

## ELECTING THE 2017-2019 MEMBERS OF THE U.N. HUMAN RIGHTS COUNCIL

*Ahead of the Human Rights Council elections by the General Assembly  
at United Nations Headquarters, New York, October 28, 2016*

### EXECUTIVE SUMMARY

This report evaluates the country candidates for the October 28, 2016 election of 14 new members to the U.N. Human Rights Council. Our evaluations applied the membership criteria established by UNGA Resolution 60/251, which requires members to “uphold the highest standards in the promotion and protection of human rights” and to “fully cooperate with the Council.” In particular, we examined (a) each candidate’s record of domestic human rights protection; and (b) its U.N. voting record. The report finds as follows:

#### UNQUALIFIED

*8 out of 17 candidates have poor records and fail to qualify:*

**China, Cuba, Egypt, Iraq, Malaysia, Russia, Rwanda and Saudi Arabia**

#### QUESTIONABLE

*3 candidates have problematic human rights and/or U.N. voting records:*

**Guatemala, South Africa and Tunisia**

#### QUALIFIED

*Only 6 out of 17 candidate countries are qualified to be council members:*

**Brazil, Croatia, Hungary, Japan, the United Kingdom and the United States**

The absence of competition this year in two out of the five regional slates is unfortunate, undermining the very premise and rationale for holding elections. Nevertheless, this report reminds U.N. member states that they have the right to refrain from voting for an Unqualified candidate, even if those happen to be running on closed slates. Instead, as detailed in the report, during the ballot they can actually defeat such candidacies, thereby freeing up the process for qualified alternatives to come forward. In regard to candidate countries deemed Questionable, they should, at a minimum, be asked to commit to redress the shortcomings identified in this report.

## EVALUATION OF 2017-2019 UNHRC CANDIDATES

### AFRICAN GROUP

**CLOSED SLATE:** 4 CANDIDATES FOR 4 SEATS  
Replacing Algeria, Morocco, Namibia and South Africa

*FH: Freedom House; RSF: Reporters Sans Frontières Press Freedom Index*

COUNTRY	FH RATING	ECONOMIST RATING	FH PRESS FREEDOM	RSF RATING	UN VOTING RECORD	SUITABILITY FOR MEMBERSHIP
<b>Egypt</b>	Not Free	Authoritarian Regime	Not Free	Difficult Situation	Negative	<b>Unqualified</b>
<b>Rwanda</b>	Not Free	Authoritarian Regime	Not Free	Difficult Situation	Mixed	<b>Unqualified</b>
<b>South Africa</b>	Free	Flawed Democracy	Partly Free	Noticeable Problems	Negative	<b>Questionable</b>
<b>Tunisia</b>	Free	Flawed Democracy	Partly Free	Noticeable Problems	Mixed	<b>Questionable</b>

### ASIAN GROUP

**CONTESTED:** 5 CANDIDATES FOR 4 SEATS  
Replacing China, Maldives, Saudi Arabia, and Vietnam

COUNTRY	FH RATING	ECONOMIST RATING	FH PRESS FREEDOM	RSF RATING	UN VOTING RECORD	SUITABILITY FOR MEMBERSHIP
<b>China</b>	Not Free	Authoritarian Regime	Not Free	Very Serious Situation	Negative	<b>Unqualified</b>
<b>Iraq</b>	Not Free	Flawed Democracy	Hybrid Regime	Difficult Situation	Negative	<b>Unqualified</b>
<b>Japan</b>	Free	Flawed Democracy	Free	Noticeable Problems	Positive	<b>Qualified</b>
<b>Malaysia</b>	Partly Free	Flawed Democracy	Not Free	Difficult Situation	Negative	<b>Unqualified</b>
<b>Saudi Arabia</b>	Not Free	Authoritarian Regime	Not Free	Very Serious Situation	Negative	<b>Unqualified</b>

**LATIN AMERICAN AND CARIBBEAN GROUP**

CONTESTED: 3 CANDIDATES FOR 2 SEATS

Replacing Mexico and Cuba

COUNTRY	FH RATING	ECONOMIST RATING	FH PRESS FREEDOM	RSF RATING	UN VOTING RECORD	SUITABILITY FOR MEMBERSHIP
Brazil	Free	Flawed Democracy	Partly Free	Noticeable Problems	Mixed	Qualified
Cuba	Not Free	Authoritarian Regime	Not Free	Very Serious Situation	Negative	Unqualified
Guatemala	Partly Free	Hybrid Regime	Partly Free	Noticeable Problems	Mixed	Questionable

**WESTERN EUROPEAN AND OTHERS GROUP**

**CLOSED SLATE:** 2 CANDIDATES FOR 2 SEATS

Replacing France and the United Kingdom

COUNTRY	FH RATING	ECONOMIST RATING	FH PRESS FREEDOM	RFS RATING	UN VOTING RECORD	SUITABILITY FOR MEMBERSHIP
United Kingdom	Free	Full Democracy	Free	Good Situation	Positive	Qualified
United States	Free	Full Democracy	Free	Good Situation	Positive	Qualified

**EASTERN EUROPEAN GROUP**

CONTESTED: 3 CANDIDATES FOR 2 SEATS

Replacing Macedonia, and Russia

COUNTRY	FH RATING	ECONOMIST RATING	FH PRESS FREEDOM	RSF RATING	UN VOTING RECORD	SUITABILITY FOR MEMBERSHIP
Croatia	Free	Flawed Democracy	Partly Free	Noticeable Problems	Positive	Qualified
Hungary	Free	Flawed Democracy	Partly Free	Noticeable Problems	Positive	Qualified
Russia	Not Free	Authoritarian Regime	Not Free	Difficult Situation	Negative	Unqualified

## METHODOLOGY

The presence of systematic abusers on the Human Rights Council contradicts its own charter. According to UNGA Resolution 60/251, which established the Council in 2006, General Assembly members are obliged to elect states to the Council by considering “the candidates’ contribution to the promotion and protection of human rights and their voluntary pledges and commitments made thereto.” The resolution further provides that consideration ought to be given to whether the candidate can meet membership obligations (a) “to uphold the highest standards in the promotion and protection of human rights” and (b) to “fully cooperate with the Council.”

Guided by these criteria, this report evaluates each candidate’s suitability for election to the Human Rights Council by examining its record of human rights protection at home — and its record of human rights promotion at the UN.

Under the criteria established by UNGA Resolution 60/251, it is clear that the UN should not elect any country to the Council which has either a poor record of respecting the human rights of its own people, or which is likely to use its Council membership by voting to frustrate the protection of human rights victims or to undermine the principles of individual human rights.

