline Kent

Broadly (19.09.2017) – <http://bit.ly/2wJfCw2> – In Ghana, women accused of witchcraft are hounded out of their communities and forced to live in isolated “witch camps”. They are the lucky ones.

All over the world, allegations of witchcraft can result in brutal torture, abduction, and murder. This month, a groundbreaking workshop will take place at the UN office in Geneva to discuss this kind of witchcraft-related abuses. It will be the first of its kind held by the international organization, and is the first discussion to take place at any international level.

According to the UN, reports of witch hunts are on the rise, and cases are becoming more violent and prevalent across the globe. Experts and academics hope that the conference will raise awareness of the phenomenon so that it can be better understood as a human rights problem and integrated into the UN’s approach to humanitarian issues.

“Witchcraft beliefs are encountered on virtually all continents,” explains Dr. Charlotte Baker, who launched the upcoming meeting with funding from Lancaster University. “Globally, witchcraft accusations and persecution have resulted in serious violations of human rights including beatings, banishment, cutting of body parts, amputation of limbs, torture and murder.”

Witch hunts haven’t featured prominently on the radar of human rights organizations, in part because of the difficulty of defining what witchcraft actually means across different cultures. A spokesperson for the Office of the United Nations High Commissioner for Human Rights told Broadly, “Statistics are not easy to come by, but it is known that every year, thousands of people are accused as witches, often abused, cast out of their families and communities and in many cases murdered.”

Workshop co-organizer Gary Foxcroft is the executive director of the Witchcraft and Human Rights Network (WHRN), an international organization that seeks to highlight the rise in these violent witch hunts. “The failure of the international community to acknowledge the massive scale of these horrific human rights abuses has allowed them to spread like a virus across the world,” he says.

Foxcroft explains that getting slapped with the charge of witchcraft is easier than it seems. “Job losses, illnesses, accidents, relationship breakdowns, and property damage can see a vulnerable person placed at the centre of a witch hunt,” he says, “but it’s estimated that around 70 percent of witchcraft accusations are triggered by public health problems, like the spread of infectious diseases. People look for someone to blame. It is almost exclusively the most vulnerable members of the community who are accused. Very rarely is it men.”

The UN has identified women, children, the elderly, and people with disabilities as those most at risk of witch-related abuse. Foxcroft says that the violence can look different from country to country, from “elderly women being beaten, tortured, and killed in places like Kenya, Papua New Guinea, and India” to abuse in Nigeria and the Democratic Republic of Congo, where it is “mainly children who are targeted.” According to the WHRN, those with albinism, autism and Down’s syndrome have been targeted by such accusations, while a claim against an older woman is often used as an excuse to acquire her land and property.

What these cases share in common, however, is the startling lack of response from local judicial systems and the resulting impunity for the perpetrators. Branding someone a witch has historically been used to justify abuse, particularly by patriarchal religious leaders (see: the infamous Salem witch trials of the 1690s), and experts like Foxcroft believe that the spread of witchcraft-related human rights abuses is exacerbated once more by faith leaders who spread malevolent beliefs in witchcraft to exploit people or extract money from the fearful public.

According to a 2009 report from the United Nations High Commissioner for Refugees, the DRC alone is home to thousands of churches that make money off exorcisms. Despite the fact that the government outlawed accusations of witchcraft against minors in 2005, up to 50,000 children are still thought to be imprisoned in religious buildings awaiting deliverance ceremonies, where they may face abuse, torture, and potential death under the pretext of spiritual cleansing.

"Attackers are often driven by both financial gain and cultural, social, and spiritual contexts that facilitate the myths they propagate, such as the false notion that the body parts of people with albinism can produce wealth and good luck," explains co-organizer Ikponwosa Ero, the first-ever UN independent expert on human rights for people with albinism.

Ero explains that there is a general lack of awareness that this is prevalent, and minimal understanding of what needs to be done to stop it. Positive change needs to involve both legal and cultural reform: "Law enforcement alone cannot eradicate beliefs," Ero says, "but public discourse, social support for vulnerable people (e.g. those with albinism) and positive representations of their conditions, could."

But with the sort of global shifts that can trigger witchcraft accusations—natural disasters, famine, war, and political unrest—seeming to occur with more frequency than ever, efforts to combat the persecution taking place in the wake desperately need to be stepped up. According to the 2009 UN report, these kind of crises can all too easily lead to "the collapse of community-based safety nets."

"During these critical periods of indeterminacy, when old and new forms of social organizations are in a state of flux," the report states. "The anxieties generated are most likely to be translated into societal fears and suspicions." In Angola and the DRC, decades of conflict has caused the breakdown of community networks and families, contributing to the increase in witchcraft accusations against children.

The UN organizers hope that the event will help increase the understanding of witchcraft-related violence among everyone who has a part to play in stopping the abuse—from police and lawyers to national ambassadors and state legislators. Most importantly, Foxcroft says, it will be "the start of a longer process that looks to find the solutions needed to stop more innocent people being tortured and killed."

Child soldiers in ISIS, PKK, Boko Haram...

HRWF (11.07.2016) - Thousands of children are serving as soldiers in armed conflicts and terrorist groups around the world. In 1989, the United Nations Convention on the Rights of the Child, Article 38, proclaimed: "State parties shall take all feasible measures to ensure that persons who have not attained the age of 15 years do not take a direct part in hostilities." Since then, UNICEF and the UN Security Council took steps to end the recruitment of children in conflict and war.

ISIS child soldiers

For several years, the Islamic terror group ISIS has been recruiting child soldiers and has posted videos of little boys firing weapons almost as big as they are.

In one of them, a child wearing a ski mask hoists an AK-47 onto a makeshift firing platform, pulls the trigger and then staggers from the recoil.

Reaching the hearts and minds of the next generation of terrorists has become ISIS principal tenet in the Middle East.

A disturbing new ISIS video has quite recently emerged showing child soldiers executing "Afghan Taliban spies".

The use of child soldiers far predates ISIS, but what concerns researchers and policymakers is that ISIS' use of boys and girls does not follow the trends of previous conflicts.

Child soldiers are seemingly treated no differently than adult soldiers by ISIS, according to a new study published in the CTC Sentinel under the title "Depictions of Children and Youth in the Islamic State's Martyrdom Propaganda, 2015-2016." ⁱⁱ

The authors - Mia Bloom, John Horgan and Charlie Winter - state that the Islamic State is mobilizing children and youth at an increasing and unprecedented rate. The authors present preliminary findings from a new database in which they recorded and analyzed child and youth "martyrs" eulogized by the Islamic State between January 2015 and January 2016. The data suggests that the number of child and youth militants far exceeds current estimates. The article presents data on the children and youth's country of origin, age, role, location of death, and under what circumstances they were killed. The authors also describe several trends in the propaganda before discussing the varied and complex implications of the Islamic State's long-term vision for its children and youth.

Most of the children are from Syria. Most were killed in Iraq. Of the 89 cases, 39% died detonating a vehicle born IED device and 33% were killed as foot soldiers. Some 4% killed themselves while committing mass casualty attacks against civilians, and 6% died as propagandists embedded with brigades.

Researchers say they have noticed an emerging ISIS tactic. Nearly 20% of the children killed were inghimasis, or "marauders" who carried out so-called "plunging attacks." That's a military operation in which a group of fighters attack an enemy position before blowing themselves up.

Children are integrated into ISIS' military operations -- often with parental consent. "It's interesting the degree to which the parents are giving the organization access to their children," said Mia Bloom, the co-author of the report told CNNⁱⁱⁱ. "It's not a coercive endeavor like what we saw in Africa. The kids are not being kidnapped. The kids are not being coerced. For the most part, what we're seeing is kids posing with a big smile and at least in one case saying goodbye to the parents."

PKK child soldiers

The pattern of PKK (the Kurdistan Workers' Party, recognized as a terrorist organization by the US, EU, Turkey and other countries) child soldiers is different. The PKK is also known to often recruit children, sometimes as young as 7-12 years. In 2010, a Danish national daily newspaper, Berlingske Tidende, published a story about the PKK's child soldiers. According to that report, there were around 3,000 young militants in the PKK's training camps. The youngest child at the PKK training camps was eight or nine years old. They were taught Abdullah Öcalan's life story (the jailed leader of the PKK) and how to use weapons and explosives.

After that story was published, the PKK encountered strong reactions from human rights organizations worldwide. The same year, UNICEF released a statement voicing its "profound concern" about the PKK's recruitment of child soldiers.

In October 2013, the PKK, represented by HPG (the PKK's military wing) commander Ms. Delal Amed, signed the Deed of Commitment protecting children in armed conflict. This document, drawn up by the Geneva Call NGO, is dedicated to promoting respect by armed non-state actors for international humanitarian norms in armed conflict. Despite this commitment, the PKK continued to recruit minors. A number of them are known to have been used in terror attacks in Turkey.

Under Article 2 of the Anti-Terror Law, those who are caught perpetrating an act of terror are deemed to be "terror offenders", whether they are adults or minors, and can be sentenced to six years to nine years in prison. According to Al-Monitor^{iv}, Kurdish minors aged 12-17 years make up the vast majority of suspects who have been temporarily detained or arrested pending trial for terror offenses since the clashes between the security forces and the PKK resumed in the south-east in summer 2015.

In the case of PKK, child soldiers are obviously abducted and forcibly enrolled. An increasing number of Kurdish families in Turkey are calling for the return of their children. They claim they have been abducted by the PKK^v.

In May 2014, mothers from across Turkey whose children had been recruited by the PKK held a sit-in protest in front of the Diyarbakır Metropolitan Municipality building and called on the PKK to release their children. Their children were mostly 14-15 years old at that time. Some families claimed that their sons and daughters were kidnapped by the PKK against their will. The Diyarbakır Municipality, administered by the HDP (pro-Kurdish Peoples' Democratic Party), used water cannon to disperse the mothers. HDP Co-Chair Selahattin Demirtaş even claimed that these mothers were hired by the Turkish National Intelligence Organization. Despite the resistance coming from the PKK and the HDP, the families continued their protest, and some families' children were released by the PKK.

In an article published by the Anadolu Agency on 20th September 2015 under the title "PKK criticized over child soldiers claims", Turkish security sources said that the PKK had recruited around 2,000 children during the last two years.

Turkish security records say that in 2014, the PKK abducted 983 children aged between 12 and 17. In 2015 until 14th August, records said that 929 children aged between 12 and 17 years were taken by the PKK.

These figures come from families informing the Turkish authorities about the abductions.

Between 2013 and 2015, at least 410 children fled from the PKK and surrendered to Turkish security forces.

Testimony given to police intelligence also claims that PKK bribed children in southeastern provinces to make them attack Turkish forces.

Children said that they received an average of 100 Turkish liras (\$33) to assault Turkish forces. If they were old enough, PKK militants handed over guns, children said.

The PKK recruited these children during the solution process or "peace process" officially initiated in early 2013 and aimed at ending the 30-year conflict between the PKK and the Turkish state.

A search of the PKK's official gazette, [Serxwebun](#), reveals many stories about child soldiers that have died in battle. The paper used to give the birth dates of these children but discontinued the practice because they wanted to hide their ages to prevent reaction from human rights organizations and their breaches of the Geneva Deed of Commitment. On the other hand, in both [Serxwebun](#) and [Hpg-sehit.com](#) these children's photos clearly show that they are not older than 14-15 years.

International human rights organizations have previously urged the PKK to end mobilizing children for terrorist activity. The United Nations Children's Fund, or UNICEF, expressed its deep concerns in 2010 about PKK's recruitment of child soldiers. UNICEF called on the PKK to halt this illegal practice.

A Human Rights Watch [report](#) published on 15th July 2015, "**Syria: Kurdish Forces Violating Child Soldier Ban**"^{vi}, provides a list of 59 children, ten of them under the age of fifteen, recruited for YPG (Kurdish People's Protection Units) or YPJ (Women's Protection Units) forces since July 2014. International humanitarian law and the Rome Statute that set up the International Criminal Court classify the recruitment of under-15-year-olds as a war crime. While the Obama Administration does not recognize the YPG as a terrorist organization, and supports them as a local partner in the region, the YPG continues to recruit child soldiers^{vii}.

The U.S. sees the PYD (Kurdish Democratic Union Party, a Syrian affiliate of the PKK) as a "reliable partner" in the fight against ISIS. However, the Obama Administration should notice the fact that the PYD is not an independent organization. It is linked to the PKK and recruiting minors under 18. The decision to found the PYD [was made](#) in 2002 during a PKK congress in Qandil^{viii}. The PYD also has a bylaw stating that "Abdullah Öcalan is the leader of the PYD."

Also, a United Nations Human Rights Council report on Syria in 2013 said that anti-government and Kurdish armed groups had recruited and used child soldiers in hostilities.

On 5th June 2015, UN Secretary General's report "**Children and Armed Conflicts**", presented to the Security Council pointed out the same human rights violations and child abuses. It stated that "*the recruitment and use of children in combat has become commonplace in the Syrian Arab Republic. PYD/YPG-YPJ continued to recruit and use boys and girls, including children younger than 15 years, reportedly taking them to indoctrination and training camps.*"

Boko Haram child soldiers

In January 2015, Nigeria's Islamist sect Boko Haram released photos purportedly showing a training camp for child soldiers^{ix}. The images show kids dressed in blue and black clothing aiming automatic rifles. They were the first pictures released by the group to show their child soldiers.

Al-Urwa Al-Wuthqa Media, the group's emerging media arm that posted the photos, described the children as Boko Haram's "the cubs of the Caliphate", a phrase used by ISIS to describe its own child soldiers.

At least since 2014, Boko Haram has abducted, recruited and deployed child soldiers in Nigeria, Chad and Niger, according to J. Peter Pham, director of the Africa Center at the Washington-based Atlantic Council. But the expansion of Boko Haram's activities in Cameroon has been especially striking.

[According to the United Nations](#), Boko Haram has kidnapped more than 1,000—perhaps as many as 1,500—children. Mostly they were used as servants, carrying tents and fetching water but in February 2015 some of them as young as 8 were deployed on the front lines, apparently as human shields.

In a statement released on 29th November 2013 "Nigeria: Boko Haram abducts women, recruits children", Human Rights Watch stated: "Several witnesses said they saw children in the ranks of Boko Haram during attacks. In Maiduguri, Human Rights Watch researchers saw a video recording of the interrogation by security forces of a 14-year-old

boy, who described the role he played in Boko Haram operations. Commanders of the Civilian Joint Task Force said they had freed numerous children during a 2013 attack on a Boko Haram base in Sambisa Forest. Human Rights Watch also observed children who appeared to be aged 15 - 17 manning checkpoints for the Civilian Joint Task Force in Maiduguri; other witnesses described seeing children manning checkpoints elsewhere in Borno and Yobe states."

Conclusion

In conclusion, the international community must go on urging the US and the EU

- to abide by their commitments to respect and promote the UN-based human rights, and in particular children's rights
- to give up any support to armed terrorist groups, such as the PKK and its affiliates, who use child soldiers to fight against ISIS, Boko Haram and other Islamist terrorist groups
- to prosecute the recruiters of child soldiers before international jurisdictions.