The country evaluations in this report are based on information, ratings and analysis from the following sources:

- *The Economist Democracy Index (2015)*, which considers a country’s electoral process and pluralism, civil liberties, government functioning, political participation, and political culture, and ranks it as: Full Democracy, Flawed Democracy, Hybrid Regime, or Authoritarian Regime.
- *Reporters Sans Frontières Worldwide Press Freedom Index (2016)*, which measures the degree of freedom that journalists and news organizations enjoy in each country, and the efforts made by state authorities to respect and ensure respect for this freedom, ranking each country as Good Situation, Satisfactory Situation, Noticeable Problems, Difficult Situation, or Very Serious Problems.
- *Freedom in the World (2016)*, the annual survey by Freedom House that measures political rights and civil liberties worldwide, ranking countries as: Free, Partly Free, or Not Free.
- *Freedom of the Press (2016)*, an annual survey by Freedom House that examines the legal, political and economic environments in which journalists work in order to assess the degree of print, broadcast, and internet freedom in every country in the world, ranking each as: Free, Partly Free, or Not Free.
- *Voting at UNGA and UNHRC*, examining countries by how they voted at the UN on various human rights proposals, classifying their voting records accordingly as either Positive, Negative, or Mixed.

## CALL TO ACTION

### **OPPOSE UNQUALIFIED CANDIDATES**

On October 28, 2016, the UN General Assembly's 193 member states will be asked to fill 14 of the 47 Human Rights Council seats. Slots open each year as members complete their three-year terms.

We call upon member states to refrain from voting in favor of **China, Cuba, Egypt, Iraq, Malaysia, Russia, Rwanda and Saudi Arabia**. These candidates' records — on respecting human rights at home and in UN voting — fail to meet the minimal UN criteria for Council membership.

We also call on **Guatemala, South Africa and Tunisia** to commit to changing their human rights and/or UN voting records before they can be deemed suitable.

### **CLOSED SLATES DEFEAT PURPOSE OF ELECTIONS**

Regrettably, there is no competition in two out of the five regional groups: The African Group and the Western Europe and Others Group (WEOG). Closed slates are most of the times the product of backroom deals fixing an equal number of candidates and available seats. The result deprives UN member states of the opportunity to exercise the responsibilities given to them by the 2006 UNGA resolution creating the Council.

Because of the poor records of many of this year's candidates, this election also threatens to further weaken the Council, which still struggles to establish a reputation superior to its widely disparaged predecessor, the Commission on Human Rights. Currently, only 38% of Council members are democracies. A majority of 62% of Council members fail to meet the minimal standards of a free society.

### **PROCEDURE FOR OPPOSING UNQUALIFIED CANDIDATES ON CLOSED SLATES**

Many UN member states mistakenly assume that their task is simply to ratify the pre-selections of the closed slates fixed by regional groups. The truth, however, is that nothing obliges any country to vote for any candidate, even if they appear on a non-competitive list. Moreover, it is equally true that every candidate, including those on closed slates, must receive the affirmative votes of 97 countries, being an absolute majority of the GA membership.

Accordingly, to allow the Human Rights Council to live up to the ideals expressed in the UN Charter and the Universal Declaration of Human Rights, we urge UN member states to oppose all unqualified states in the secret ballot. For example, even though the African Group submitted a closed slate, UN member states should fulfill their duties under UNGA Resolution 60/251 by refraining to vote for Egypt, and Rwanda.

This would allow other, better qualified candidates to come forward. In order to successfully block an unqualified candidate, Rule 94 of the UNGA Rules of Procedure provides that a majority of states must vote against a candidate country on three successive ballots. As the Rule explains, "after the third inconclusive ballot, votes may be cast for any eligible person or Member." This would open the process to other states not already on the

ballot. Moreover, by casting write-in votes for the best qualified alternatives eligible, the UNGA could thereby convince hesitating governments that they would have a realistic prospect, thus encouraging them to present their candidacy.

### **AMERICA TO RETURN TO THE COUNCIL IN 2017**

Because of the lack of competition in WEOG, it is nearly certain that the U.S. will return as a member of the Council in 2017. The country had to take a mandatory year off in 2016, which was the first time the U.S. had not been a Council member since 2009, when President Obama decided to engage with the HRC.

## **ANALYSIS OF “UNQUALIFIED” CANDIDATES**

Following is our analysis of 8 unqualified candidates: China, Cuba, Egypt, Iraq, Malaysia, Russia, Rwanda, and Saudi Arabia.

### **China’s Human Rights Record**

**China commits serious human rights violations, including:**

- Repression and coercion of civil society and human rights defenders
- Forced abortions
- Crackdown against human rights lawyers
- Disappearances of journalists and publishers
- Oppression of minorities
- Continued occupation of Tibet
- Egregious violations of human rights of Tibetans
- Systematically stifles freedom of religion
- Official repression of freedoms of assembly and association
- Severe violations of freedom of expression
- State controlled media
- Lack of free and fair elections
- Torture of prisoners and detainees
- Executions without due process
- Political control over the judiciary
- Administrative detentions
- Discrimination against women

### **Discussion**

In 2015, China detained and interrogated 280 human rights lawyers and activists. They have been detained in secret locations and held incommunicado for months. The lawyers and activists were not charged for any crime, and they had no access to legal representation. As of

July 2016, 17 individuals are still in custody. Most are still denied legal counsel, and eight could face life in prison for “subverting state power.”<sup>1</sup>

Freedom of the media is grossly violated in China. Between October and December 2015, five members of a Hong Kong publishing house — which had been critical of Chinese policies — suddenly disappeared from their homes and vacation locations in Hong Kong, Thailand, and Shenzhen. One of them, Lam Wing-Kee, said that he was abducted by Chinese special forces once he arrived on the mainland in 2015. During his detention, Chinese agents forced him to confess crimes that he did not commit.<sup>2</sup>

In April 2016, Chinese authorities blocked access to all content published by *The Economist* and *Time* magazine, in response to articles examining the growing power of Chinese president Xi Jinping.<sup>3</sup>

Academic censorship remains severe and commonplace in China. In 2013, *South China Morning Post* revealed that the Chinese Communist Party (CCP) issued instructions to university faculty members restricting them from writing about seven topics: universal values, freedom of the press, civil society, civil rights, independent judiciary, elite cronyism, and historical mistakes committed by the CCP.<sup>4</sup>

Since 2008, the Chinese government has jailed human rights activist Liu Xiaobo, a Nobel Peace Prize laureate and founder of Charter 08, which advocated reforms to transform China from a communist dictatorship to a liberal democracy.<sup>5</sup>

Wang Binzhang, founder of two pro-democracy movements in China has been imprisoned since 2003. He was abducted by the Chinese secret service in Vietnam and in a sham trial was condemned to a life sentence in prison for “espionage” and “terrorism.”<sup>6</sup>

China has occupied Tibet since 1951, where the human rights of the Tibetan people are systematically violated. Since the invasion, the Chinese government has adopted policies to

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<sup>1</sup> “China: Secretly Detained Lawyers at Risk of Torture,” Human Rights Watch, July 20, 2015, available at <https://www.hrw.org/news/2015/07/20/china-secretly-detained-lawyers-risk-torture>.