The tragedy of Orlando, a dramatic symptom – The disease: Islamist totalitarianism

Beyond the gay issue

By Willy Fautré, *Human Rights Without Frontiers*

HRWF (16.06.2016) - The massacre at Orlando is not the isolated act of an insane person or of a lone wolf. It was claimed by the perpetrator as an ISIS - legitimized operation and it was endorsed by ISIS. The ISIS has not been known to lie in its endorsements of terrorist attacks.

ISIS 'fatwas'

The origin of gunman Omar Mateen cannot be downplayed and could also explain his vulnerability to some discourses: an American citizen born in the US but of Muslim culture from the origin of his Afghan family. It cannot be ignored either that the 'fatwas' launched by ISIS leaders incite Muslims around the world to attack emblematic and symbolic targets of Western values and ways of life. The targets of the Paris terrorist attacks in January and November 2015 are the best illustration of ISIS policy. Music, dance, sports, leisure, humor, freedom of expression ... all represent affronts to the beliefs of the ISIS and other similar terrorist groups, and challenges to the fundamentalist regimes they want to impose on the societies under their control, and those they aspire to controlling.

A posteriori, ISIS has legitimized terrorist attempts as acts of war, which means that their perpetrators are relieved of the liability and the burden of guilt. They fight and/or die for a good cause, sacrificing their lives to cleanse the world from vice and evil while purifying it with Muslim values. The analogy with Nazism cannot be denied.

ISIS, the flagship of Islamist totalitarianism

The tragedy in Orlando is just the tip of an iceberg. Below the surface is a barbaric ideology - Islamist totalitarianism - that permeates various cultures in the Muslim world and the individual consciences of a significant proportion of Muslims around the world. ISIS has killed a number of homosexuals in the most horrible ways in the Middle East,

throwing some of them from the top of high buildings. But ISIS is just the extreme form of an ideology in which the violent repression of homosexuality (punished by the death penalty and assaults on physical integrity) has been legitimized by some political regimes in Muslim majority countries such as Saudi Arabia, Kuwait, and Iran.

Life under jihadist rule

The way of life that Islamist totalitarianism wants to impose first on Muslim majority countries is wonderfully described in **Timbuktu**, a 2014 French-Mauritanian drama film selected to compete for the Palme d'Or at the 2014 Cannes Film Festival. At Cannes, it won the Prize of the Ecumenical Jury and the François Chalais Prize. It also won the Best Film award at the 11th Africa Movie Academy Awards.

The film looks at the brief occupation of Timbuktu, Mali, by a jihadist group. Parts of the film were influenced by a 2012 public stoning of an unmarried couple in Aguelhok.

Throughout the film there are scenes showing the reaction of the population to the jihadists' rule, which is portrayed as absurd. A female fishmonger must wear gloves even when selling fish. Music is banned; a woman is sentenced to 40 lashes for singing, and 40 lashes for being in the same room as a man not of her family. A couple are buried up to their necks in sand and stoned to death for adultery. Young men play football with an imaginary ball as sports are banned. A local imam tries to curb the jihadists' excesses with sermons. The failure of the occupiers to live up to their own rules is hinted at when one of them is seen smoking a cigarette. Another group of jihadists from France spend their days talking about their favorite football teams.

Conclusion

For the sake of democracy, the rule of law and human rights, Islamist totalitarianism must be combated with determination as other political totalitarian ideologies such as fascism, neo-nazism or communism have been and are still fought against with democratic means.

Various symptoms of this disease will go on erupting in various forms in our societies. Preventative and reactive treatments have their limits. While it is important to invest human and financial resources in the security of public places and large gatherings in the short term, more human and financial resources must be invested and prioritized in the medium- and long-term fight against the disease itself: Islamist totalitarianism.

Politicizing the Threat of Islamist Terrorism

By Aaron Rhodes, for *Human Rights Without Frontiers*

HRWF (16.06.2016) - Americans are chewing each other apart following the massacre of 49 people at a gay bar in Orlando, Florida. The tragedy is being ruthlessly exploited to promote a range of partisan and social agendas.

Many are blaming the event on the availability of "assault weapons," such the gun used in the slaughter. "Semi-automatic" weapons, which many confuse with machineguns, are thought to be the cause of mass murder. But a .45 caliber automatic pistol is also a semi-automatic gun, as are some shotguns used for hunting. The *New York Daily News* blamed the attack on the National Rifle Association. Defending constitutional gun rights has become emblematic of an entire political outlook.

The *New York Times* editorialized that the gay victims were “casualties of a society where hate has deep roots,” while others blamed conservative Christians for fomenting an anti-gay atmosphere, and have associated the event with opposition to transgender toilets.

Conservatives have blamed immigration policies, weak leadership and political correctness promoted by left-wing Democrats.

President Obama said that “hate” was to blame, argued with his political critics, and again avoided linking the crime to Islamist ideology.

Especially since 9/11, when almost 3000 Americans died at the hands of Islamist terrorists, commentators, both professional and amateur, have promoted various constructions of the “root causes” of terrorism.

A common theme is that Islamist terrorism is rooted in interventions by Western powers in the Middle East, and the policies of Israel. The implication is that only by righting the wrongs done to these societies will we stop the terrorism originating there. The argument suggests that terrorism is a natural, and even justified response to the errors and failings of Western policies.

Many similar explanations reduce terrorism to economic injustice and exploitation. These explanations hold little water from a logical point of view, but they show how monolithic, reductionist approaches to explaining terrorism have become pervasive, and how they are intrinsically political. Political orientations have taken over, and distorted, our understanding of terrorism.

Our educational programs, and our way of thinking about human motivation, is infused with reductionism and a mechanistic model of the human being that resembles what a computer programming instructor once taught me: “garbage in, garbage out.” The common, pseudo-scientific understanding of how social life and experiences shape human behavior reflects the influence of such figures as French sociologist Emile Durkheim and of course Karl Marx. We seek to explain human actions by the actions of society upon humans.

It follows that if the “root cause” of terrorism could be determined, then we could stop terrorism by changing what caused it. Reactions to terrorism thus reflect a belief in social engineering—that by the actions of the state, or the international community, or of civil society, we can reduce or end terrorism.

There is little doubt that things can be done to reduce terrorism. But understanding both opportunities and limitations depends on an appreciation of the infinitely mysterious and complex nature of the human personality and soul, and an appreciation of individual moral accountability and the importance of ideas.

Humans differ from animals in the capacity for reason and moral choice, in our moral agency. We have freedom. Even in the most extreme circumstances, we can resist the influence of those circumstances and make choices that are both rational and ethical. Not all who are so unfortunate as to be exposed and vulnerable to Islamist propaganda become terrorists. We, and we alone, are responsible for our choices. We have no right to blame others, or society, for our errors, any more than we should give them credit for our moral victories.

We in liberal democracies contrast our way of life, our freedoms, with oppressive societies and with ideologies, like Islamism and fascism, which denigrate individual freedom. But our free societies are undermined when we embrace dehumanizing reductionist, collectivist and mechanistic models of what drives individual choices and behavior—indeed, when we politicize explanations of terrorism.

The confrontation with Islamism is a confrontation about ideas and moral principles. Protecting ourselves from Islamism or any other totalitarian ideology won't come by misunderstanding the power of moral choice or restricting our freedoms, but when we better understand, appreciate, and promote them. It will require us fearlessly to contrast the core principles of liberal democracy with Islamism, and thus to show a free society's benefits as a form of social and political community where differences are tolerated and where individuals may live free of suffocating and dangerous ideologies.

Aaron Rhodes is President of the Forum for Religious Freedom-Europe, and a founder of the Freedom Rights Project. He was Executive Director of the International Helsinki Federation for Human Rights between 1993-2007.

ARDI launch: Together against racism

ARDI (26.01.2016) - <http://bit.ly/1ZSpWtn> - On 26th January the European Parliament Anti-Racism and Diversity Intergroup (ARDI) was launched with an event on the theme "Together against racism." The event was hosted by the members of the ARDI Bureau and guest speakers included Mr Frans Timmermans, First Vice-President of the European Commission, Mr Michael O'Flaherty, Director of the European Union Agency for Fundamental Rights as well as Ms Sarah Isal, Chair of the European Network Against Racism (ENAR).

At the launch, ARDI Co-President Cécile Kashetu Kyenge introduced ARDI's bureau for the European Parliament mandate 2014-2019 as well its political priorities and working groups. Ms Kyenge also explained that the European Parliament showed its commitment to fighting racism by selecting ARDI as one of the 28 Intergroups and that this has been reinforced by ARDI having MEPs from almost all political groups who have come together to promote racial equality, counter racism, and educate about non-discrimination in the work of the European Parliament.

During the different panels, speakers stressed that racism and xenophobia are direct violations of the principles of democracy, respect for human rights and the rule of law, principles upon which the European Union is founded and which are common to the Member States.

A significant part of the discussion focused on the particular gravity of the current situation in light of the terrorist attacks in 2015 and the so called "refugee crisis." Many of the speakers alluded to the fact that these events have created new opportunities for xenophobic and racist groups (some political parties) to push their racist and xenophobic agenda.

A key theme throughout the event was the need for a strong political leadership and a holistic approach including Member States, EU institutions, agencies and civil society organisations to fighting racism and xenophobia.

First Vice-President of the European Union Commission Frans Timmermans said: *"I really welcome ARDI. To truly tackle racism, we all need to speak out and confront uncomfortable truths. The group has an important role to play in promoting diversity and fighting dehumanisation."*

EU Fundamental Rights Agency Director Michael O'Flaherty said: *"Racism remains persistent in our societies. This is particularly worrying as Europe grapples with the issues related to its growing diversity and migrants. The response by politicians can play*

a key role in combatting racism. That is why the launch of the European Parliament Anti-Racism and Diversity Intergroup in the European Parliament is so important."

ISIS says it executed a Chinese and Norwegian hostage

Slate.com (18.11.2015) - <http://slate.me/1OhvI4m> - ISIS announced on Wednesday it had executed two hostages, publishing images in its English-language magazine that appeared to show a Chinese and a Norwegian citizen had been shot to death. A full-page photo of the men included a caption, according to Agence France-Presse, that read: "Executed after being abandoned by the (infidel) nations and organizations."

It's not exactly clear when 48-year-old Ole Johan Grimsgaard-Ofstad from Norway and 50-year-old Fan Jinghui were killed or when exactly they were captured. They appeared in the September issue of the magazine where ISIS appeared to be demanded a ransom. "The Norwegian government had declined to pay, with Prime Minister Erna Solberg saying paying would increase risks for other Norwegians," according to the Wall Street Journal. "The Chinese government said in September that it was taking emergency steps in response to reports one of its citizens had been kidnapped, but it didn't elaborate."

It remains unclear how the two were abducted, although the Journal reports, Grimsgaard-Ofstad may have been in Syria working as an aspiring freelance journalist of sorts. The Associated Press refers to him as "a graduate student in political philosophy." Jinghui is described as a freelance consultant in media reports, although the AP characterized him as a "self-described 'wanderer' from Beijing who once taught middle school." There is no indication of why he was in or around Syria. Authorities are working to confirm the authenticity of the images, but appear resigned to their authenticity.

Democracy promotion is failing. Here's why.

By Sarah Bush (09.11.2015) - People around the world were [watching as Burma voted Sunday](#). The results of the election — the first there since the end of 50 years of military rule — will be [pivotal for the country, also known as Myanmar](#). A number of [international election observer groups](#) have been present, attempting to evaluate whether the process is truly free and fair amid a number of concerns about state repression, discrimination against the Rohingya minority and post-election violence.

In Burma and elsewhere, the ability of the international community to successfully promote democracy is being questioned.

According to some observers, we are in an era of "[resurgent dictatorship](#)." Although this phenomenon has a number of dimensions, [one prominent characteristic](#) of the authoritarian backlash against democracy is the proliferation of domestic laws restricting the activities of foreign nongovernmental organizations (NGOs) and preventing foreign funding of local NGOs. As James Savage of Amnesty International said in a [recent interview](#), "This global wave of restrictions has a rapidity and breadth to its spread we've not seen before, that arguably represents a seismic shift and closing down of human rights space not seen in a generation."

A number of countries have been in the headlines this year for enacting these restrictive laws, which Thomas Carothers of the Carnegie Endowment for International Peace refers to as the "[closing space challenge](#)." Russia made the news in July when it [banned the National Endowment for Democracy](#) from working within its borders. China also [has been considering measures](#) that would regulate and significantly hamper foreign NGOs.

Although Russia and China may be among the most prominent countries engaging in these tactics, they are hardly unique. In 2013, Darin Christensen and Jeremy Weinstein [examined 98 countries and found](#) most had either prohibited or restricted foreign funding for local NGOs. Moreover, an examination of a complete sample of states between 1993 and 2012 by Kendra Dupuy, James Ron and Aseem Prakash [found that 45 countries had adopted](#) similarly restrictive laws.

The passage of laws that target foreign support for civil society has had significant consequences for international efforts to advance democracy and human rights in the developing world. Since the 1980s, there has been a tremendous growth in foreign aid programs designed to advance democracy and human rights. As I document in [my recent book](#), the United States has been a leader on this front, giving about \$3 billion annually in recent years to democracy assistance programs. In addition, most European democracies — including [recently transitioned states](#) — and international institutions have been major donors.

Foreign aid programs supporting democracy and human rights in the developing world pursue a number of activities. They support the capacity of local civil society organizations, train journalists and election officials, and [encourage women's political participation](#). In the end, these activities are designed to encourage countries' democratic transition and consolidation. Yet the restrictions that many countries are placing on the work of democracy promoters make it difficult for organizations engaged in democracy assistance to choose the programs that they think are most likely to lead to democratization.

In other words, countries' restrictions increasingly encourage what I refer to as a "tame" approach to aiding democracy abroad.

Restrictions on foreign-funded activities are not limited to the passage of laws — they also include informal tactics. Consider an example from my field research in Jordan. In 2012, I spoke to a woman working for an NGO who had prepared for months to host a training session for political parties. On the day of the workshop, several men who were not on her participant list showed up. The men sat quietly throughout the workshop, taking notes and observing the day's events but not participating in the activities on crafting messages, developing platforms and designing voter outreach. As the workshop continued, the other participants became uncomfortable. Although the men had introduced themselves as members of an unspecified political party, it was clear to her that they were observers from the Mukhabarat, Jordan's omnipresent and highly professional General Intelligence Directorate (GID). Unfortunately, such an anecdote is becoming increasingly familiar for NGO employees and funders from Cairo to Beijing.

People in the field of democracy assistance must worry about maintaining good relations with the governments in the countries where they work. And those governments carefully monitor the foreign-funded programs within their borders. The end result is that it is [harder than ever](#) for states to directly and effectively aid democracy overseas. Sometimes, the consequence is the cessation of foreign NGOs and foreign-funded domestic NGOs. In Egypt, the headline-grabbing [2013 convictions](#) of 43 people working for foreign and foreign-funded NGOs have been followed by [yet more state repression](#) of domestic civil society.