<sup>2</sup> Tom Philips, “China behaving like ‘gangster’ state with bookseller kidnap, say Hong Kong politicians,” *The Guardian*, June 17, 2016, available at <https://www.theguardian.com/world/2016/jun/17/china-behaving-like-gangster-state-with-bookseller-kidnap-say-hong-kong-politicians> and Freedom House, Freedom of Press Index 2016, China Country Report, available at <https://freedomhouse.org/report/freedom-world/2016/china>.

<sup>3</sup> Emily Feng, “China Blocks Economist and Time Websites, Apparently Over Xi Jinping Articles,” *The New York Times*, April 8, 2016, available at [http://www.nytimes.com/2016/04/09/world/asia/china-blocks-economist-time.html?\\_r=0](http://www.nytimes.com/2016/04/09/world/asia/china-blocks-economist-time.html?_r=0).

<sup>4</sup> Raymond Li, “Seven subjects off limits for teaching, Chinese universities told,” *South China Morning Post*, August 29, 2013, available at <http://www.scmp.com/news/china/article/1234453/seven-subjects-limits-teaching-chinese-universities-told>.

<sup>5</sup> Michael Bristow, “Charter 08: A call for change in China,” *BBC*, December 9, 2010, available at <http://www.bbc.com/news/world-asia-pacific-11955763> and Edward Wong & Ian Johnson, “Liu Xiaobo, Nobel-Winning Chinese Dissident, Is Said to Send Message From Prison,” *New York Times*, December 10, 2014, available at <http://www.nytimes.com/2014/12/11/world/asia/liu-xiaobo-chinese-dissident-message-from-prison.html>.

<sup>6</sup> “China’s veteran dissident,” *BBC*, February 10, 2003, available at <http://news.bbc.co.uk/2/hi/asia-pacific/2593593.stm> and “A child of Tiananmen – young activist campaigns for her father’s release from jail,” Amnesty International, May 20, 2014, available at <https://www.amnesty.org/en/latest/news/2014/05/child-tiananmen-young-activist-campaigns-her-father-s-release-jail>.

eradicate Tibetan culture and religion. In July 2016, half of the sacred city of Larung Gar, home of more than 10,000 Buddhist monks, was dismantled by Chinese authorities.<sup>7</sup>

China's war also targets the Muslim Uighur minority living in the Xinjiang region. Invoking the global war on terror, the Chinese government seeks to justify highly intrusive religious control and limits on freedom of thought. Xinjiang Party Secretary Wang Lequan said the "major task" facing the authorities in Xinjiang is to "manage religion and guide it in being subordinate to the central task of economic construction, the unification of the motherland, and the objective of national unity." In February 2014, Ilham Tohti, an Uighur economist, was arrested for "separatism" without any evidence, and held incommunicado, with suspicion he was tortured.<sup>8</sup>

### **U.N. Voting Record**

Negative: China voted against resolutions in the General Assembly that spoke out for human rights victims in Iran, North Korea and Syria. China backed human rights abusers through a resolution denying the right to sanction such regimes. At the Human Rights Council, China voted against resolutions in support of human rights victims in Belarus and Ukraine and against a resolution on gay rights.

### **Cuba's Human Rights Record**

#### **Cuba commits serious human rights violations, including:**

- Neither free nor fair elections
- Systematic political arrests
- Government threats, arrest and violence against dissent
- Severe violations of freedom of association
- Arbitrary arrest of civil society members and independent journalists
- Continuous and systematic violations of freedom of expression
- Gross limitations of the right of free media
- Circumscribed academic freedom
- Severely restricted worker rights, including a ban on labor unions
- Lack of independent judiciary

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<sup>7</sup> "China: Buddhist Monastery Faces Demolition," Human Rights Watch, June 9, 2016, available at <https://www.hrw.org/news/2016/06/09/china-buddhist-monastery-faces-demolition> and Ted Torhnil, "Chinese tear down magical Tibetan mountainside 'city' that's home to 10,000 Buddhist monks and nuns," *Daily Mail*, July 22, 2016, available at <http://www.dailymail.co.uk/news/article-3703568/Stunning-Tibetan-Buddhist-mountainside-city-s-home-10-000-monks-nuns-DISMANTLED-Chinese-workers.html>.

<sup>8</sup> "China: Religious Repression of Uighur Muslims," Human Rights Watch, April 10, 2005, available at <https://www.hrw.org/news/2005/04/12/china-religious-repression-uighur-muslims> and "China: Uighur Economist at Risk of Torture in Detention," Human Rights Watch, February 27, 2014, available at <https://www.hrw.org/news/2014/02/27/china-uighur-economist-risk-torture-detention>.



## Discussion

The Cuban people have no ability to select their political representatives, under a one-party system. Any political organization outside the Cuban Communist Party (CCP) is prohibited. The people can only cast a ballot in municipal elections — where the candidates must be approved by political commissions.<sup>9</sup>

The Cuban Constitution establishes a system of subordination and a lack of independence within the powers of the State, which legally subordinates the entire judicial system and the exercise of any fundamental right to the will of the Communist Party secretary-general. The Cuban Constitution does not recognize the judiciary as an independent organ separate from the executive and the legislative branches of government, nor as the organ responsible for interpreting the Constitution in an objective, independent, and impartial manner, or even for conducting the constitutional review of laws or the acts of the executive.<sup>10</sup>

The Cuban judiciary is entirely subordinate to the CCP. The law deprives judges of the guarantee of stability and tenure by stating that the “professional judges and their professional permanent substitutes are elected without being subject to an end of term.” This provision allows the judges to be appointed and removed arbitrarily by the authorities.

Additionally, all Cuban attorneys must be registered with the National Organization of Collective Law Offices (ONBC) as a condition for practicing their profession. The only attorneys authorized to practice law in Cuba are those admitted within the ONBC. However, the ONBC’s Code of Ethics provides that attorneys, in the exercise of the profession, must “consciously assume and contribute — within their duties — to defend, preserve and be faithful to the principles comprised in the nation, the Revolution and Socialism,” and this should be done “imbued with the righteous, noble and humane ideas of Socialism and inspired by the example set by the Commander in Chief Fidel Castro Ruz.”

For decades, the Cuban State has restricted and systematically violated the human rights of the individuals within its territory. The systematic nature of these violations is evidenced by the continuous attacks and harassment carried out by the Cuban government against any opposition group or individual critical of the regime.<sup>11</sup> Cuba uses arbitrary detention to maintain political

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<sup>9</sup> Freedom House, Freedom in the World 2016 Index, Cuba country report, available at [www.freedomhouse.org](http://www.freedomhouse.org).

<sup>10</sup> On September 16, 2012, Calixto Ramón Martínez, a journalist for the independent news agency Hablemos Press (a Cuban civil society organization — not recognized by the State — formed by self-taught journalists who work to expose the conditions in Cuba and circumvent the State’s monopoly over media) was arrested at José Martí International Airport in Havana. He had been investigating allegations that medicine provided by the World Health Organization (WHO) to fight the cholera outbreak (which the Cuban government had allegedly tried to downplay since it began in mid-2012) was being kept at the airport instead of being distributed to the Cuban people. Calixto Ramón endured almost seven months of arbitrary imprisonment. He was never officially charged for a crime. See news report from Pen International, *Cuba: Calixto Ramón Martínez Arias released; two other writers remain imprisoned*, Apr. 11, 2013, available at <http://www.pen-international.org/newsitems/cuba-calixto-ramon-martinez-arias-released-two-other-writers-remain-imprisoned/>. See also press release from the Committee to Protect Journalists, *CPJ welcomes release of Cuban journalist*, Apr. 10, 2013, available at <https://cpj.org/2013/04/cpj-welcomes-release-of-cuban-journalist.php#more>; press release from Reporters Without Borders, *Independent reporter released after seven months in detention*, Apr. 10, 2013, available at [http://en.rsf.org/cuba-independent-reporter-released-10-04-2013\\_44361.html](http://en.rsf.org/cuba-independent-reporter-released-10-04-2013_44361.html)

<sup>11</sup> See NÉSTOR ALMENDROS, NOBODY LISTENED (Cuban Human Rights Film Project) (1987), <https://www.youtube.com/watch?v=9Me-5wryFDQ>. In the documentary, poets, writers, lawyers, ex-members of the PCC, and ex-commanders of the Cuban Revolution military share their experiences as protagonists and witnesses of the abuses and crimes of the judicial system and prisons in Cuba. Jorge Valles (arrested and sentenced to 20 years in prison in 1964); Huber Matos (a commander of the Cuban Revolution, accused of “sedition” and

control over civil society and to deter dissent. In 2015 the authorities conducted more than 8,600 politically-motivated detentions.<sup>12</sup>

Political prisoners in Cuba are deprived of basic amenities, and regularly beaten, and tortured. On July 22, 2016, political dissident Guillermo Farinas went on a hunger strike to protest the conditions of imprisonment of political prisoners.<sup>13</sup>

It should be noted that, although different Cuban civil society groups often call themselves “political parties” (e.g. Arco Progressive Party, Christian Democratic Party, National Liberal Party of Cuba, Social Democratic Party of Cuba), they do not have the legal status to operate as such or to compete for public office within the institutions of the Cuban State. These are civil associations of people whose will to participate in the civic and political life in Cuba is legitimate from the standpoint of a democratic society, but that are considered and treated as illegal — even as enemies of the State — under the totalitarian legal system guaranteed by the Cuban Constitution. Individuals who disagree with or are critical of any of the government’s branches, regardless of whether they are organized or not, are not allowed to express their views through the media, which are—as mentioned above—subject to the State’s complete control. On the contrary: when the totalitarian State’s media refer to dissenting individuals, they do so with the disqualifying and dehumanizing adjectives of “worms,” “wormholes,” and “scum,” or with the criminalizing labels of “antisocial elements,” “mercenaries,” “subversives,” “terrorists,” and “counterrevolutionaries.”<sup>14</sup>

Before President Obama’s visit to Cuba in March 2016, the Cuban authorities intensified the crackdown on dissent. A weekly march by the group “Ladies in White,” mothers of jailed dissenters, was violently disrupted a few days before Obama’s visit, and some 30 activists were detained.<sup>15</sup>

Oswaldo Payá, one of the most prominent Cuban dissidents, died under mysterious circumstances in 2012. On July 22, 2015, the third anniversary of the death of Payá, Human Rights Foundation (HRF) published a legal report highlighting the inconsistencies of the official government investigation following his death. HRF documented numerous due process

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sentenced to 20 years in prison); Raúl Carmenate (detained at 16 years old in March of 1965, liberated 14 years later in 1979); Manuel del Valle; Sergio Bravo (a Protestant pastor who preached on the streets and was detained three times, spending a total of 18 years in prison until September 1979); Alcides Martínez and Miguel Torres Calero (detained and sentenced to 20 years for “conspiring against the powers of the State,” released after 12 years); among others, denounced the threats, beatings, torture, mutilations, summary trials, executions, and murders that they witnessed or endured during the decades they spent in prison.

<sup>12</sup> Human Rights Watch, World Report 2016, Cuba Chapter, available at <https://www.hrw.org/world-report/2016/country-chapters/cuba> and Amnesty International, Cuba country report, available at <https://www.amnesty.org/en/countries/americas/cuba/report-cuba>.

<sup>13</sup> “Leading Cuban dissident begins hunger strike,” *AFP*, July 2, 2016, available at <http://www.france24.com/en/20160722-leading-cuban-dissident-begins-hunger-strike>.

<sup>14</sup> See, e.g., videos and press releases from different sources exposing this practice, available at (some videos and releases are in Spanish only) <https://www.youtube.com/watch?v=WijpfSpCOMk>; [https://youtu.be/AA1bW3uA\\_08?t=479](https://youtu.be/AA1bW3uA_08?t=479); <http://www.cubadebate.cu/opinion/2013/11/10/obama-habla-de-cuba-entre-gusanos/>; <http://www.cubadebate.cu/opinion/2014/01/23/la-patria-grande-un-verdadero-dolor-de-cabeza-para-ee-uu/>; [http://www.youtube.com/watch?v=IQ5Hp5G\\_dDo](http://www.youtube.com/watch?v=IQ5Hp5G_dDo) (last visited Sept. 2, 2014).

<sup>15</sup> “Protesting wives of political prisoners arrested before Obama’s arrival in Cuba”, *New York Times*, March 21 2016, available at <http://nytlive.nytimes.com/womenintheworld/2016/03/21/protesting-wives-of-political-prisoners-arrested-before-obamas-arrival-in-cuba>.

violations, including damning witness accounts, a grossly inadequate autopsy examination, and other key pieces of evidence that were overlooked by the Cuban judicial system. HRF's report concluded that the "evidence, which was deliberately ignored, strongly suggests that the events of July 22, 2012, were not an accident, but instead the result of a car crash directly caused by agents of the state."<sup>16</sup> An international independent inquiry into the events has been demanded by leading world figures. The daughter of Oswaldo Payá, Rosa María Payá, still fights for the truth.<sup>17</sup>

### **U.N. Voting Record**

Negative: Cuba voted against resolutions in the General Assembly that spoke out for human rights victims in Iran, North Korea and Syria. Cuba backed human rights abusers through a resolution denying the right to sanction such regimes. At the Human Rights Council, Cuba voted against resolutions in support of human rights victims in Belarus and Ukraine.