Other times, the foreign NGOs and foreign-funded domestic NGOs are allowed to continue their work but must switch tactics to a tamer form of democracy assistance that refrains from directly confronting undemocratic rulers and sometimes even cooperates with them. In Azerbaijan, programs supporting women and youths in undemocratic environments have been [criticized for failing to support](#) "meaningful social change."

While the direct repression of foreign NGOs may be more shocking and newsworthy now, the indirect suppression and co-optation of these organizations may ultimately prove an even greater obstacle to democracy promotion in the years to come.

Sarah Bush is an assistant professor of political science at Temple University. Her research focuses on democracy promotion, human rights and gender policy, and international relations. She is the author of "[The Taming of Democracy Assistance: Why Democracy Promotion Does Not Confront Dictators](#)" (Cambridge University Press, 2015). You can follow her on Twitter [@sarahsunnbush](#).

Human rights groups face global crackdown 'not seen in a generation'

Laws affecting funding, requiring registration and prohibiting protest are among controls that are making it difficult for NGOs and other campaign groups

The Guardian (26.08.2015) - <http://www.theguardian.com/law/2015/aug/26/ngos-face-restrictions-laws-human-rights-generation> - Human rights organisations and campaign groups are facing their biggest crackdown in a generation as a wave of countries pass restrictive laws and curtail activity. Almost half the world's states have implemented controls that affect tens of thousands of organisations across the globe.

Over the past three years, more than 60 countries have passed or drafted laws that curtail the activity of non-governmental and civil society organisations. Ninety-six countries have taken steps to inhibit NGOs from operating at full capacity, in what the Carnegie Endowment calls a "viral-like spread of new laws" under which international aid groups and their local partners are vilified, harassed, closed down and sometimes expelled.

James Savage, of Amnesty International, says: "This global wave of restrictions has a rapidity and breadth to its spread we've not seen before, that arguably represents a seismic shift and closing down of human rights space not seen in a generation.

"There are new pieces of legislation almost every week – on foreign funding, restrictions in registration or association, anti-protest laws, gagging laws. And, unquestionably, this is going to intensify in the coming two to three years. You can visibly watch the space shrinking."

Among countries that have recently cracked down on NGO and civil society activity are:

- India The government labelled the environmental NGO Greenpeace as "anti-national", blocking its bank accounts, deporting foreign workers and preventing local staff from travelling abroad. Licences for more than 13,000 organisations have been revoked for alleged violations of a law on foreign funding.
- China Under a new law, NGOs will be required to register with the police and obtain approval to carry out activities, and submit annual activity plans and budgets to a supervisory unit.
- Russia "Undesirable" international NGOs can be shut down. In July, the Washington-based National Endowment for Democracy became the first organisation to be banned under the new law.

- Egypt Sweeping new legislation on “terrorist entities” could encompass human rights and civil society organisations. NGOs are already required to register with the government.
- Uganda A government-appointed board will have power to reject or dissolve NGOs and civil society organisations. Harsh penalties – including imprisonment – await individuals who violate a law enacted in April.
- Cambodia A new law requires registration and annual reports to be filed with the government. NGOs can be disbanded if their activities “jeopardise peace, stability and public order or harm the national security, national unity, culture and traditions of Cambodian society”.

Tom Carothers, of the Carnegie Endowment, says: “Big countries that have been the drivers of this [crackdown] have continued to lead the way – and smaller countries are following their lead.” Restrictive measures are both formal, in the form of legislation, and informal – harassment, intimidation, demonisation, bureaucratic burdens. “Just counting NGO laws doesn’t quite give you the full picture.”

The causes of increasing restrictions are complex, say organisations that monitor civil society activity, but broadly fall into three categories.

First is the shift in political power away from the west, the main source of funding for domestic civil society groups and the base for most big international NGOs. At the end of the cold war, the US and other western countries stepped in to assist newly democratising countries and burgeoning grassroots organisations.

But, more recently, many governments in the developing and post-communist world have pushed back against what they see as western interference. “This is the end of the post-cold war period in which [the west] felt that liberal democracy and western concepts of human rights were spreading around the world, to a period in which there’s a relativisation of political values and the questioning of a common narrative,” says Carothers.

Second, governments have woken up to the power of civil society – particularly after pro-democracy uprisings in former communist states and the revolutionary wave that swept through the Middle East.

“In most countries where leaders don’t allow a lot of pluralism or democracy, they’ve learned to tame opposition political parties,” Carothers says. “But the deepest fear of repressive governments is that they wake up in the morning, open the shutters of the presidential palace, and look out to find 100,000 citizens in the square saying ‘enough!’. That’s scary and uncontrollable,” particularly, Carothers adds, when coupled with technological skill in harnessing the power of social media to organise and spread messages.

The third cause of the NGO crackdown is the proliferation of counter-terrorism measures – often promoted by the west – that sweep civil society organisations into their embrace, either inadvertently or deliberately. Legitimate measures to curb funding of and money-laundering by terrorist organisations often have a debilitating effect on NGOs.

This is affecting civil society in the west itself, and has consequences around the world, say campaigners. Savage says states such as the UK and US that have been supportive of NGOs and been human rights defenders are, because of the practices they are introducing in their own states, undermining their ability to have positive influence and push back at restrictions that are “much graver” in places such as Russia and Egypt. “That’s a very worrying new trend,” he says.

The result, Carothers says, is an “asphyxiation of independent space – fewer voices, self-censorship, closing down of organisations”.

High-profile global organisations with strong reputations, such as Amnesty International, have greater protection from the worst effects of the crackdown – although Greenpeace was targeted in India, and Save The Children was temporarily expelled from Pakistan.

But, according to Poonam Joshi of the Fund for Global Human Rights, the effect on domestic NGOs and civil society groups can be paralysing. “You see organisations go very quiet, no one wants to rock the boat. And many face a new bureaucratic burden that affects their operational capacity.”

In response, the UN has appointed Maina Kiai as a special rapporteur to focus on freedom of expression and assembly. The EU organised a global forum of more than 200 civil society participants last December. Development branches of western governments, foundations and global NGOs are training and advising local groups on how to respond to new restrictions. Amnesty International has identified defending NGOs and human rights campaigners as one of its five strategic goals, and will launch a global campaign next year.

But reversing the trend is challenging. “Once laws come in, it’s very difficult to repeal them,” says Joshi. “This is an uphill struggle, but a critical one.”

Countries in the spotlight

The new assault on NGOs has intensified principally in countries such as China, Russia and central Asia, where notions of democracy range from primitive to non-existent. But, worryingly, an array of democracies have joined the list.

Israel

Israeli NGOs critical of the government – in particular the country’s continued occupation of the Palestinian territories – are facing severe new restrictions amid a toxic political climate on the right that has sought to label them as disloyal.

A draft law seeks to cut off foreign funding by introducing a tax and labelling NGOs with external finance as “foreign agents” receiving funds from foreign governments to continue their work.

Some of Israel’s best-known human rights groups – including B’Tselem and Breaking the Silence, an organisation of former soldiers that highlights alleged military human rights abuses – are likely to be affected.

The threatened new law comes as Tzipi Hotovely, Israel’s deputy foreign minister and a member of the prime minister Binyamin Netanyahu’s rightwing Likud party, ordered Israeli officials “to create a diplomatic dialogue about Israel, putting a red line around the activities of BDS [boycott, divestment and sanctions] organisations that support the boycott of Israel, working for the [Palestinian] right of return, or slander IDF [Israel Defence Force] soldiers and de-legitimise IDF soldiers”.

Although human rights NGOs have long been a target for criticism on the right, that has increased since the 2014 Gaza conflict.

The new “foreign agents” bill, introduced into the Knesset in June, would require any organisation that receives more than \$50,000 (£32,000) from a “foreign political entity”

to be defined as a “foreign organisation” and pay tax on that funding – a move critics say would in effect remove funding for the groups.

The law would also see an end to any cooperation between government ministries and “foreign agent” groups, while NGOs would be required to be labelled as “foreign agent” on every document, web page or publication.

Yehuda Shaul, a founder of Breaking the Silence, traced the campaign against such groups to the aftermath of Operation Cast Lead, the Gaza war in 2008-09. “The bottom line is that this is a way of trying to discredit organisations and people who have different agendas to government. It’s a smear campaign.”

Sarit Michaeli of B’Tselem, speaking in a personal capacity, says: “B’Tselem has always been the target of political attacks by the right and settlers. While, in the past, the criticism was led by rightwing NGOs related to the government, now it is the government involved in these attacks.

“Regardless of what law emerges I think feature of this process – starting off with extremely draconian proposals for legislations – is that it tires out the resistance. You create a toxic and vitriolic climate where you have parts of the media depicting NGOs as traitors and leftists.

“It is damaging and creates a chilling effect in media and public. It is a scare tactic to frighten people into keeping their mouths shut. In that sense, it is very effective.”

Ecuador

Pachamama, an organisation that supports indigenous groups and campaigns for the conservation of biodiversity, was one of the first to feel the force of the clampdown on NGOs and civil society organisations by the government of President Rafael Correa.

A few months after executive decree 16 was issued in June 2013, Pachamama was closed down for having violated the order, in what Mario Melo, the foundation’s lawyer, calls a “tainted and invalid administrative process where Pachamama wasn’t given the right to defend itself”.

Pachamama had provided technical information to the Sarayaku people about the effect of drilling for oil, an act that Melo says led to “some unease among those who encourage extractive activities without any respect for human and nature’s rights”.

The official justification was that Pachamama, which received some US funding, was interfering with public policies that undermined internal or external state security that “might affect public peace”, as the International Journal of Not-for-Profit Law reported.

Last September, the pro-democracy foundation Konrad-Adenauer-Stiftung closed its Ecuadorian offices because of “the increase of control and influence of the government in Quito, in the political work of foundations and non-governmental organisations”.

And Yasunidos, which advocates for the protection of Amazonian territories, has also reported being a target of government pressure. Last December, members of the group joined the Climatic Convoy, an activist bus en route from Mexico to an environmental summit in Lima. The bus was impounded by Ecuadorian police, and its passengers had to continue their journey in another vehicle.

In August, Correa signed some modifications to executive decree 16. NGOs and civil society organisations are no longer required to declare details of foreign funding. But, according to Fundamedios, which campaigns for freedom of expression, the modified

decree maintains restrictions to freedom of assembly and allows public servants to decide, according to unpublished criteria, whether an organisation violates the law.

Hungary

Viktor Orbán, Hungary's populist prime minister, has called for the monitoring of certain "foreign-funded civil society organisations" that he describes as "agents of foreign powers".

The targeted NGOs – referred to as "the dirty 13" in pro-government media, and including Transparency International, the Civil Liberties Union and the Roma Press Centre – received letters demanding two years of financial and administrative documentation within one week.

Veronika Móra of Ökotárs, the main distributor of Norwegian grants, says: "The situation escalated quickly, from a media campaign, to administrative harassment, and then to a raid on our offices and, finally, criminal accusations. Our offices were raided in early September, which a court later ruled illegal, due to a lack of reasonable suspicion."

The authorities also interviewed organisations that provide services to the NGOs. "So far they have not uncovered a single irregularity," Móra says.

In January, a Budapest court upheld a complaint from Ökotárs that the raid of its office had been unlawful. "Of course, the public prosecutor rejected our complaint, but the court overturned that decision. I was pleasantly surprised as this proves that Hungary's judiciary is still independent," Móra says.

The Hungarian tax authority is conducting inspections at seven NGOs, including several of the so-called dirty 13, and has attempted to freeze the tax accounts of the four NGOs that disburse the Norwegian grants, a move that would render them incapable of operation, and one that Ökotárs has so far blocked. "A judge sent one of these cases to the constitutional court and a decision is expected in September or October," Móra says.

United Nations failing to represent vulnerable people, warn NGOs

Civil society organisations say hold-ups at the NGO committee mean marginalised people are not being heard at the UN

The Guardian (11.08.2015) - <http://www.theguardian.com/global-development-professionals-network/2015/aug/11/united-nations-failing-to-represent-vulnerable-people-warn-ngos> - Vulnerable people are prevented from gaining representation at the United Nations by a committee dominated by countries with repressive regimes, according to concerned NGOs.

Organisations have told the Guardian how they face lengthy hold-ups, bizarre questioning and intimidation as they negotiate with the UN committee on non-governmental organisations, the group which decides which organisations get official UN status, and is currently made up of countries including Cuba, China, Russia, Pakistan and Qatar.

Last month, Freedom Now, which works with prisoners of conscience around the world, finally won a six year battle to get official status, in the face of fierce opposition from China. It took an intervention from US ambassador Samantha Power, who said she was

determined "to put an end to the inexcusable attempt to deny Freedom Now's official NGO status".

But this case is far from unique, with NGO workers from around the world warning that vulnerable people are being denied representation at the UN by the dysfunctional nature of the NGO committee and its parent body the Economic and Social Council (Ecosoc), which produces policy and makes recommendations on economic, social and environmental issues at the UN.

In order to work at the UN, make speeches and gain access to important officials, organisations need to submit applications for special consultative status to the NGO committee. The UN offers no guidance or time limit on how long it takes for applications to be processed by the committee.

The 19 members of the committee are elected by other states every four years. The committee must always contain a set number of countries from each region; with four from Asian states and five from African states, for example.

Jessica Stern, from the International Gay and Lesbian Human Rights Commission which took three years to get special consultative status, told the Guardian that it is "almost impossible" for NGOs to operate in the UN as without this official status. She added that negotiating with the committee can be both costly and time-consuming, meaning that many organisations simply give up.

Stern reported that she felt "intimidated" by the constant questioning from committee members. The group faced 44 questions in three years, as well as two face-to-face interviews.

"It feels like the very purpose of your organisation is being undermined by the UN," she said.

"States are denying access for NGOs dealing with vulnerable groups. The groups being denied access to the UN are the same communities being denied representation in their home countries."

For Homosexuelle Initiative Wien (Hosi-Wien), an LGBT organisation based in Austria, it took six years and more than 50 questions to get accredited. The questions focused on the group's attitude to children, the age of consent for homosexual sex and a series of enquiries about LGBT issues.

"The impression I got was that they wanted to delay and delay," said Kurt Krickler, the organisation's executive director.

Freedom Now faced a similar array of questions in the years the organisation fought for UN recognition. Documents shared with the Guardian show that the committee were particularly keen to hear about the group's activities in Bahrain and China.

The NGO committee seems designed to "keep human rights organisations like ours out" and "prevent civil society collaboration" said Maran Turner, Freedom Now's executive director.

"For years, we were blocked by committee members who used every opportunity to harass us through repetitive, inappropriate, and irrelevant questioning," said Turner.

"There were no legitimate grounds on which to deny our application and based on the questioning we received it was clear that the concerns of committee members stemmed from our human rights advocacy work. This was most noticeable in those member states that had little or no tolerance for domestic civil society."

Turner added that some questions about country partners and family members of clients “amounted to threats”, and that the cumbersome process distracts from the day-to-day work of organisations like Freedom Now. “The injustice is far greater, however, for isolated organisations that lack the resources to mount a large campaign with the support of an influential committee member,” she said.

Other activists bemoan the way the NGO accreditation process appears to benefit organisations in wealthy western countries with liberal democracies, able to lobby the UN, and harms those in poorer countries.

Muse Tegegne from Felege Guignon International, which supports social and human development in the Horn of Africa, said the organisation was forced to spend “a significant portion” of its meagre budget on flights to New York, as well as hospitality to entertain committee members during a lengthy battle to get UN accreditation from 1999.

For Stern, the hold ups at the NGO committee are more than frustrating, they undermine the work of the UN as a whole. “The dysfunctionality of the NGO committee slows down the work and impact of UN programmes in the developing world,” she said.

A spokesperson from the UN told the Guardian there are “well-established institutionalised processes to promote, encourage and accommodate civil society participation in all major UN events”.

The spokesperson added “UN member states have continually acknowledged the importance of deepening civil society contributions to advancing the values and purposes of the organisation.”

Offering a robust defence of the NGO committee’s behaviour, the spokesperson said the delays in granting official status would not impact on the representation of minorities at the UN:

“Delays in the review process affect all NGOs and are not restricted to any particular category. Although there have been delays in the review process for some applications, the delays are not restricted to applications that cover freedom of expression and LGBT issues.”

Numbers of refugees at new highs

Epoch Times (08.07.2015) - On World Refugee Day this year (June 20), refugees worldwide (asylum seekers abroad plus internally displaced persons) for the first time in the post-World War II period exceeded 50 million people.

The Global Trends report of António Guterres, the U.N. High Commissioner for Refugees (UNHCR), indicates that the increase was created mainly by the war in Syria, which by the end of 2014 had forced 2.5 million into fleeing abroad to seek asylum and caused another 6.5 million to be displaced within Syria.

If we can somehow imagine ourselves in the situations of displaced Syrian children and women, or the Christian or Yazidi women captured by ISIS, raped, beaten, and sold in markets as slaves, we can better understand their sufferings. Similar large victimization was also occurring in the Central African Republic and South Sudan in Africa.

Guterres adds about the post-2012 period of major crises for refugees, “We are seeing here the immense costs of not ending wars, of failing to resolve or prevent conflict. ... Peace is today dangerously in deficit. Humanitarians can help as a palliative, but political

solutions are vitally needed. Without this, the alarming levels of conflict and the mass suffering that is reflected in these figures will continue.”

Alarming, in major refugee-receiving regions, such as Europe, currently there is no functioning system of settlement. The EU countries adopted in 2003 a Common European Asylum System, by which the 28 countries were to divide up responsibility for receiving, assessing, and settling refugees according to their population size and economies, but it has never been implemented.

Germany settles fully half of the continent’s asylum seekers today; Greece and Italy are the first arrival points for thousands of desperate migrants by sea.

The largest refugee populations by source country under UNHCR care are Afghans, Syrians, and Somalis—together accounting for more than half of the global refugee total. People forced to flee to other regions of their own countries amounted to 33.3 million, accounting for the largest increase of any group in the report. For the UNHCR and other humanitarian agencies, helping the internally displaced represents a special challenge since many are in conflict zones.

The assistance provided does not match the immense suffering of innocent displaced people. Countries, which are in a position to help have not done their share and have neglected their responsibilities to humanity. Other governments, which spend large sums to spread terror and hate, should be pressured to donate regularly to help refugees.

UNHCR’s main task is finding long-term solutions for 51.2 million people who have become forcibly displaced. The fourth lowest level of refugee returns in almost a quarter-century occurred in 2013—414,600 people. About 98,400 refugees were resettled in 21 countries. The U.S. target for resettlement of refugees this year is 70,000.

The worldwide total population of stateless people is not included in the figure of forcibly displaced people. For 2013, UNHCR’s offices worldwide reported a figure of almost 3.5 million stateless people—about a third of the 10 million people estimated to be stateless globally.

While UNHCR’s primary purpose is to safeguard the rights and well-being of refugees, its ultimate goal is to help find durable solutions that will allow them to rebuild their lives. For several million asylum seekers and a greater number of internally displaced people, these solutions are nowhere in sight.

Canadians take pride in our refugee protection programs, such as the one, which brought about 37,000 Hungarian refugees in 1956–1957. Since signing the Convention on the Status of Refugees in 1969, Canada has become a world leader in protecting refugees. Since 2009, more than 21,000 Iraqis have been accepted; by 2017, 11,300 Syrians will have been resettled in Canada.

Canada also accepts high levels of immigration: about 250,000 permanent immigrants each year. By 2031, almost half of our population over the age of 15 is expected to be either foreign-born or have at least one foreign-born parent.

A study for the independent Institute for Research on Public Policy last year found that majority support nationally in Canada for high levels of immigration continues, undergirded by pride in multiculturalism and a conviction that newcomers benefit the economy. There is, however, a negative reaction among Canadians to illegal immigrants and great concern about youths and adults brainwashed by ISIS and other fanatics who seek to perpetrate terrorist activities globally.

Overall, the differences among Canada, the United States, and Europe (except for Germany) about refugees and immigration remain substantial.

David Kilgour, a lawyer by profession, served in Canada's House of Commons for almost 27 years. In Jean Chretien's Cabinet, he was secretary of state (Africa and Latin America) and secretary of state (Asia-Pacific). He is the author of several books and co-author with David Matas of "*Bloody Harvest: The Killing of Falun Gong for their Organs*." He and Matas were nominated for the 2010 Nobel Peace Prize. A documentary film based on the book recently won a Peabody prize in New York.

Change makers battling Muslim fundamentalism

By Elisa Van Ruiten for *Human Rights Without Frontiers*

HRWF (27.04.2015) The European Foundation for Democracy held a conference in Brussels, Belgium on the 25th of March, entitled, "How to deconstruct the radical narrative? An alternative discourse of Academics and Activists of Muslim Heritage." The discussion touched on several issues related to radical jihadist groups, such as the Islamic State (IS); issues of Muslim fundamentalism, their portrayal in the media, and their appeal to young recruits. Undoubtedly, Islamophobia is increasing and leading more people to ask: why is this happening? Even further puzzling to many is why young women who were raised in the West - with its supposed democratic principles and human rights - would want to join such a barbaric group that rejects, and is literally at war, with Western ideals. As [Karima Bennouna](#), who, in addition to being one of the conference panellists is the author of *Your Fatwa Does Not Apply Here*, adamantly advocated: we need to change the way we see this issue [1].

The issue with fundamentalism

Muslim fundamentalism is not a problem because of Islam, but because it is a form of fundamentalism. Even in Western society women are still fighting to overcome stereotypes and inequality - especially when confronted with any fundamentalist movement that is inherently at odds with women rights'. The conservative values that interpret these situations are harmful to women in all societies and religions.

While progress is being made to overcome these ingrained prejudices, one cannot deny they still exist. Yet, because women right's struggle in other areas does not mean that there is not a huge problem with the treatment of women within Muslim fundamentalist movements, like the IS. On the other hand, acknowledging problems in Western society does *not* legitimize or support these fundamentalists [2]. There is fine line between "advocat[ing] violations of human rights and discrimination against Muslims in response to the actions of Muslim fundamentalist...", and "tolerat[ing] the fundamentalists in response" [3]. In order to do this, a balanced, educated story needs to be told in order to advance women's rights and shut down Islamophobia.

Main-stream media's take

If we look at the radical narrative from a women's rights perspective, and skim the surface of why young girls and women from Western society are voluntarily joining these movements, we see a few ways this phenomenon is being portrayed in main-stream media. The most common way that young women who join the IS are seen are as "naïve romantics" (aka: "Jihadi Brides") [4]. They are portrayed as seemingly disenfranchised Muslim girls in Western society who have been hooked via social media to the false promise of a more fulfilling life; a husband waiting for them in Syria, where they can practice their religion and are free to be their true selves. While this narrative may hold some elements of truth, in no way does it begin to explain the whole story. [An article](#) in Dissent magazine asks the poignant question: "Is it possible that ISIS appeals to some Muslim women, not because they are fooled by it, but because its political vision seems to offer solutions to some of their problems?" [5]. [A recent article](#) in the Guardian offers

a response to this question, and rejects the oppression of the “Jihadi Bride” completely, suggesting that women join the fight for the same reasons that men do. They cite a report that expressed three reasons why women go to join the IS: (1) for their desire to defend the attack on Islam; (2) to contribute to the creation of the Caliphate and a new society; and (3) due to their feeling of duty to the Islamic State and the bonds of sisterhood with others who also heed the call of duty [6]. While approaching the topic from different perspectives, neither of these scenarios do justice to women. One is calling them naïve and the other is virtually saying, “Look, they’re just like men!” However, both are ignoring women’s own agency and individuality. What is almost completely absent from the dialog are the stories of Muslim women who have taken a stand against fundamentalism – and have been doing so for quite a long time.

Change makers

In order to make change, we need to support and turn the attention to those who are standing up against Muslim fundamentalism and its suppression of women’s rights; those who are saying that you can be a Muslim and still be a feminist. The following examples demonstrate that Muslim fundamentalism does not mean that every person who practices Islam has the same belief, and to quote Mohamed Sifaoui, an Algerian journalist, from Bennoune’s book, “ ‘the Muslim fundamentalists are *our* extreme right’ ” [7].

Zainah Anwar started [Sisters in Islam](#) in Malaysia to help understand the rights of women under Sharia law, and furthermore, helped to pass the Domestic Violence Act in 1994. To date they continue to fight for women’s rights issues in Malaysia through advocacy and research, and hold events, trainings, and study sessions to educate women on their rights in Islam.

Human rights activist Aïssatou Cissé is special adviser to Senegalese president, Macky Sall, since 2012, and is a champion for many causes involving women’s rights; the rights of girls and women with disabilities, stopping female genital mutilation (FGM) and early marriages, education of women in Islam, and she started the [Global Campaign to Stop Stoning and Killing Women](#).

The non-profit organization [Women Living Under Muslim Law](#) (WLUML), was founded by Marieme Hélie-Lucas in 1980. WLUML advocates for women who are living in oppressing, fundamentalist societies, raises public awareness of the issues women face, and battles the belief that violence against women is an innate part of their culture. For a more in-depth understanding of what they do, [click here](#).

Khaldia Brohi grew up in Pakistan and although her family was on the more liberal side, one of her friends was the victim of an honor killing. This drove her to start a movement to empower and educate women called [Sughar](#). She talks about her experience and fight against fundamentalism in [this Ted talk](#).

These are just a handful of women who are working to educate the public, combat fundamentalism, and promote women’s rights for Muslim women. Professor Bennoune’s book is filled with more examples of this, and you can view her Ted talk [here](#). These stories are just, if not more important, than the stories of young girls and women running off to Syria because they give hope where there is fear, and create connections across perceived gaps in culture and values.

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Peaceful co-existence and conflicts between communities and human rights

Willy Fautré, *Human Rights Without Frontiers Int'l*

HRWF (02.04.2015) - Peaceful relations between ethnic, religious, linguistic or other communities make an important contribution to the promotion of social cohesion, public security and human rights. The impact of these horizontal relations, peaceful or not, on human rights will be analysed here independently from the vertical relations between states and their various communities.

All political leaders, whether their government is democratic or not, endeavour to prevent conflicts likely to oppose some of their communities identifying themselves as ethnic, religious, linguistic or political, first of all for their own survival.

France and other French-speaking countries have strived to preserve and strengthen their 'living together' through various policies and initiatives. Other countries congratulate themselves for their culture of tolerance and practice interreligious and intercultural dialogue, even when their laws restrict the rights of their citizens and affect the communities to which they belong.

The collapse of peace between communities, the temptation of outside intervention and human rights

The breakdown of peace between communities or social groups can come about from an internal revolution, as was the case with the collapse of the former Yugoslavia, and lead to conflicts both between new emerging states and their populations, to massacres and to purges of an ethnic or religious character. Over the years, the struggle for human rights has lost much ground in such situations.

On the other hand, a popular uprising can also open the way for rapid transition to democracy without much bloodshed, as was the case with most of the communist countries in Central Europe that have since become members of the European Union. In these situations, human rights have advanced.

The breakdown of peaceful relations within a country can also be the result of a wider regional conflict that has been triggered by specific local political and religious conditions. Syria is one example. Faced with the catastrophic situation in the country and a harsh regime in place, Western democracies were tempted to intervene with air strikes against Bashar al-Assad. Syria's Christian minorities were opposed to this, as they saw a real threat to their survival if the country found itself faced with an antidemocratic and barbarous Islamist regime.

The breakdown of peaceful coexistence between ethnic or religious group can likewise be sparked by an external military intervention. The US military campaign in Iraq, ordered by George W Bush to overthrow the bloody dictatorship of Saddam Hussein and occupy the country, was the trigger that prompted the fragmentation of Iraqi society along ethnic, political and religious lines. The result has been a civil war for more than ten

years, increased hostility between Sunnis and Shiites, massacres of an ethnic or religious nature, ongoing attacks and the mass exodus of Christians from the country.

Libya is another tragic example of Western intervention into the internal affairs of a country under a dictatorial regime. The country is now aflame, a 'failed state' awash in blood. All trace of peace and security has been pulverised, the respect of human rights is in a coma and victims continue to fill the cemeteries. Among the 'collateral damage' of this horrific state of affairs is the massive human trafficking coming from Africa to the European Union, organised by lawless elements within an equally lawless country. The tragedy of boats overloaded with migrants desperate to reach Europe only to sink into the Mediterranean is heart wrenching.

The Western plans to export democracy

The will of peoples to rise up against their oppressors must be respected.

The European Union prides itself on being a normative power in human rights and the promotion of liberal democracy. The United States has repeatedly expressed its intent to get rid of dictatorial regimes - except when they serve its interests -, to export democracy, the rule of law and human rights through military intervention. In both Iraq and Libya, Western military interventions have opened a Pandora's Box of disorder, chaos, war and barbarism.

These experiences of the early 21st century have demonstrated that to overthrow a dictatorship or contribute to its overthrow in a Muslim-majority country with a complex ethno-religious fabric will not necessarily lead to peace and democracy. Result: the peaceful coexistence of ethnic and religious groups have given way to conflicts of this nature and to a catastrophic human rights situation in several countries. Democracy has not come, nation-building has failed and what security there was has vanished completely.

Peaceful coexistence between communities and human rights

Peaceful coexistence between communities of various kinds exists in countries with the most varied political regimes. The international community should praise such achievement and encourage the states concerned to preserve it because it prevents uncontrollable deterioration of human rights. It would be useful for any state facing tensions between its diverse communities to map and analyse those countries which have successfully maintained peaceful coexistence between communities within their own borders. Such states would find what recent world events have already amply substantiated: that the magnitude of human rights violations generated by sudden or prolonged conflicts is exponentially higher than what is experienced during peace time, including in autocratic and dictatorial regimes.