### **Egypt's Human Rights Record**

#### **Egypt commits serious human rights violations, including:**

- Unlawful killings
- Torture
- Restrictions of freedom of expression
- Suppression of freedom of assembly and association
- Systematic use of arbitrary and preventive arrests
- Not independent courts
- Political corruption
- Limitation of academic freedom
- Violations of freedom of religion
- Discrimination against minorities
- Arrests based on sexual orientation
- Discrimination against women
- Widespread female genital mutilation (FGM)
- Abuse of worker rights
- Child labor
- Discrimination against people with disabilities

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<sup>16</sup> The Case of Oswaldo Payá, Human Rights Foundation (2015), available at [http://humanrightsfoundation.org/uploads/The\\_Case\\_of\\_Oswaldo\\_Pay%C3%A1-ENG.pdf](http://humanrightsfoundation.org/uploads/The_Case_of_Oswaldo_Pay%C3%A1-ENG.pdf).

<sup>17</sup> Randall C. Archibold, "Inquiry Is Sought Into Death of Castro Critic," *The New York Times*, April 4, 2013, available at <http://www.nytimes.com/2013/04/05/world/americas/inquiry-is-sought-into-death-of-oswaldo-paya-cuban-dissident.html>

## **Discussion:**

In 2013, a coup ousted Muhammed Morsi, and installed General al-Sisi. Human rights continue to be violated. Violence against protestors remains endemic. On January 24, 2014, Shaimaa al-Sabbagh was shot dead by police forces who were breaking up a reportedly peaceful protest against the killing of demonstrators during the Arab Spring in 2011. Her story became symbolic of police violence in Egypt due to a photograph taken of her during dying breaths after being shot.<sup>18</sup>

Discrimination and violence against LGBTI persons remains widespread. While same-sex relations are not illegal in Egypt, people are often arrested for related activities. In April 2016, 11 gay men were sentenced to three to twelve years in prison for crimes of “habitual debauchery.”

In December 2013, Al Jazeera journalists Mohamed Fahmy, Baher Mohamed and Peter Greste were arrested by Egyptian Authorities for “spreading false information to help the Muslim Brotherhood.” The three journalists had always denied any collaboration with the Muslim Brotherhood. Mohamed Fahmy reportedly said that “they were arrested for simply reporting news.” Peter Greste was deported to Australia on February 1, 2015, while Mohamed Fahmy had to renounce his Egyptian citizenship and asked to be deported in Canada. Baher Mohamed and Fahmy Mohamed were released on February 13, 2015.<sup>19</sup>

## **U.N. Voting Record**

Negative: Egypt voted against resolutions in the General Assembly that spoke out for human rights victims in Iran and North Korea. Egypt backed human rights abusers through a resolution denying the right to sanction such regimes.

## **Iraq’s Human Rights Record**

### **Iraq commits serious human rights violations, including:**

- Sectarian violence and gross human rights abuses by ISIS
- Murder, torture and abuse of innocent civilians by military and paramilitary forces
- Arbitrary killings by government forces
- Government authorities often committed arbitrary arrests
- Corruption
- Life-threatening prison conditions
- Limitations of freedom of speech, press and movement

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<sup>18</sup> David B. Kirkpatrick, “Coming to Mourn Tahrir Square’s Dead, and Joining Them Instead,” *The New York Times*, February 3, 2015, available at <http://www.nytimes.com/2015/02/04/world/middleeast/shaimaa-el-sabbagh-tahrir-square-killing-angers-egyptians.html> and Jared Malsin & Olivier Laurent, “The Story Behind the Photo of Shaimaa al-Sabbagh’s Dying Moments,” *Time*, January 30, 2015, available at <http://time.com/3689366/the-story-behind-the-photo-of-shaimaa-al-sabbaghs-dying-moments>.

<sup>19</sup> “Al Jazeera trial: Egypt court frees journalists on bail,” *BBC*, February 12, 2015, available at <http://www.bbc.com/news/world-australia-31435436>.

- Limitations of the right for peaceful assembly
- Widespread social, political and legal discrimination against women and LGBTI persons
- Child soldiers

## **Discussion**

During the liberation of Falluja by government forces and the Popular Mobilization Forces (PMF) in May 2016, gross human rights violations were reported. Videos showed abuse and killing of civilians by army forces and PMF.<sup>20</sup>

Iraqi civilians fleeing Daesh in Falluja were reportedly captured by PMF soldiers, detained and tortured with no official charges. On June 2016, the provincial council of the Anbar province reported that PMF handed over 605 men and boys who were captured as they were fleeing the battles in Falluja, and that that they were evidently tortured by the PMF soldiers.<sup>21</sup>

Freedom of expression was also under pressure by the Iraqi government in 2016. In July 2016, a new draft law was proposed in the Iraqi parliament that would severely restrict Iraqis' freedom of expression and association. The law stipulates that any person insulting a religious symbol will be sentenced to a minimum of one year in prison. Protesters must receive a permit at least six days before their planned demonstration, and granting this permit may be denied for any reason. After serious protests from the opposition and civil society, the parliament decided to postpone the vote on the new law.<sup>22</sup>

## **U.N. Voting Record**

Negative: Iraq voted against a resolution in the General Assembly that spoke out for human rights victims in Iran, abstained on a resolution on Syria, although it supported the one on North Korea. Iraq backed human rights abusers through a resolution denying the right to sanction such regimes.

## **Malaysia's Human Rights Record**

### **Malaysia commits serious human rights violations, including:**

- Persecution of LGBT
- Corporal punishment allowed by the judicial system

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<sup>20</sup> "Iraq: Fallujah Abuses Test Control of Militias," Human Rights Watch, June 9, 2016, available at <https://www.hrw.org/news/2016/06/09/iraq-fallujah-abuses-test-control-militias>.

<sup>21</sup> Susannah George, "Allegations of human rights violations in Fallujah fight," *Associated Press*, June 6, 2016, available at <http://bigstory.ap.org/article/9bbb432f0d474e94ad59f6b006ab5f55/aid-group-says-shooting-civilians-fleeing-fallujah-battle>.

<sup>22</sup> Freedom House, Freedom in the World 2016, Iraq country report, available at <https://freedomhouse.org/report/freedom-world/2016/iraq> and Mustafa Naser, "Iraqi civil society fights new freedom of expression bill," *Al-Monitor*, available at <http://www.al-monitor.com/pulse/originals/2016/07/iraq-freedom-expression-cybercrime-law.html>.

- Harsh condition of prisoners
- Child marriage
- Politically motivated trials
- Electoral fraud
- Restriction on opposition parties
- Restriction on freedom of expression
- Restriction on freedom of assembly
- Discrimination against minorities
- Restriction on religious freedom
- Arbitrary arrest without trials
- Torture
- Death penalty for drug trafficking
- Restriction on the activities of NGOs
- Restriction on freedom of the press
- No respect for refugee/asylum seeker status

## Discussion

Elections in Malaysia are subject to political interference. Discrimination against religious minorities is common. More than 100 Shiites were arrested in March 2014 for attending a religious celebration. In June 2016, Malaysia's highest court upheld a ban on non-Muslims improperly using the word "Allah" when referring to God, even though this is the term widely used in scriptures of Malay-speaking Christians, as well present in Christian Bibles and in everyday discussions.<sup>23</sup>

In Malaysia, NGOs must be approved by the government. Several international NGOs are operating in Malaysia, but are not allowed to open a local branch of their organization.<sup>24</sup>

In February 2015, the Federal Court of Malaysia condemned opposition leader Anwar Ibrahim on sodomy charges, after a well-known political trial. Karpal Singh, another former opposition leader, was condemned to a fine that would exclude him from the political process.<sup>25</sup>

LGBT rights are systematically violated in Malaysia. Same sex relations can be punishable by up to 20 years of prison. The Ministry of Health considers homosexuality nearly a disease and, along with the Ministry of Education, launched a campaign to "prevent, overcome and correct" symptoms of homosexuality in children. Wearing opposite-sex clothes is prohibited by Sharia law in Malaysia.<sup>26</sup>

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<sup>23</sup> Freedom House, Freedom in the World 2015, Malaysia country report, available at <https://freedomhouse.org/report/freedom-world/2015/malaysia>.

<sup>24</sup> Human Rights Watch, World Report 2015, Malaysia chapter, available at <https://www.hrw.org/world-report/2015/country-chapters/malaysia>.

<sup>25</sup> Human Rights Watch, World Report 2015, Malaysia chapter, available at <https://www.hrw.org/world-report/2015/country-chapters/malaysia>.

<sup>26</sup> Human Rights Watch, Malaysia, available at <https://www.hrw.org/asia/malaysia>, and Freedom House, Freedom in the World 2015, available at <https://freedomhouse.org/report/freedom-world/2015/malaysia>.

Several prisoners died during police custody due to the harsh condition of prisons or caning which is imposed by criminal and Sharia courts as a form of punishment. Police violence against prisoners is common and unpunished by the government.<sup>27</sup>

Malaysia has no respect for asylum seekers and refugees. Malaysia does not follow the Refugee Convention, does not recognize the status of asylum seekers and refugees, and refuses to provide education or work permits for refugees.<sup>28</sup>

### **U.N. Voting Record**

Negative: Malaysia abstained on resolutions in the General Assembly that spoke out for human rights victims in Iran and North Korea. Malaysia backed human rights abusers through a resolution denying the right to sanction such regimes.

## **Russia's Human Rights Record**

### **Russia commits serious human rights violations, including:**

- Limited ability of citizens to elect their representatives
- Repressive laws designed to suppress political opposition and dissent
- Government restrictions on the freedom of the media
- Restrictions of freedom of expression and assembly
- Prosecution of individuals supporting the government of Ukraine or criticizing Russian policies in the occupied Ukrainian territories
- Politically motivated denial of due process to anti-Putin defendants
- Discrimination against racial, ethnic, religious and sexual minorities
- Government prosecution of LGBTI persons
- Torture at detention facilities
- Overcrowded and substandard prison conditions
- Executive branch pressures on the judiciary
- Human trafficking
- Discrimination against people with disabilities
- Limited workers' rights
- Harassment of civil society
- Occupation of Crimea and support for pro-Russian militants in Ukraine
- Deterioration of human rights due to the continued occupation and hostilities with the Ukrainian army

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<sup>27</sup> "Malaysia: End Police Abuses," Human Rights Watch, August 1, 2014, available at <https://www.hrw.org/news/2014/04/01/malaysia-end-police-abuses>.

## Discussion

Due to the international isolation that followed the occupation of Crimea and growing economic disparity, the Russian government sought to consolidate public opinion with notions of patriotism and traditional values. In this context, the Russian authorities cracked down on dissent and opposition that were deemed unpatriotic or opposed to traditional values.<sup>29</sup>

On February 27, 2015, Boris Nemtsov, an opposition leader, was shot dead. Nemtsov was reportedly working on publishing a detailed report on the involvement of Russian soldiers in East Ukraine. Attempts to commemorate his death were opposed by pro-government groups and civil authorities.<sup>30</sup>

The judiciary lacks independence from the executive branch and career advancement is effectively tied to compliance with government preferences. Corruption in Russia is extremely common. According to the Panama Papers, even president Vladimir Putin is involved along with many other high-level figures of the Russian establishment.<sup>31</sup>

The government retains strict control over media outlets. The state effectively controls most media outlets in the country.<sup>32</sup>

Russia maintains rigorous control over dissemination of information in other forms. Natalya Sharina, director in a library of Ukrainian literature in Moscow, was arrested after publications by Ukrainian nationalist author Dmitry Korchinsky were found at the library. She was later jailed without access to food, water, or bedding before being released to house arrest.<sup>33</sup>

LGBTI persons are continuously and systematically persecuted by the authorities, and experience societal persecution. In May 2015, the Moscow gay parade was banned by the authorities; in September, the website Deti 404, which provides an online discussion platform for LGBTI adolescents, was blocked by the authorities. Sergey Alekseenko, a former director of a Russian LGBTI organization, was charged with violating the Russian propaganda law.<sup>34</sup>

In March 2014, Russia by force illegally annexed Crimea and started a war in Eastern Ukraine. Under Russian occupation, human rights in Eastern Ukraine and Crimea are systematically violated and serious human rights abuses by the armed groups supported by Russia continued

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<sup>29</sup> Amnesty International, Russian Federation Report, available at <https://www.amnesty.org/en/countries/europe-and-central-asia/russian-federation/report-russian-federation/>.

<sup>30</sup> Sarah Rainsford, "Boris Nemtsov killing: Grief, fear and anger one year on," *BBC*, February 27, 2016, available at <http://www.bbc.com/news/world-europe-35675221>.

<sup>31</sup> Freedom House, Freedom in the World 2016, available at <https://freedomhouse.org/report/freedom-world/2016/russia> and Luke Harding, "How to hide a billion dollars," *The Guardian*, April 3, 2016, available at <https://www.theguardian.com/news/2016/apr/03/panama-papers-money-hidden-offshore>.

<sup>32</sup> Freedom House, Freedom of the Press Index 2015, Russia country report. Available at [www.freedomhouse.org](http://www.freedomhouse.org).

<sup>33</sup> "Russian police detain director of Ukrainian library in Moscow," *The Guardian*, October 29, 2015, available at <https://www.theguardian.com/world/2015/oct/29/russian-police-detain-natalya-sharina-ukrainian-library-director-moscow>.