These same states, guarantors of this peaceful coexistence between communities and domestic peace, can nonetheless find themselves sharply criticised for legislation that is incompatible with international standards or that restricts freedom of expression, freedom of religion or belief and other fundamental rights. The implementation of such legislation then leads to human rights violations that are condemned by various UN mechanisms or penalised by regional tribunals such as the European Court of Human Rights or by the International Criminal Court.

The international community may criticize the poor human rights record of several of such states but at the same time it can also recognise that they have ensured peaceful coexistence between their various communities.

Conclusions

The peaceful coexistence of diverse communities in any country is a major line of defence against the outbreak of massive human rights violations reaching unmanageable levels.

Western states and political, economic, religious and other actors within the international community should refrain from any intrusive activity that could lead to the destabilization of the peaceful coexistence between various communities, as fragile or apparently solid as this may be, in any given country.

The peaceful coexistence between communities achieved or preserved by 'liberal democracies' or 'illiberal states' does not shield these states from criticism for their violations of civil and political rights. Even still, such criticism should not negate the positive achievements made toward peaceful relations between their communities. No efficient constructive dialogue aiming to curb human rights violations can be envisaged if positive achievements are ignored or downplayed.

Polarized ideologies: International Women's Day and Boko Haram

By Elisa Van Ruiten, Human Rights Without Frontiers

HRWF (24.03.2015) - International Women's Day on 8 March 2015 boasted global celebrations promoting gender equality and women's rights. [UN Women](#) emphasized the importance of the '[Beijing Declaration and Platform for Action](#)' and asked governments to address the gaps that still remain in gender equality through the [Beijing+20 campaign](#) "Empowering Women, Empowering Humanity: Picture it!" The European Parliament's Committee on Women's Rights and Gender Equality also held an [inter-parliamentary committee meeting](#) which focused on the empowerment of women and girls through education. These efforts aim to highlight the stereotypes and inequalities that put women in vulnerable positions in society and keep them in poverty. These initiatives serve as a platform to inspire and drive change.

Just the day before, on 7 March 2015, Abubakar Shekau, head of the Nigerian jihadist group Boko Haram, [pledged allegiance to ISIS](#). Experts did not find this news completely surprising and believe the significance of this allegiance may be simply symbolic with no immediate implications [1]. Yet the timing of Shekau's announcement and International Women's Day coinciding within hours of each other underscores the stark differences between the two movements, polar opposites in respect to the status of women. Boko Haram, whose name means 'Western Education is Sinful,' strongly opposes all international standards in regard to the rights and protection of women [2].

Background and Ideology

Boko Haram was established in 2002 by Muhammed Yusuf with a message to return to a perceived form of primitive Islam, a defining doctrine of Salafism [3]. Boko Haram uses violence to facilitate its stated aims to oppose 'the secular westernisation of Nigeria' and to create an Islamic state, especially in the northern Nigerian states where Muslims are the majority [4]. Sharia was adopted in the 12 northern Nigeria states around the same time Boko Haram was established. Boko Haram's terrorist activities have been strongly opposed by the Nigerian government, which succeeded in killing Yusuf in 2009 [5]. The current leader, Abubakar Shekau, took power in 2010, leading to a surge in more sophisticated attacks and the deepening of jihadist ideology. Against the backdrop of Boko Haram's expansion, women have been increasingly used tactically to achieve the group's objectives [6].

Women and Gender-Based Violence in Boko Haram

Although Sharia does not explicitly call for violence against women, it is often interpreted by fundamentalist movements like Boko Haram to oppose the basic rights and of women and to promote restrictive gender roles for men and women [7]. Since gender roles are context-based and learned through socialization and because gender-based violence (GBV) is already deeply rooted in Nigerian culture, violence against women found a ready home within the ideological framework of Boko Haram. Christian women and children have become prime targets for Boko Haram as they are also considered to be 'the weakest members of an infidel outcast' [8].

There is no evidence of direct involvement of women in the main operations of Boko Haram. Women are scarcely found within the ranks of militants. Men may disguise themselves as women in order to penetrate areas that would be more difficult for men to go. There are also reported instances of women hiding guns and other weapons underneath their clothing and of women being used more frequently as suicide bombers [9].

Kidnappings

In 2012, Shekau first threatened the kidnapping of women and children, specifically those related to government officials, in retaliation for the government's arrest and detention of the wives and children of Boko Haram's leaders. He made good on those threats a year later in 2013 when Boko Haram attacked a police station in Bama, killing 100 and taking 12 women and children hostage. The hostages were eventually exchanged; however, the use of women as pawns by both Boko Haram and the Nigerian government violates international law. It also sets in motion a deadly cycle that continues and is now escalating [10]. Reports suggest an increase in instances of GBV perpetrated against Christian women residing in northern Nigeria, including rape, torture and killings [11]. Women have also been used to lure soldiers into situations where they are vulnerable to attack.

In addition to kidnappings being used as tactical retaliation, they have also served a punitive purpose - one which strikes at the heart of International Women's Day - to keep women ignorant and subservient. Acknowledging that women are the 'key transmitters of values and beliefs' within their circles of influence, Boko Haram finds it necessary to keep women from receiving education or practicing any religion outside of Islam [12]. It is reported that 45% of the women and children killed are Christian. Women are also reported to suffer forced marriages and compulsory conversion to Islam [13].

Survivors have said that women are raped as a form of 'Jizya,' which is a reference to a type of tax that early Islamic rulers used to demand from their non-Muslim subjects [14]. The 'tax' in this case is sex. Women, if returned, are often shamed as they reunite with their families, possibly pregnant, infected with sexually transmitted diseases and dishonoured in the eyes of their community. [15] Unsurprisingly, young girls are frequently the target, as exemplified in the April 2014 mass abduction of 276 Nigerian girls from a government-run boarding school in Chibok in Borno State, northeastern Nigeria. While 57 of them escaped initially, the remaining 219 remain missing [16].

The group may be becoming more extremist in recent months, as seen with the [attack on the town of Baga](#) from 3-7 January 2015 where widespread killing took place and approximately 300 women were taken into captivity [17].

Moving forward

In the days and weeks following International Women's Day, it is [important to remember](#) that these girls and women are being targeted because of their gender, for their pursuit of education and for their desire to exercise their right to self-autonomy, principles which are the foundation of the International Women's Day movement. The timing of these events is an opportunity to discuss how polarized indeed these two ideologies are. It is also clear how harmful it can be for women when the ideals for which International

Women's Day stands are not supported. The Nigerian women who stand in the line of fire and who are suffering at the hands of Boko Haram merit much more attention from the international community.

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Collectif des familles de Disparus en Algérie: Human rights defenders in Algeria seeking ECOSOC status

ISHR (03.03.2015) <http://www.ishr.ch/news/collectif-des-familles-de-disparus-en-algerie-human-rights-defenders-algeria-seeking-ecosoc> - **The Collectif des familles de**

Disparus en Algérie (CFDA) submitted its application for consultative status with the Committee on NGOs in June 2009. Since then, the Committee has deferred the application and CFDA has been asked 81 questions from the same group of States: Sudan, Pakistan and Venezuela. The Committee has posed questions to CFDA regarding the organisation's activities, funds, financial beneficiaries and partnerships with other organisations.

CFDA was founded in Paris in 1999 by a group of Algerian mothers whose loved ones were victims of enforced disappearances during the Algerian conflict in the 1990s. The organisation's main objective is to illuminate the fate of the victims of enforced disappearance and to end the impunity enjoyed by those responsible.

'The CFDA considers that a genuine rule of law in Algeria can only be achieved through the right to truth and justice.'

Algerian civil society faces serious limitations because of restrictive legislation and policy on civil liberties. The law on associations severely restricts the freedom of association and the law on information gives the authorities the ability to control the media. Additionally, in Algiers, demonstrations are still prohibited, while in other parts of the country, prior authorization is required.

In addition to this restrictive legislation, human rights activists in Algeria often face judicial harassment and violent repression, as well as limitations on freedom of expression.

'The CFDA keeps the memory of the victims alive and calls for their rehabilitation.'

Despite the obstacles the CFDA faces at the national level, the organisation seeks to establish networks with regional and international human rights organisations, such as the International Human Rights Federation (FIDH), the Euro-Mediterranean Human Rights Network or the Euro-Mediterranean Federation Against Enforced Disappearances.

Although the Committee has continuously deferred the CFDA, the organisation has still managed to engage with the United Nations. After collecting the testimonies of the families of victims, the CFDA lodges complaints with several international human rights mechanisms. The CFDA has filed over 4,000 cases to the UN Working Group on Enforced or Involuntary Disappearances (WGEID) and numerous individual communications at the UN Human Rights Committee.

In further efforts to shed light on human rights violations, the CFDA submitted an alternative report to the UN Human Rights Committee in 2007, to the UN Committee Against Torture in 2008 and during the Universal Periodic Review of Algeria to the UN Human Rights Council in both 2008 and 2012.

'Lately, the NGO committee has presented the same questions all over again, questions that are unrelated to the eligibility requirements of Resolution 1996/31.'

The Committee has continually deferred the CFDA since 2009 by sending repetitive questions that are often unrelated to the eligibility requirements for consultative status established by Resolution 1996/31. Often, the questions posed give the impression that the Committee did not consult the information provided in the CFDA's application. The Committee went as far as asking the CFDA why it had omitted to mention its website when it was clearly on the organisation's initial application.

Recently, the questions posed by the Committee suggest that the CFDA's contribution to ECOSOC would not be useful because of a lack of cooperation between the organisation and the Algerian authorities. However, these questions ignore the fact that the Economic and Social Council aims to consult *non-governmental* organisations, and cooperation with national authorities is not a requirement for consultative status.

'The restrictions on the access to information in Algeria and the authority's efforts to choke civil society reinforces the need to establish networks on international level and to ensure the sharing of information.'

Despite Committee members insisting that the CFDA gaining consultative status would not be useful to ECOSOC, the CFDA intends to continue its important work on promoting the human rights situation in Algeria, and more specifically, on exposing and obtaining justice for cases of enforced disappearances in Algeria. The CFDA collects information on violations of civil, political, economic, social and women's rights of individuals in Algeria, which should be shared with member States and other NGOs. The ECOSOC consultative status is essential to the CFDA as it would allow the organisation to engage with all relevant organs of the United Nations, and have open, constructive dialogue with States and to reinforce relationships with other NGOs.

Hizb ut-Tahrir, a radical political Islamist movement or a religious group?

By Willy Fautré, *Human Rights Without Frontiers Int'l*

HRWF (17.02.2015) - The Islamist movement Hizb ut-Tahrir (1), whose name means 'Liberation Party', was founded in 1953 in Eastern Jerusalem by a Palestinian scholar and judge, Taqiuddin al-Nabhani, as a Sunni Muslim organisation. Now it is said to be active in 45 countries with an international membership of about one million: mainly in Central Asia, Russia and the Middle East but also in the European Union. It has been banned as an extremist or terrorist organization by many states: Bangladesh (2009), Egypt (1974), Germany (2003), Jordan (1953), Kazakhstan (2005), Kyrgyzstan (2003), Pakistan (2004), Russia (2003), Syria, Tajikistan (2001) and Turkmenistan. Its members have been arrested and sentenced to long prison terms in several of these countries.

"Hizb ut-Tahrir describes itself as a 'global Islamic political party and/or religious society'" (2) but is it a terrorist organization, a political movement or a religious group? The answer to this question is of utmost importance to the human rights community. The German courts and the European Court of Human Rights have addressed this issue.

European Court: Hizb ut-Tahrir and Others v. Germany

On 19 June 2012, the Registrar of the European Court stated in its press release: "In its decision in the case of **Hizb Ut-Tahrir and Others v. Germany** (application no. 31098/08) the European Court of Human Rights has by a majority declared the application inadmissible. The decision is final.

The case concerned the prohibition in Germany of the activities of an Islamic association, which advocates the overthrow of non-Islamic governments and the establishment of an Islamic Caliphate.

The Court held in particular that under **Article 17 (prohibition of abuse of rights)** of the European Convention on Human Rights, it was impossible to derive from the Convention a right to engage in an activity aimed at destroying any of the rights and

freedoms set forth in the Convention. The association could therefore not rely on **Article 11 (freedom of assembly and association)** to complain about the ban on its activities.

Principal facts

The first applicant, Hizb Ut-Tahrir ("the association"), whose name means "Liberation Party", describes itself as a "global Islamic political party and/or religious society". Established in Jerusalem in 1953 (3), it has followers in a number of Middle Eastern States and among Muslims in Western Europe. Active in Germany since the 1960s, it has around 200 followers there. The second applicant, Shaker Hussein Assem, is an Austrian national who lives in Germany and was the association's representative before the Court. The remaining 15 applicants are members or supporters of the association, most of whom reside in Germany.

In January 2003, the German Federal Ministry of the Interior issued a decision prohibiting the association's activities in Germany, relying on the Law on Associations. It also ordered the association's assets to be confiscated. The Ministry considered that Hizb Ut-Tahrir was a foreign private association operating on an international scale and that there existed no sub-organisation in Germany. According to the Ministry, the association's activities were directed against the principle of international understanding and it advocated the use of violence as a means to achieve its political goals. Basing its decision on a number of publications attributed to the association, in particular articles published in a magazine, leaflets and information published on the association's website, the Ministry concluded that the association denied the State of Israel the right to exist and called for its destruction as well as for the killing of Jews. The association advocated an "active Jihad", targeting Islamic States and their governments, calling for their overthrow. In the Ministry's view, the association was moreover not a political party, as it did not intend to stand for elections in Germany, and, as it pursued political rather than religious objectives, it was not to be considered a religious or philosophical community.

The applicants lodged an application against the prohibition order with the Federal Administrative Court. The court separated the association's application from the remainder of the case and declared it admissible. At the same time, it indicated to the remaining applicants that, under its established case-law, actions by individual members of a prohibited organisation were to be declared inadmissible. In view of that indication, the remaining applicants withdrew their applications. On 25 January 2006, the Federal Administrative Court rejected the association's application as unfounded. In its judgment, it considered that, even assuming that the association could be regarded as a religious community, it remained subject to prohibition under Article 9 § 2 of the German Basic Law, as its activities were directed against the principle of international understanding. A multitude of public statements attributable to the organisation called for the elimination of the State of Israel through violence and for people to be killed. The association lodged a constitutional complaint against the decision, alleging in particular a violation of its right to assemble freely as a religious community. On 27 December 2007, the Federal Constitutional Court refused to admit the complaint for adjudication, holding that the association was not qualified to file a complaint as it did not have a registered address in Germany.

Complaints and procedure

The application was lodged with the European Court of Human Rights on 25 June 2008. All 17 applicants complained about the ban imposed on the association's activities and about the confiscation of its assets. They relied on Articles 6 (right to a fair trial), 9 (freedom of thought, conscience and religion), 10 (freedom of expression), 11 (freedom of assembly and association), 13 (right to an effective remedy) and 14 (prohibition of

discrimination) of the European Convention on Human Rights and on Article 1 of Protocol No. 1 (protection of property) to the Convention.