<sup>34</sup> "Russia: Court Rules Against LGBT Activist," Human Rights Watch, February 3, 2016, available at <https://www.hrw.org/news/2016/02/03/russia-court-rules-against-lgbt-activist>.



to be reported, including torture, arbitrary and incommunicado detention, summary executions, forced labor, and sexual violence, as well as the destruction and illegal seizure of property.<sup>35</sup>

Violation of the Tatar people's human rights in the occupied Crimean Peninsula continue with impunity. Russian forces in Crimea practice discrimination, seizure of books and other means designed to repress the Tatar people's religious rights. In April 2016, Russian authorities arbitrarily arrested 35 Crimean Tatars, and detained and interrogated them without formal charges. Russia continues to violate Tatars' freedom of expression and freedom of media. In May 2016, Russian-backed authorities blocked a pro-Tatar broadcast of *Radio Free Europe*.<sup>36</sup>

During the Russia-Georgia conflict in 2008, Russia occupied South Ossetia and militias perpetrated ethnic cleansing of the Georgian population in the area. The Russian Army failed to maintain its obligations as an occupation force, allowing South Ossetian militants to pillage and destroy ethnic Georgian villages. Human rights in the region have continuously deteriorated since the occupation.<sup>37</sup>

### **U.N. Voting Record**

Negative: Russia voted against resolutions in the General Assembly that spoke out for human rights victims in Iran, North Korea and Syria. Russia backed human rights abusers through a resolution denying the right to sanction such regimes. At the Human Rights Council, Russia voted against resolutions in support of human rights victims in Belarus and Ukraine and against a resolution on gay rights.

## **Saudi Arabia's Human Rights Record**

### **Saudi Arabia commits serious human rights violations, including:**

- Death sentences for offences of apostasy, sorcery and adultery
- Corporal punishment, including flogging and amputation, as forms of judicial penalty
- Judicial branch is not independent
- Court testimonies by women, non-practicing Sunnis, Shiites and other minorities are not considered equal before the law, and may be discounted at the discretion of the judge
- Highest number of executions since 1995, executions are often public
- Frequent arbitrary arrests of dissenters and minorities
- Frequent and systematic restrictions of freedom of speech and of the press

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<sup>35</sup> "Ukraine: "You Don't Exist": Arbitrary Detentions, Enforced Disappearances, and Torture in Eastern Ukraine," Amnesty International, July 21, 2016, available at <https://www.amnesty.org/en/documents/eur50/4455/2016/en> and "Human Rights Abuses in Russian-Occupied Crimea," Freedom House, available at [https://freedomhouse.org/sites/default/files/CrimeaReport\\_FINAL.pdf](https://freedomhouse.org/sites/default/files/CrimeaReport_FINAL.pdf).

<sup>36</sup> "Ukraine: Fear, Repression in Crimea," Human Rights Watch, March 3, 2016, available at <https://www.hrw.org/news/2016/03/18/ukraine-fear-repression-crimea> and "Crimea Realities Chief Says Ban Won't Stop Website," *Radio Free Europe*, August 24, 2016, available at <http://www.rferl.org/content/release-crimea-realities-chief-says-ban-wont-stop-website/27731357.html>.

<sup>37</sup> "Up In Flames," Human Rights Watch, January 23, 2009, available at <https://www.hrw.org/report/2009/01/23/flames/humanitarian-law-violations-and-civilian-victims-conflict-over-south>.

- Apostasy and blasphemy are punishable by death
- Complete state censorship of media
- Suppression of dissent
- Violence and discrimination against women in all fields of life
- Limitation of academic freedom
- No freedom of assembly and association
- Human rights defenders are systematically prosecuted
- Governed by an absolute monarchy
- Strict restrictions on civil society and other non-governmental institutions
- Spousal rape is not criminalized
- Discrimination and violence against LGBTI persons
- Consensual same-sex sexual conduct is punishable by death or flogging

## Discussion

Saudi Arabia is governed by an absolute monarchy and theocracy. Citizens have no ability to influence the governing entity through democratic practices. The judiciary is highly influenced by the government, and is dictated by Sharia law.<sup>38</sup>

The government and courts systematically deny freedoms of expression and of the media. It prosecutes and imprisons dissenters and peaceful critics of government policies or the Islamic religion. Raif Badawi, a Saudi blogger, was convicted in 2014 for insulting Islam and was sentenced to ten years in prison. He was also flogged 50 times, a punishment executed in public.<sup>39</sup>

In 2015, Saudi Arabia carried out 158 executions, many for non-violent crimes like drug offences. Apostasy and blasphemy are also punishable by death. Al-Nimr's confession for his alleged crimes of terrorism was reportedly extracted using torture.<sup>40</sup> In 2016, Saudi Arabia seem set on breaking their personal record of annual executions. As of July, Saudi Arabia has executed 108 people in total, and more than ten percent of the executions were applied for drug trafficking offences.<sup>41</sup>

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<sup>38</sup> Freedom House, Freedom in the World 2015, Saudi Arabia country report, available at [www.freedomhouse.org](http://www.freedomhouse.org).

<sup>39</sup> "Saudi blogger Raif Badawi gets 10 year jail sentence," *BBC*, May 8 2014, available at <http://www.bbc.com/news/world-middle-east-27318400> and Freedom House, Freedom in the World 2016, available at <https://freedomhouse.org/report/freedom-world/2016/saudi-arabia>.

<sup>40</sup> "Death penalty 2015: Facts and figures", Amnesty International, April 6, 2016, available at <https://www.amnesty.org/en/latest/news/2016/04/death-penalty-2015-facts-and-figures> and "Shia cleric among 47 executed by Saudi Arabia in a single day," Amnesty International, January 2, 2016, available at <https://www.amnesty.org/en/latest/news/2016/01/shia-cleric-among-47-executed-by-saudi-arabia-in-a-single-day/>.

<sup>41</sup> "Saudi Arabia: Surge in executions continues as death toll approaches 100," Amnesty International, May 27, 2016, available at <https://www.amnesty.org/en/latest/news/2016/05/saudi-arabia-surge-in-executions-continues-as-death-toll-approaches-100/> and "Saudi Arabia: Over 100 Executions Since January 1," Human Rights Watch, July 27, 2016, available at <https://www.hrw.org/news/2016/07/27/saudi-arabia-over-100-executions-january-1>.

Same-sex sexual conduct is a crime punishable by death in Saudi Arabia. It is also illegal for a man to have a “feminine behavior.” Because of severe discrimination and violence, no organizations exist that promote LGBTI rights in Saudi-Arabia.<sup>42</sup>

Every woman in Saudi Arabia is required by law to have a male guardian. Male guardians have influence on most walks of life for women. Women need a guardian’s permission to travel outside Saudi Arabian borders. Guardians influence whether a woman may study or work in different disciplines and occupations, and whether an incarcerated woman may exit jail when her legal jail term is over. Women are widely segregated in Saudi Arabia, a nation where women cannot even drive a car.<sup>43</sup>

In Saudi Arabia, converting from Islam is prohibited by law. Saudi Arabia is the only country in the world with the official policy of banning all churches. In 2014, 28 people including children were arrested by the religious police for practicing their religion at home.<sup>44</sup>

Saudi Arabia heads the coalition against the Houthi rebels in Yemen. Between March 2015 and August 2016, 3,799 civilians have been killed, including many children. Some 8 million people including 3 million women and children are suffering from malnutrition; 3 million people have been forced to leave their homes.<sup>45</sup> In March 2016, Saudi forces bombed a market in the village of Al Khamees in Yemen, killing over 100 civilians, at least twenty-four of them children.<sup>46</sup> Saudi Arabia successfully pressured the UN to remove criticism of its actions harming children.