Decision of the Court

As regards the complaints by the second to 17th applicants, the Court observed that they had withdrawn their applications before the Federal Administrative Court and had not lodged a constitutional complaint. The Court did not consider that they had been prevented from pursuing the proceedings before the German courts. In particular, the indication given to them by the Federal Administrative Court to the effect that their applications were inadmissible had only concerned the proceedings before that court and had not prevented them from lodging a constitutional complaint. The Court recalled that a complaint to the German Federal Constitutional Court was an effective remedy capable of providing redress for a violation of Convention rights. It followed that the complaints lodged by those 16 applicants had to be rejected for non-exhaustion of domestic remedies.

Article 11

As regards the association's complaint that the ban on its activities breached its rights under Article 11, the Court referred to its case-law under Article 17 of the Convention (prohibition of abuse of rights). It had found, in particular, that the purpose of Article 17 was to make it impossible for groups or individuals to derive from the Convention a right to engage in any activity or perform any act aimed at destroying any of the rights and freedoms set forth in the Convention.

The Court observed that the German Federal Administrative Court had carefully analysed a substantial number of written public statements made by the association and its representative in the proceedings before the Court. It had found that the association called for the violent destruction of the State of Israel and for the banishment and killing of its inhabitants. In particular, its representative, Mr Assem, had repeatedly justified suicide attacks in which civilians were killed in Israel, and neither he nor the association had distanced themselves from that position during the proceedings before the Court. In view of those statements, the Court considered that the association attempted to deflect the right to freedom of assembly and association under Article 11 from its real purpose by employing that right for ends which were clearly contrary to the values of the Convention, notably the commitment to the peaceful settlement of international conflicts and to the sanctity of human life.

Consequently, the Court found that, by reason of Article 17, the association could not benefit from the protection afforded by Article 11. It followed that the complaint under that article was incompatible with the provisions of the Convention and therefore inadmissible.

Other articles

The Court also declared the association's complaints under the remaining articles inadmissible, as they were incompatible with the provisions of the Convention. It noted in particular that the association had not established that it had raised the complaint concerning the confiscation of its assets (Article 1 of Protocol No. 1) before the German courts. Furthermore, the dispute over the association's right to continue its activities concerned a political, not a civil right. Therefore, Article 6 (right to a fair trial) was not applicable. Finally, since the association could not rely on Article 11 with respect to the prohibition order, it could not claim a violation of Article 13 (right to an effective remedy) or 14 (prohibition of discrimination) in that respect."

Analysis of the decisions of the German courts

The European Court has analysed the decisions of the various German jurisdictions and the arguments justifying the ban (4) of the movement in Germany. In the section "The circumstances of the case" of its decision, the European Court addressed the issue of the prohibition issued by the Germany Ministry of the Interior, the proceedings before the Federal Administrative Court and the Federal Constitutional Court.

The prohibition issued by the German Ministry of the Interior (5)

"On 10 January 2003 the German Federal Ministry of the Interior (*Bundesministerium des Innern*) issued a decision by which it proscribed the first applicant's activities within German territory under sections 3 § 1, 14 § 2 no. 4 in conjunction with sections 15 § 1 and 18 § 2 of the Law on Associations (see relevant domestic law, below). It further ordered the first applicant's assets to be confiscated. Assets of third parties were confiscated as far as they had been intentionally used or were intended to be used to promote the first applicant's illegal activities.

4. The Ministry considered that the first applicant was a foreign private association operating on an international scale and that there existed no known sub-organisation in Germany. Its activities in Germany included the distribution of leaflets and brochures and the distribution of information via internet as well as, more recently, the organisation of public events.

5. The Ministry considered that the first applicant's activities were directed against the principle of international understanding and that the applicant advocated the use of violence as a means to achieve its political goals. The organisation's mouthpiece and ideological platform in Germany was the quarterly magazine "*Explizit*".

6. Basing its decision on the book "The inevitability of the battle of cultures", published in 1953 by the organisation's founder, Taqiuddin An-Nabhani, as well as on a number of publications attributed to the first applicant, in particular articles published in the magazine "*Explizit*", leaflets and publications on the organisation's website, the Ministry considered that the first applicant denied the right of the State of Israel to exist and called for its destruction and for the killing of Jews (6). This constituted an expression of the applicant's basic philosophical position, which included the "active *Jihad*" (7). The applicant agitated in a targeted fashion against Islamic States and the governments, which overthrow it repeatedly called for. It pursued its objectives, which were directed against the concept of international understanding, in a pro-actively aggressive manner. It did not thereby restrict itself to merely criticising existing political or social conditions or rejecting peaceful coexistence between States and peoples but also called for the armed struggle against the State of Israel, Jews and the Governments of Islamic States.

7. The Ministry further considered that the first applicant was not a political party, as it did not intend to stand for elections in Germany. It further held that the first applicant was not to be regarded as a religious or philosophical community (*Religions- oder Weltanschauungsgesellschaft*), as it did not pursue religious, but political objectives."

Hizb ut-Tahrir defence against the ban before the Federal Administrative Court (8)

On 10 February 2003 members of Hizb ut-Tahrir, represented by counsel, lodged an application against the prohibition order with the Federal Administrative Court (*Bundesverwaltungsgericht*) and alleged, in particular, that the prohibition violated their right to freedom of religion under Article 4 of the Basic Law. They denied that they advocated the use of violence.

On 24 November 2003 the Federal Administrative Court ordered Hizb ut-Tahrir to submit evidence as to where the organisation was based. On 7 January 2004 it answered that their organisation was prohibited in all Arab states, they were thus forced to work clandestinely and were unable to reveal the organisation's address.

In its submissions dated 8 and 29 November 2004, Hizb ut-Tahrir accepted that it was not to be regarded as a political party within the meaning of the German law. It claimed, however, that all its activities had a religious foundation and that it enjoyed the protection of freedom of religion under the Basic Law. It further submitted that the Government had misconstrued the nature of its ideology, stressing, in particular, that it promoted peaceful dialogue and had never advocated the use of violence. It further pointed out that it did not seek to establish a "caliphate" in any of the Western European democracies. Lastly, it complained of a violation of its rights under Articles 9, 10 and 11 of the Convention.

On 8 August 2005 the Federal Administrative Court declared the applicant's application as unfounded. Relying on the so-called "organisational law" submitted by the applicants, the court considered that Hizb ut-Tahrir did not fulfil the requirements of a religious community, as its activities did not include the exercise of a common religious practice. Furthermore, the first applicant could not be regarded as a philosophical community, as its existence and activities were based on Islam.

Further proceedings before the Federal Constitutional Court (9)

On 3 April 2006 Hizb ut-Tahrir lodged a constitutional complaint, alleging, in particular, that the prohibition was disproportionate and violated its right freely to assemble as a religious community (*religiöse Vereinigungsfreiheit*) under Article 4 § 1 of the Basic Law.

On 27 December 2007 the Federal Constitutional Court, sitting as a panel of three judges, refused to admit the applicant's complaint for adjudication. According to that court, the complaint was inadmissible because the applicant was not qualified to file a complaint as it did not have a registered address in Germany.

Conclusions

Hizb ut-Tahrir propaganda calls the governments of Islamic states evil and illegitimate, and can hereby provide a convincing argument for those who want to overthrow them. However, Hizb ut-Tahrir has very bad relationships with the Salafists, the Muslim Brothers and ISIS, all movements who could potentially try to overthrow Islamic states. If a tactical alliance is not conceivable at this stage, it is not excluded that members of Hizb ut-Tahrir may one day migrate to violent groups. Hizb ut-Tahrir stresses that a caliphate has to be established inside the Arab world but the jihad is only legal if it is announced by the proper caliph.

Hizb ut-Tahrir calls for the violent destruction of the state of Israel and for the banishment and killing of its inhabitants. In this regard, it is not different from many Muslim and Arab movements which deny its right to exist and view war against it as a defence, not an aggression. It would however be interesting to find out if its hatred towards Israel and its citizens extends to Jews in other countries and anti-Semitism.

Hizb ut-Tahrir is an international organization with an extremist ideology. Its propaganda is dangerous because it can contribute to hate crimes and some of its activists may potentially engage in direct promotion and practice of violence in the future.

However, a potential danger does not automatically warrant sanctions. For example, the objective to establish a caliphate in the world does not, in and of itself, justify prosecution - in the same way as ideas of restoration of the monarchy or of the

proletariat dictatorship, Alexander Verkhovsky writes in his article "Is Hizb ut-Tahrir an extremist organization" on Sova-Center website.

And in the Russian context, he states:

Eradicating Hizb ut-Tahrir is a utopist idea doomed to failure - just as any ideology, it cannot be eradicated. Moreover, excessive and unfair repression is counterproductive and can actually increase the number of Hizb followers. Of course, this potentially dangerous organization and its followers will have to be continuously monitored; increased attention by the law enforcement is well-justified and legitimate in this case. Rather than broad arrests, targeted administrative sanctions and criminal prosecutions in cases of oral or written calls to violence and/or hatred will be more effective.

Though, some countries in post-Soviet and other states arrest and imprison Hizb ut-Tahrir members.

Hizb ut-Tahrir is obviously a political organization with a political agenda. It is not a religious group and consequently not a religious minority. Therefore it cannot claim the benefits of Article 9 of the European Convention on Human Rights or Article 18 of the ICCPR. As such, it should not be on the agenda of international institutions and NGOs defending freedom of religion or belief; and its members, when detained, should not be considered religious prisoners but political prisoners.

Footnotes:

(1) Hizb ut-Tahrir was founded in Eastern Jerusalem in 1953.

(2) Hizb ut-Tahrir and others against Germany (Application no. 31098/08)

(3) HRWF Footnote : It was founded by Taqiuddin al Nabhani, an Islamic scholar born in 1909 in Ajzim (Haifa).

(4) The German Law on Associations (Vereinsgesetz) says in

Section 3/Banning

"(1) An association can only be treated as being banned (Article 9 § 2 of the Basic Law) if the competent authority established by decree that its aims or its activity contravene the criminal law or that they are directed against the constitutional order or against the idea of international understanding ; the order shall decree the dissolution of the association (ban). As a general rule, such ban shall entail confiscations and seizure of

1. the association's assets,

2...and

3. property of third parties provided that the owner, by handling the items over to the association, has deliberately promoted the association's anti-constitutional activities or if the items were intended to further such activities.

..."

Section 18/ Geographical applicability of bans imposed on associations

"...If a (foreign) association does not have a sub-organisation within the geographical applicability of this Act, the ban (section 3 paragraph 1) is directed against its activity within that territory."

Section 20

"Anyone who, within the geographical applicability of this act, by pursuing an activity (...)

4. contravenes an enforceable prohibition under section 18 sentence 2 (...) will be sentenced to up to one year's imprisonment or to a fine."

(5) Excerpt from the European Court decision Hizb ut-Tahrir v. Germany with footnotes selected by the author from the same court decision.

(6) The German Federal Administrative Court quoted the article "*Wie lange noch?*" (How long?; *Explizit*, issue no. 30 March to June 2002, p. 4 *et seqq.*) addressing the political and military situation in Palestine. The article sharply criticised the Saudi Arabian peace deal adopted at the summit meeting of Arab States in Beirut in March 2002. This was followed by criticism of the Palestinian authority, which was accused of not pursuing the goal of

"freeing Palestine, but of handing over Palestine in the name of the Palestinian people to the Jews."

This assessment was followed by the statement:

"As Muslims, we must be clear that the problem of "Israel" is not a border issue but an existential issue. The Zionist foreign body at the heart of the Islamic world can under no circumstances be allowed to continue to exist...We repeat again the unalterable Islamic duty: There can only be one response to the Zionist aggression in Palestine: Jihad. Allah, the Exalted, commands: "And slay them wherever ye catch them, and turn them out from where they have turned you out" (Al Baquarah 2, Aya 191)."

This was followed by the opinion that Israel was to be overcome by military means and that the *"Muslim armies (had) never really fought against the Zionist aggressor"*.

(7) The German Federal Administrative Court considered that the call to *Jihad* in the article "*Wie lange noch?*" represented a summons to violently eliminate the State of Israel. "It conceded that the term "*Jihad*" was multilayered in Islamic usage, referring to more than just the "Holy War". The term described every endeavour, effort and strengthening of Islam. What was decisive in the present context, however, was how the term was to be understood by readers in the context of the article. It was embedded in the statement that Israel could on no account be allowed to continue to exist and the summons to eliminate the State by military means. In this context there could be no doubt that the call to *Jihad* was aimed at the violent destruction of Israel as a solution to the Israeli-Palestinian conflict."

The German court further referred to another article of *Explizit* "*Fünfzig Jahre – Happy Birthday Israel?*" (Fifty years – Happy birthday Israel?, *Explizit*, issue no. 5, April to June 1998, p. 2 *et seqq.*) it was stated that the creation of the State of Israel to the detriment of the Palestinian people was accompanied by crimes against humanity and that Israel thus lacked legitimacy. The article closed with the following statement:

"Whoever accepts the State of Israel is against Allah's commands and thus commits a serious sin."

This was followed by a quotation from the Qur'an of a "command by Allah":

"And fight for Allah against those who fight against you, but do not transgress! Truly, Allah loves those who do not transgress. And slay them wherever ye catch them, and turn them out from where they have turned you out."

More references to other sources by the German court are reproduced in the decision of the European Court.

(8) Summary of the section « Proceedings before the Federal Administrative Court » in the decision of the European Court.

(9) Summary of the section « Proceedings before the Federal Constitutional Court » in the decision of the European Court.

Some recommended readings

<http://www.sova-center.ru/en/xenophobia/reports-analyses/2006/02/d7187/>

<http://www.publications.parliament.uk/pa/cm201012/cmselect/cmhaff/1446/11091303.htm>

http://en.wikipedia.org/wiki/Maajid_Nawaz

<http://news.bbc.co.uk/2/hi/programmes/panorama/7016299.stm>

<http://www.smh.com.au/comment/banning-hizbut-tahrir-in-australia-20141012-114h98.html>

<http://www.islam-watch.org/AdrianMorgan/Why-Hizb-ut-Tahrir-not-Banned-in-US.htm>

http://news.bbc.co.uk/2/hi/south_asia/8321329.stm

<https://thehizbuttahrirwatch.wordpress.com/category/news-about-hizb-ut-tahrir/hut-bangladesh/hut-banned-bangladesh/>

<http://www.mykhilafah.com/Myk-2014/index.php/hizb-worldwide/2037-a-communicue-from-hizb-ut-tahrir-to-the-jordanian-goverment-1953>

http://www.jamestown.org/single/?tx_ttnews%5Btt_news%5D=38163#.VOM4WUu4kII

http://www.jamestown.org/single/?tx_ttnews%5Btt_news%5D=39632&no_cache=1#.VOM950u4kII

<https://books.google.be/books?id=vmKNAgAAQBAJ&pg=PA70&lpg=PA70&dq=Turkmenistan+hizbut-tahrir+ban&source=bl&ots=Gnmkcd-MGt&sig=B4o1I9-dt5FJSt1SdbveQL3YhW0&hl=en&sa=X&ei=j0bjVOq9KI7kaO6BgrgC&ved=0CDEQ6AEwAw#v=onepage&q=Turkmenistan%20hizbut-tahrir%20ban&f=false>

The sound of journalists turning in their graves: exploiting grief for political ends

HRWF (13.01.2014) - It was an incredible display of support and solidarity. It would have been even more so, had it not been for the curious array of world leaders that turned out to 'stand up' for freedom of expression in Paris on Sunday. Families and friends of those who were killed in last week's violence led the solemn stream of humanity that filled the streets of the French capital. Then followed dozens of foreign government officials, locked arm in arm in a supposed show of unity.

Diplomatic niceties aside, the fact is that many of those dignitaries marching and chanting 'Nous sommes tous Charlie' represent governments that are among the worse violators of press freedoms in the world.

One can only wonder what the slain Charlie Hebdo staff members would have thought of the scene, knowing that they were being honoured by high-ranking officials from Russia, Turkey, Algeria, Gabon and many other countries that routinely violate the very principles for which they fought to defend. Every year, many of these countries score near the bottom of the annual press freedom index of Reporters Without Borders. Other esteemed guests have been known for their policies of limiting freedom of expression or engaging in politically-motivated hate speech.

There were also reports of the Saudi foreign minister participating in the march. Two days earlier, Saudi Arabia had carried out the public flogging of Raif Badawi, a blogger who is accused of insulting Islam. Such a scenario would have been an easy target for satirical journalists, if it had not been for the pain of these last days.

Nobler were the intentions of the millions of citizens who stood for precious freedoms in the wake of last week's violence. They deserve more than the sad hypocrisy on offer from politicians that are more concerned with scoring political points than defending the truth. Likewise, those who were gunned down among the staff of Charlie Hebdo.

Human rights groups 'bombaraded' with cyberattacks

The Hill (12.11.2014) <http://thehill.com/policy/cybersecurity/223820-study-human-rights-groups-bombarded-with-cyber-attacks> - Human rights groups across the globe "are being bombarded" with cyberattacks from the same state-sponsored hackers that aggressively go after government agencies and critical infrastructure.

The targeted groups range from Chinese social justice workers to Tibetan monks to Syrian activists, according to a [new report](#) from Internet rights and security researcher the Citizen Lab.

With meager budgets and minimal defenses, these organizations make for easy targets.

The study "sheds light on an often overlooked digital risk environment," said the researchers, based at the University of Toronto. Such attacks, they said, threaten to "extend the reach of the state ... beyond borders and into safe havens."

As one Tibetan group put it, connectivity is "this funny thing where it's a lifeline, and then ... maybe your ticket to jail."

Governments and industry are heavily engaged in discussions about protecting themselves and critical infrastructure.

The U.S. government has been working with major industry groups to implement a voluntary cybersecurity framework. Congress is considering cybersecurity information sharing legislation that would enable critical infrastructure companies to exchange cyber threat information with intelligence agencies.

But smaller organizations, particularly nonprofit groups, are often left out of the conversation.

Over four years, researchers tracked the cyber threats at 10 of these small, nonprofit groups.

They discovered constant, structured Chinese espionage efforts normally thought to target other governments or major industry targets.

"The years of documentation around these operations show that there are well-resourced and persistent threat actors originating from China," the study concluded, cautioning that many of the civil society groups they worked with had missions devoted to human rights in China.

The researchers also noticed "troubling evidence" that governments, including the United States, were using "lawful intercept" surveillance tools sold by legitimate companies to monitor human rights groups, journalists and civil society organizations.

"The market for these tools is largely unregulated, which has helped the governmental customer base grow, and likely led to substantial profits for developers," the study said.

In addition to the United States, they spotted similar surveillance efforts in the United Kingdom, the United Arab Emirates and Bahrain.

"Attacks like these are best understood as a form of espionage," the study said. "Remediation of the problem will require major efforts among several stakeholders, from the foundations that fund civil society, to the private sector, to governments."

Islamic scholars speak out against ISIS

Islamic Scholars (27.09.2014) - <http://lettertobaghdadi.com/14/english-v14.pdf> - The following is the Executive Summary of an Open Letter addressed last month to Abu Bakr Al-Baghdadi and proponents of the self-declared 'Islamic State.' The letter, issued in Arabic and in English, is a critique of ISIS' ideology and actions from the perspective of Islamic law and Qur'anic exegesis. It is signed by an international group of 126 scholars and teachers of Islam. The integral text and list of signatories can be found at <http://lettertobaghdadi.com/14/english-v14.pdf>

- 1-** It is forbidden in Islam to issue *fatwas* without all the necessary learning requirements. Even then *fatwas* must follow Islamic legal theory as defined in the Classical texts. It is also forbidden to cite a portion of a verse from the Qur'an—or part of a verse—to derive a ruling without looking at everything that the Qur'an and *Hadith* teach related to that matter. In other words, there are strict subjective and objective prerequisites for *fatwas*, and one cannot 'cherry-pick' Qur'anic verses for legal arguments without considering the entire Qur'an and *Hadith*.
- 2-** It is forbidden in Islam to issue legal rulings about anything without mastery of the Arabic language.
- 3-** It is forbidden in Islam to oversimplify *Shari'ah* matters and ignore established Islamic sciences.
- 4-** It is permissible in Islam [for scholars] to differ on any matter, except those fundamentals of religion that all Muslims must know.
- 5-** It is forbidden in Islam to ignore the reality of contemporary times when deriving legal rulings.
- 6-** It is forbidden in Islam to kill the innocent.
- 7-** It is forbidden in Islam to kill emissaries, ambassadors, and diplomats; hence it is forbidden to kill journalists and aid workers.
- 8-** Jihad in Islam is defensive war. It is not permissible without the right cause, the right purpose and without the right rules of conduct.
- 9-** It is forbidden in Islam to declare people non-Muslim unless he (or she) openly declares disbelief.
- 10-** It is forbidden in Islam to harm or mistreat—in any way—Christians or any 'People of the Scripture'.
- 11-** It is obligatory to consider Yazidis as People of the Scripture.
- 12-** The re-introduction of slavery is forbidden in Islam. It was abolished by universal consensus.
- 13-** It is forbidden in Islam to force people to convert.
- 14-** It is forbidden in Islam to deny women their rights.
- 15-** It is forbidden in Islam to deny children their rights.
- 16-** It is forbidden in Islam to enact legal punishments (*hudud*) without following the correct procedures that ensure justice and mercy.
- 17-** It is forbidden in Islam to torture people.
- 18-** It is forbidden in Islam to disfigure the dead.
- 19-** It is forbidden in Islam to attribute evil acts to God ♥.
- 20-** It is forbidden in Islam to destroy the graves and shrines of Prophets and Companions.
- 21-** Armed insurrection is forbidden in Islam for any reason other than clear disbelief by the ruler and not allowing people to pray.
- 22-** It is forbidden in Islam to declare a caliphate without consensus from all Muslims.
- 23-** Loyalty to one's nation is permissible in Islam.
- 24-** After the death of the Prophet, Islam does not require anyone to emigrate anywhere.

The false promise of an International Business and Human Rights Treaty

By Aaron Rhodes

The Huffington Post (10.07.2014) / <http://www.huffingtonpost.com/aaron-rhodes/the-false-promise-of-an-international-business-and-human-rights-treaty> - Child labor is a scourge that tragically robs children of their childhood, their health, and their future. It is a global problem, and one that requires international cooperation to pressure governments to institute economic reforms and impose and enforce sound labor standards. In many cases, national laws protecting children need to be strengthened. Transnational or other corporations that exploit children need to be prosecuted to the full extent of the law, and also punished by consumers.

Unfortunately, some of the states with the world's worst child labor records are promoting promulgation of a new UN business and human rights treaty that, while unlikely to have any impact on victims, will obscure their own corruption and irresponsibility in a fog of anti-free enterprise rhetoric. Given the tendency of abusive states to foster meaningless global human rights legislation and institutions, it can be assumed their support is part of a strategy of obfuscation.

On 26 June, the United National Human Rights Council adopted a resolution to "establish an open-ended intergovernmental working group with the mandate to elaborate an international legally binding instrument on Transnational Corporations and Other Business Enterprises with respect to human rights." The aim of the treaty would be to "clarify the obligations of transnational corporations and other business enterprises with respect to human rights," and to provide remedies in such cases where domestic jurisdiction cannot do so.

The measure was co-sponsored by Ecuador, a country where "children, in particular indigenous children and Afro-descendants, are engaged in the worst forms of child labor, including hazardous forms of agriculture and dangerous street work," according to the US Department of Labor. Child labor is prohibited by the Ecuadorian constitution; if that is not strong enough to protect vulnerable children, will a UN treaty with Geneva-based monitors be more effective?

Supporters of a new treaty include India and Pakistan, both of which scored "zero" on the Child Labor Index, thus having records that are among the world's worst regarding "the prevalence, gravity and impunity of child labor under the age of 15... which directly or indirectly limits or damages a child's mental, physical, social or psychological development." Supporters Congo and Ethiopia are among the world's 12 worst abusers, while China is ranked 13th. Children in Indonesia and Vietnam are at "extreme risk," while "high risk" Russia and Venezuela were also on board.

Of the 20 members of the Human Rights Council supporting new global "human rights" regulation of transnational businesses, only four respect human rights principles enough to be ranked as free countries by Freedom House, an independent nongovernmental organization. On the other hand, all 14 of the states opposing the resolution are free, and only one, Romania, has a serious problem with child labor. Other problems that are the focus of treaty advocates, like pollution, toxic dumping, discrimination and harm to indigenous lands, have also been addressed more effectively in democratic states.

John G. Ruggie, who produced the UN Guiding Principles on Business and Human Rights and was UN special representative on the issue, warned that "business and human rights is not so discrete an issue area as to lend itself to a single set of detailed treaty obligations." He said it was "hard to imagine [such a treaty] providing a basis for meaningful legal action." He recommended avoiding "largely symbolic gestures, of little practical use to real people in real places." "From the vantage point of victims," he said, "an all-encompassing business and human rights treaty... is a profound deception."

Nonetheless, more than 500 nongovernmental organizations, promoting a false contradiction between free enterprise and human rights, lobbied for passage of the resolution, claiming opposition meant being subservient to "corporate actors" and their "public relations strategies." The Friends of the Earth Europe accused the European Union of "standing up for corporate interests instead of human rights." The NGO propaganda evidently scared numerous states into abstaining from the Human Rights Council vote, allowing the measure to pass. Human Rights Watch, a leading US-based NGO, said the proposal was "too narrow," faulting it for not also dealing with national and other businesses "that should also be required to respect human rights."

As Ruggie said, an international treaty on business and human rights won't have much effect on the practices of transnational corporations. But it will give states that fail to protect their citizens an opportunity to hide their failures behind ideological slogans. And by diluting attention to fundamental rights, it will also further weaken the capacity of the international human rights system to hold governments to norms by which citizens can be empowered to solve complex problems like child labor through democratic processes.

Aaron Rhodes is a co-founder of the Freedom Rights Project and president of the Forum for Religious Freedom-Europe. He was Executive Director of the International Helsinki Federation for Human Rights between 1993-2007.

Killing of environmental activists rises globally

900 environmental activists killed in decade, only 10 perpetrators convicted, report says

By Denis D. Gray

Taiwan News (14.04.2014) - As head of his village, Prajob Naowa-opas battled to save his community in central Thailand from the illegal dumping of toxic waste by filing petitions and leading villagers to block trucks carrying the stuff -- until a gunman in broad daylight fired four shots into him.

A year later, his three alleged killers, including a senior government official, are on trial for murder. The dumping has been halted and villagers are erecting a statue to their slain hero.

But the prosecution of Prajob's murder is a rare exception. A survey released Tuesday -- the first comprehensive one of its kind - says that only 10 killers of 908 environmental activists slain around the world over the past decade have been convicted.

The report by the London-based Global Witness, a group that seeks to shed light on the links between environmental exploitation and human rights abuses, says murders of those protecting land rights and the environment have soared dramatically. It noted that

its toll of victims in 35 countries is probably far higher since field investigations in a number of African and Asian nations are difficult or impossible.

"Many of those facing threats are ordinary people opposing land grabs, mining operations and the industrial timber trade, often forced from their homes and severely threatened by environmental devastation," the report said. Others have been killed over hydro-electric dams, pollution and wildlife conservation.

The rising deaths, along with non-lethal violence, are attributed to intensifying competition for shrinking resources in a global economy and abetted by authorities and security forces in some countries connected to powerful individuals, companies and others behind the killings.

Three times as many people died in 2012 than the 10 years previously, with the death rate rising in the past four years to an average of two activists a week, according to the non-governmental group. Deaths in 2013 are likely to be higher than the 95 documented to date.

The victims have ranged from 70-year-old farmer Jesus Sebastian Ortiz, one of several people in the Mexican town of Cheran killed in 2012 while opposing illegal logging, to the machine-gunning by Philippine armed forces of indigenous anti-mining activist Juvy Capión and her two sons the same year.

Brig. Gen. Domingo Tutaan Jr., who heads the Philippine military's human rights office, told the Associated Press that a military investigation showed the three died in crossfire as troops clashed with suspected outlaws. "We don't tolerate or condone human rights violations and we hope Global Witness can work with us to pinpoint any soldier or officer involved in those killings," Tutaan said.

Brazil, the report says, is the world's most dangerous place for activists with 448 deaths between 2002 and 2013, followed by 109 in Honduras and Peru with 58. In Asia, the Philippines is the deadliest with 67, followed by Thailand at 16.

"We believe this is the most comprehensive global database on killings of environment and land defenders in existence," said Oliver Courtney, senior campaigner at Global Witness. "It paints a deeply alarming picture, but it's very likely this is just the tip of the iceberg, because information is very hard to find and verify. Far too little attention is being paid to this problem at the global level."

Reports of killings, some of them extensive, from countries like Central African Republic, Zimbabwe, and Myanmar, where civil society groups are weak and the regimes authoritarian, are not included in the Global Witness count.

By contrast, non-governmental organizations in Brazil carefully monitor incidents, many of them occurring in the Amazon as powerful businessmen and companies move deeper into indigenous homelands to turn forests into soya, sugar cane and agro-fuel plantations or cattle ranches. Clashes between agribusiness and the Guarani and Kuranji people in the Amazon's Mato Grosso do Sul province accounted for half of Brazil's killings during 2012, the report said. Human rights groups and news reports say killings are often carried out by gunmen hired by agricultural companies.

In Thailand, Sunai Phasuk of the U.S.-based Human Rights Watch echoed the report's assertion that an "endemic culture of impunity" was prevalent, and that governments and their aid donors must address this.