## U.N. Voting Record

Negative: Saudi Arabia abstained on a resolution in the General Assembly that spoke out for human rights victims in Iran, although it supported the ones on North Korea and Syria. Saudi Arabia backed human rights abusers through a resolution denying the right to sanction such regimes. At the Human Rights Council, Saudi Arabia abstained on resolutions in support of human rights victims in Belarus and Ukraine and voted against a resolution on gay rights.

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<sup>42</sup> Brian Whitaker, “Saudis’ tough line on gays,” *The Guardian*, April 9, 2005, available at <https://www.theguardian.com/world/2005/apr/09/saudi-arabia.brianwhitaker> and Max Bearak & Darla Cameron, “Here are the 10 countries where homosexuality may be punished by death,” *The Washington Post*, June 16, 2016, available at <https://www.washingtonpost.com/news/worldviews/wp/2016/06/13/here-are-the-10-countries-where-homosexuality-may-be-punished-by-death-2>.

<sup>43</sup> Human Rights Watch, World Report 2016, Saudi Arabia country chapter, available at <https://www.hrw.org/world-report/2016/country-chapters/saudi-arabia>.

<sup>44</sup> Matthew Blake, “Dozens of Christians ‘including women and children’ are arrested in Saudi Arabia after tip-off to state’s Islamist police force,” *Daily Mail*, September 15, 2014, available at <http://www.dailymail.co.uk/news/article-2756134/Dozens-Christians-including-women-children-arrested-Saudi-Arabia-tip-state-s-Islamist-police-force.html>.

<sup>45</sup> “High Commissioner Zeid Urges Accountability for Violations in Yemen,” United Nations, August 25, 2016, available at [http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear\\_en\)/FBF612BBA464AB6DC125801A00366E21?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/FBF612BBA464AB6DC125801A00366E21?OpenDocument).

<sup>46</sup> Human Rights Watch, World Report 2016, Saudi Arabia country chapter, available at <https://www.hrw.org/world-report/2016/country-chapters/saudi-arabia>.

## **Rwanda's Human Rights Record**

### **Rwanda commits serious human rights violations, including:**

- Arrest and abuse of political opponents
- Politically-motivated abductions
- Harassment of NGOs, political opponents and journalists
- Arbitrary killings
- Torture
- Harsh condition of prisons
- Restriction on freedom of expression
- Restriction on freedom of association
- Denies legal representations to prisoners by police forces
- Detention without charge and lengthy pretrial detention
- Violation of privacy rights
- Seizure of private property of political opponents
- Limits on citizens' ability to change their government through free and fair elections
- Pressure and threats against church leaders in order to make them join the Rwanda Patriotic Front
- Government restrictions on the creation of opposition parties
- Government interference in NGO work; domestic NGO leaders concerned about infiltration by Secret Services in their organizations
- Politically-motivated trials
- Arbitrary jailing of street children, sex workers, street vendors and poor people without trial and in harsh conditions
- Work discrimination based on political affiliation
- Restriction to freedom of movement for members of the political opposition
- Mistreatment of refugees
- General security forces disregard for the rule of law
- Undocumented detention centers where human rights are systematically violated

### **Discussion**

Rwanda is governed since 2000 by Paul Kagame. His control of Rwanda is absolute: the last election in 2010 was won by Kagame with 93% of the votes. During the election, opposition leaders and journalists were killed. Opposition groups faced threats and ostracism by the government and its officials.<sup>47</sup>

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<sup>47</sup> Hereward Holland, "Rwanda's Kagame wins election by landslide," *Reuters*, August 11, 2010, available at <http://www.reuters.com/article/us-rwanda-election-idUSTRE67A2EZ20100811> and Human Rights Watch, Rwanda, available at <https://www.hrw.org/africa/rwanda>.

Rwandan authorities have rounded up poor people and arbitrarily detained them in “transit centers” across the country. The conditions in these centers are harsh and inhumane, and beatings are commonplace.<sup>48</sup>

*BBC Kinyarwanda* was banned indefinitely by the Rwandan government under anti-genocide laws. BBC was accused of “abusing press freedom” by airing a documentary on the causes of the Rwandan genocide. Most of the media in Rwanda are controlled by the government, broadcasting only pro-government views.<sup>49</sup>

In June 2014, the organizing secretary for the Democratic Green Party of Rwanda (DGPR), Jean Damascene Munyeshyaka, disappeared after a meeting with an unknown individual in Nyamata town. There were others cases of disappearances in previous years, but local human rights organizations ceased investigating them in 2012 after pressure from government officials, including threats and allegations of treason.<sup>50</sup>

Rwanda military intelligence members used torture and other cruel and inhuman treatment to obtain confessions in secret military detention centers. The State Security Forces utilized undeclared detention facilities to interrogate persons detained on national security charges. Detainees were tortured and pressured to confess to alleged crimes or to incriminate others.<sup>51</sup>

The family of deceased businessman Assinapol Rwigara stated that government officials threatened them with prosecution for “spreading rumors aimed at inciting the population to rise against the regime” after they publicly claimed that SSF killed Rwigara following a February 4, 2015 automobile accident.<sup>52</sup>

## U.N. Voting Record

Mixed: Rwanda abstained on a resolution in the General Assembly that spoke out for human rights victims in Iran, was absent on the vote on North Korea, although it supported a resolution on Syria. Rwanda backed human rights abusers through a resolution denying the right to sanction such regimes.

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<sup>48</sup> “Rwanda: Locking Up the Poor”, Human Rights Watch, July 21, 2016, available at <https://www.hrw.org/news/2016/07/21/rwanda-locking-poor>.

<sup>49</sup> “Rwanda suspends BBC broadcasts over genocide film,” *BBC*, October 24, 2014, available at <http://www.bbc.co.uk/news/world-africa-29762713>.

<sup>50</sup> Amnesty International, Rwanda Report, available at <https://www.amnesty.org/en/countries/africa/rwanda/report-rwanda/>.

<sup>51</sup> Human Rights Watch, World Report 2015, Rwanda country chapter, available at <https://www.hrw.org/world-report/2015/country-chapters/rwanda>.

<sup>52</sup> “Mort d’un ancien financier du FPR: la famille dénonce un assassinat,” *RFI*, March 3, 2015, available at [http://www.bbc.com/gahuza/amakuru/2015/03/150313\\_rwanda\\_rwigara\\_family](http://www.bbc.com/gahuza/amakuru/2015/03/150313_rwanda_rwigara_family).