Prosecution of Prajob's suspected killers, Sunai said, was a "welcome rarity" in a country where investigations have been characterized by "half-hearted, inconsistent, and inefficient police work, and an unwillingness to tackle questions of collusion between political influences and interests and these killings of activists."

"The convicted tend to have lowest levels of responsibility, such as the getaway car driver. The level of impunity is glaring," he said.

After Prajob's murder, villagers lived in fear but in the end decided to sue the illegal dumpers and landfill owners, said the victim's brother, Jon Noawa-opas.

"Prajob's death has led us to fight for justice in this town," he said. "We can be disheartened and we were, but we also know that we have to do the right thing for our community."

AP reporters Thanyarat Dokson in Bangkok and Jim Gomez in Manila contributed to this report.

International Women's Day: Why March 8?

UNESCO (08.03.2014) - Established by the United Nations in 1977, "International Women's Day" owes its origins to the protests of women, particularly in Europe, who demanded, at the beginning of the 20th century, the right to vote, improved working conditions and gender equality. 19 March, the last Sunday of February, 15 April and 23 February are among the key dates for International Women's Day.

1910: in Copenhagen (Denmark), hundreds of participants gather at the Second International Conference of Socialist Women (the first having been held in 1907) and decide to organize an annual day for women to bolster their efforts to achieve voting rights.

- 1911: a day for women is celebrated in a number of European countries and in the United States. But this celebration occurs on 19 March, in commemoration of the revolution of 1848 and of the "Commune de Paris".
- 1913: Russian women celebrate their first International Women's Day on the last Sunday of February, by organizing clandestine gatherings.
- 1915: As the First World War rages, a huge gathering of women is held in The Hague (Netherlands) on 15 April. Participants include over 1 300 women from over 12 countries.
- 1917: Women labourers take to the streets and declare a general strike announcing the Russian Revolution. The date was 23 February.
- After World War II, 8 March begins to be celebrated in a number of countries, before being recognized by the UN as International Women's Day in 1977.
- 19 March, the last Sunday of February, 15 April, 23 February are among the key dates for International Women's Day. But where, then, did the 8th of March come from? Ask Julius Cesar and Gregory XIII! Before the Revolution, Russia had not yet adopted the Gregorian calendar, introduced by Pope Gregory XIII in 1582 to mitigate the errors of the Julian calendar, which owes its name to the Roman emperor who had chosen it 46 years before the birth of Jesus Christ. The Gregorian calendar is used today in the large majority of countries. In 1917, 23

February in Russia thus corresponded to 8 March in the other European countries. It's as simple as that!

History of International Women's Day

UN Women Watch

Introduction

International Women's Day is celebrated in many countries around the world. It is a day when women are recognized for their achievements without regard to divisions, whether national, ethnic, linguistic, cultural, economic or political. It is an occasion for looking back on past struggles and accomplishments, and more importantly, for looking ahead to the untapped potential and opportunities that await future generations of women.

In 1975, during International Women's Year, the United Nations began celebrating International Women's Day on 8 March. Two years later, in December 1977, the General Assembly adopted a resolution proclaiming a United Nations Day for Women's Rights and International Peace to be observed on any day of the year by Member States, in accordance with their historical and national traditions. In adopting its resolution, the General Assembly recognized the role of women in peace efforts and development and urged an end to discrimination and an increase of support for women's full and equal participation.

History

International Women's Day first emerged from the activities of labour movements at the turn of the twentieth century in North America and across Europe.

1909: The first National Woman's Day was observed in the United States on 28 February. The Socialist Party of America designated this day in honour of the 1908 garment workers' strike in New York, where women protested against working conditions.

1910: The Socialist International, meeting in Copenhagen, established a Women's Day, international in character, to honour the movement for women's rights and to build support for achieving universal suffrage for women. The proposal was greeted with unanimous approval by the conference of over 100 women from 17 countries, which included the first three women elected to the Finnish Parliament. No fixed date was selected for the observance.

1911: As a result of the Copenhagen initiative, International Women's Day was marked for the first time (19 March) in Austria, Denmark, Germany and Switzerland, where more than one million women and men attended rallies. In addition to the right to vote and to hold public office, they demanded women's rights to work, to vocational training and to an end to discrimination on the job.

1913-1914: International Women's Day also became a mechanism for protesting World War I. As part of the peace movement, Russian women observed their first International Women's Day on the last Sunday in February. Elsewhere in Europe, on or around 8 March of the following year, women held rallies either to protest the war or to express solidarity with other activists.

1917: Against the backdrop of the war, women in Russia again chose to protest and strike for 'Bread and Peace' on the last Sunday in February (which fell on 8 March on the Gregorian calendar). Four days later, the Czar abdicated and the provisional Government granted women the right to vote.

Since those early years, International Women's Day has assumed a new global dimension for women in developed and developing countries alike. The growing international women's movement, which has been strengthened by four global United Nations women's conferences, has helped make the commemoration a rallying point to build support for women's rights and participation in the political and economic arenas. Increasingly, International Women's Day is a time to reflect on progress made, to call for change and to celebrate acts of courage and determination by ordinary women who have played an extraordinary role in the history of their countries and communities.

The United Nations and gender equality

The Charter of the United Nations, signed in 1945, was the first international agreement to affirm the principle of equality between women and men. Since then, the UN has helped create a historic legacy of internationally-agreed strategies, standards, programmes and goals to advance the status of women worldwide.

Over the years, the UN and its technical agencies have promoted the participation of women as equal partners with men in achieving sustainable development, peace, security, and full respect for human rights. The empowerment of women continues to be a central feature of the UN's efforts to address social, economic and political challenges across the globe.

Confused by these feminists? So am I

The National (27.12.2013) - The last 12 months have made me feel both increasingly disillusioned and more excited by the growing discussions about feminism in global discourse.

The volume has been turned up about women's rights, their position in society and their and treatment. Every day there is coverage of issues that affect women disproportionately, whether it is the horrific refugee crisis in Syria, female foeticide in India, or pay differences in the workplace.

For those outside the west – especially for some Muslims – feminism was seen historically as a means to establish western hegemony by undermining traditional values. That women in these societies suffer and are not given the rights that Islam has given them was conveniently overlooked. Yet a huge number of social movements, many Islamically inspired, work hard to improve the lot of Muslim women. Some call themselves Muslim feminists, some Islamic feminists. Some call it justice. I see it as the necessary rise of many feminisms. And this year we have seen the increasing possibility that feminisms can and must exist in many forms.

Malala Yousafzai, the Pakistani schoolgirl who was shot by the Taliban, challenged the notion of what a Muslim feminist should look like – simply by the fact of her existence, and her assertion that her values as a Muslim are what inspire and drive her. But her criticism of America's use of drones in her country signalled a shift that feminist movements would do well to heed: that feminism shouldn't be the handmaiden of the imperialist enterprise.

Nor should feminism be a pied piper for the kind of capitalist exploitation men already suffer. Sheryl Sandberg's book *Lean In* was about women stepping up in the corporate space. It was lauded as part of feminism's resurgence. But it made me depressed: it's bad enough that men are sucked up and chewed out by a system that sees them as nothing more than economic units, now feminism is encouraging women to do the same. There's nothing wrong with making money, but not at the expense of being human beings, and avoiding the exploitation of others.

It is these kind of feminist movements that uphold the social structures that continue gender and social oppression and inhibit radical social transformation.

One story that never seemed to end in 2013 was Miley Cyrus and her hideous twerking, to the lyrics of a song seemingly about rape. Cyrus calls herself a "big" feminist for telling women not to be afraid of anything. Beyoncé has also begrudgingly admitted she's a feminist.

Wo-hoo! Feminists are now upholding the exact system that perpetuates sexualised womanhood on us. And hurrah for 2013 feminism that means we must be either making money or looking sexy, preferably both at the same time.

Fourth wave feminism gave us "choice" as its defining characteristic. Today's most feminist of activities is women's free choice in determining how to live our lives. But then how do we deal with confusions like those of Sandberg, Cyrus and Beyoncé which perpetuate systems of oppression, but which the women themselves say are the actions of free choice?

If a free choice by a woman is unfeminist in its effect, is it still a feminist act? This question, and the assumptions it carries with it, is one that feminists in 2014 will need seriously to address.

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Human rights 20 Years after Vienna

By Aaron Rhodes and Jacob Mchangama

Huff Post (08.08.2013) - The World Conference on Human Rights took place just over 20 years ago, on 14-23 June 1993. The resulting "Vienna Declaration and Program of Action" has given form and content to the subsequent development of international human rights. In February, United Nations High Commissioner for Human Rights Navi Pillay [hailed](#) the Declaration as "the most significant overarching human rights document produced in the last quarter century. It crystalized the underlying principles that human rights are universal, indivisible, interdependent and interrelated."

Ms. Pillay made reference to the context of the Conference, and the fall of the Berlin Wall. She said that by equating social and economic rights with civil and political rights, "The Conference succeeded in breaching a second wall that had divided States over the previous decades."

With these references, she alluded to the highly political nature of the Vienna Declaration, which was crafted to reflect a no longer bi-polar world. The Conference occurred during one of the most fluid and chaotic moments in recent history. The world community was being whipsawed between good and bad news, and confronted with

problems for which there was no playbook. On the heels of momentous changes that engendered both euphoria and disorientation, bloody ethnic nationalist conflicts broke out that astonished the international community with their violence and called forth an image of a world unraveling into chaos after having been held together by the East-West military stalemate. At the same time, Western nations felt flush, anticipating a "peace dividend" from the end of military confrontation with the Soviet Union. The world was seeking a "New World Order," a term coined by George H. W. Bush and Mikhail Gorbachev.

The notion of a New World Order whetted expectations of the role the UN could play in forging peace and respect for human rights, as well as dealing with starvation, poverty, racial and ethnic discrimination, intolerance and xenophobia, brutality against women and minorities, and political oppression. It would do so under the banner of indivisibility and the associated doctrine of the equality of all human rights. International human rights were re-tooled as an ambitious, inclusive compromise to reconcile old antagonisms and solve new problems. A centralized UN mechanism would take responsibility for "coordinating" and promoting actions on behalf of an expanded human rights agenda and monitoring compliance with international standards and law.

Twenty years on, it is appropriate to examine the results of decisions taken in this overheated context. Ending a vivid debate on these issues, world leaders and human rights activists put aside long-standing and reasoned reservations about the doctrine of the indivisibility and equality of human rights, which holds that fundamental freedoms cannot be enjoyed without governments guaranteeing social and economic rights, and that the two sets of rights should be adjudicated in a like manner. Indivisibility had been promoted by communist regimes in order to justify restricting political freedoms, and by poor Third World states that sought debt relief and transfers from the developed world with the claim that such assistance was necessary if their citizens were to enjoy freedom.

At a "High Level Expert Conference" in Vienna on 27-28 June to commemorate the World Conference, speaker after speaker, UN officials and human rights leaders from civil society, paid homage to the "paradigmatic shift" that it had brought about, mainly by establishing the indivisibility of human rights as an undisputed principle. They spoke of an expansive, "post-2015" human rights agenda, including a "fully integrated human rights approach" to development, climate change, and the regulation of transnational corporations.

Indivisibility, however, does not hold up to logical or empirical scrutiny as a legal doctrine. The rapidly rising living standards of the growing Chinese middle class are hardly based on any meaningful "rights based" approach. And China's development certainly does not demonstrate any "indivisibility" as the new prosperity enjoyed by hundreds of millions of Chinese is not matched by even the most basic liberties.

Many of the issues addressed under the umbrella of indivisibility such as poverty, climate change and disease are certainly of fundamental global importance and require international cooperation. But the matrix of human rights is ill equipped to deal with these issues in any meaningful sense. In fact, the increasing focus on indivisibility works to shield illiberal states that want economic development without challenges to their own authority, and rely on an inflated definition of human rights to deflect criticism of their repressive measures. This unfortunate syndrome is vividly on display when such states are examined under the UN's Universal Periodic Review (UPR) process. Typically, they pack their presentations with claims about how their social assistance programs demonstrate fidelity to human rights principles; their authoritarian allies in turn praise these policies. The discussion of egregious violations of fundamental liberties like executions without fair trials, torture, and the denial of civil and political rights, is relegated to an increasingly restricted place in the UPR dialogues.

Thanks to the doctrine of indivisibility, an impression is thus left that a state like Iran, which [stones women to death](#) for alleged marital infidelity and [executes gay people](#), has a laudable human rights record. Indivisibility has hollowed out the concept of human rights, leaving a moral void in which there is no basis for making a distinction between freedom from torture and rent subsidies.

The World Conference rightly focused on a number of groups whose members' human rights were vulnerable, including women, "national or ethnic, religious and linguistic minorities, " indigenous people, migrant workers, children, and the disabled. But rather than insisting that the individual rights of members of these groups be protected under existing conventions, the Conference ushered in an era of "group rights." A form of "human rights tribalism" has followed, fracturing the concept of universality the World Conference had affirmed.

This weakening attachment to universality has in turn led to a proliferation of new treaties that duplicate existing protections and saddle states with excessive reporting requirements and in some cases contradictory obligations. International human rights law has become a maze accessible only to a technocratic elite. Lawyers groups, nongovernmental organizations and UN officials are now pushing for a new human rights treaty to protect the rights of the elderly, a treaty considered duplicative by many who think those rights can be protected by closer compliance with obligations imposed by the International Covenant on Civil and Political Rights. But the UN has identified an "Open-ended Working Group" to "identify gaps" and "consider the feasibility of further instruments," a bureaucratic juggernaut that will be politically dangerous to oppose.

The diplomats meeting in Vienna not only embraced an expansive concept of human rights vulnerable to political exploitation, but also [vowed to "mainstream" human rights](#). Thanks to decisions taken in Vienna, the body of human rights continues to spread into more and more spheres of international relations, with the only certain outcome being that in the long run, the importance of any human right will be very low indeed. In reflecting about the legacy of the World Conference, this process deserves urgent attention.

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ⁱ Mail Online, 3 July 2016 : ISIS child soldiers use handguns to execute 'Afghan Taliban spies' in shocking new video released by the terror group (<http://bit.ly/29Cujtu>)

ⁱⁱ <http://bit.ly/1Q5wi7C>

ⁱⁱⁱ <http://edition.cnn.com/2016/02/19/middleeast/isis-child-soldiers/>

^{iv} The 'Child Terrorists' of Turkey. The militant Kurdish organization pushes children to the front lines and uses their arrests and deaths to stir up sympathy, Al-Monitor, 22 December 2015

<http://www.usnews.com/news/articles/2015-12-22/the-pkks-child-terrorists>

^v PKK missing children, Deutsche Welle, <http://www.dw.com/en/pkk-missing-children/av-17790160>

^{vi} <https://www.hrw.org/news/2015/07/10/syria-kurdish-forces-violating-child-soldier-ban-0>

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^{viii} <https://twitter.com/simdiviburadatv/status/700426439867416576>

^{ix} <http://dailym.ai/29KDk4O>