



**HUMAN
RIGHTS
HOUSE**
FOUNDATION

PROTECTING DEFENDERS

**HOW TO IMPROVE THE INFRASTRUCTURE
PROTECTING HUMAN RIGHTS DEFENDERS**

Armenia

Kazakhstan

Azerbaijan

Kyrgyzstan

Belarus

Tajikistan

Georgia

Ukraine

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LIST OF ABBREVIATIONS

HRD	Human rights defender
HRHF	Human Rights House Foundation
DDos attack	Distributed denial-of-service attack
HRH	Human Rights House
CSO	Civil society organisation
NGO	Nongovernmental organisation
EaP	Eastern Partnership
EU	European Union
UN	United Nations
GONGO	Government organised nongovernmental organisation

AM	Armenia
AZ	Azerbaijan
BY	Belarus
GE	Georgia
KG	Kyrgyzstan
KZ	Kazakhstan
TY	Tajikistan
UA	Ukraine

1. FOREWORD BY MARY LAWLOR

Keep the torchlight of human rights defenders bright

I have always admired and been inspired by human rights defenders. Human rights defenders are ordinary people who do extraordinary things. They work for more peaceful and just societies, and in doing so are willing to put their security and even their lives on the line for the rights of others. Over the last few decades, the situation for human rights defenders has been in a universal decline, as they face increasing danger and risks. This is unacceptable for all of us who value freedom and human dignity.

In 2020 alone, over 300 rights defenders were killed; thousands were targeted, persecuted, harassed, attacked, smeared or undermined. The first step to addressing this appalling situation must be to examine how we can ensure and improve the protection of human rights defenders.

“Protecting Defenders” could not have been more timely. The study was undertaken by Human Rights House Foundation to identify and offer solutions to gaps within protection infrastructure for human rights defenders at risk in eight Eurasian countries. The study adds to the ever-expanding documentation of the rapidly deteriorating situation for human rights defenders, and documents the urgency to act, especially in emerging democracies.

The Soviet Union collapsed exactly three decades ago but the societies in Eastern Europe, South Caucasus and Central Asia are still battling against the remnants of their totalitarian past. Human rights defenders in these countries face numerous risks as a result of their work. Some of them – such as women defenders, LGBTQI rights defenders, environmental activists and defenders in remote areas - are targeted even more not only for what they do but also for who they are. As the study shows, the risks that defenders face do not come from the state alone. Businesses, religious institutions and other non-state actors operating with tacit or overt government support frequently abuse and threaten defenders as well.

It is the responsibility of states to ensure an enabling environment in which human rights defenders can operate. Now is the time for states to step up their commitments for the protection of human rights defenders not only by ensuring protection mechanisms to prevent and respond to attacks against defenders, but also to publicly acknowledge the invaluable contribution that defenders make in helping achieve more just societies. States, institutions, organisations and the broader civil society must continue spreading the knowledge about the importance of human rights defenders; we must seek new partnerships and turn bystanders into allies so that defenders can do their work free from reprisals.



On Wednesday, 9 September 2015, representatives of Human Rights Houses walked from the Norwegian Parliament to the Ministry of Foreign Affairs in support of their jailed and killed colleagues.

As the famous Belarusian writer and Nobel Prize laureate Svetlana Alexievich noted, “Freedom is not an instantaneous holiday as we once dreamed. It is a road. A long road.” We are all able to undertake this journey under the torchlight that courageous human rights defenders hold. It must be the duty of all of us, all like-minded, democracy and freedom loving individuals, institutions, states, organisations and others who believe in justice and the rule of law to make sure that this torch shines bright at all times. I believe that the findings and recommendations of this study will help guide us in that mission.



Mary Lawlor
Mary Lawlor,
UN Special Rapporteur on the situation
of human rights defenders

2. EXECUTIVE SUMMARY

Aims and objectives of the study

The situation for human rights defenders (HRDs) is an important indicator of the overall human rights situation in any given country. Changes in the space that defenders enjoy and the legal and operational restrictions that they face often serve as an early warning of the direction in which the country is developing. The preconditions for the effective work of human rights defenders are their ability to freely express their opinion, form associations, peacefully assemble, access information and funding, and be protected and appreciated as agents of positive change and development. Likewise, the impact that the local human rights defenders can have on the positive human rights developments depends, among others, on the rights they themselves enjoy.

Unfortunately, the situation for human rights defenders has been deteriorating across the globe. Authorities in many countries view the work of HRDs as a threat to established power structures, and consider HRDs as their opponents, rather than allies. In many countries, the ill-informed traditional values narrative is used by the authorities to accuse HRDs of working against national interests, which over time has led to further isolation and stigmatisation of HRDs.

To address the deteriorating situation for HRDs and encourage mutual learning, rethinking and strategizing for improved and more inclusive protection of human rights defenders, Human Rights House Foundation (HRHF) has decided to take stock of the existing protection infrastructure for HRDs operating in the former Soviet space. To do so, HRHF commissioned a study to “map” existing protection infrastructure for human rights defenders at risk in eight countries in Eastern Europe, the Caucasus and Central Asia (Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, and Ukraine). The aim of the study was to uncover any trends and to ascertain unmet protection needs. An important part of the study was to identify and suggest potential new actors and partners for future protection work, as well as to identify communities of human rights defenders at risk that are either left out or barely receive protection support.

Methodology

The study was conducted during September 2019 – November 2020, with data collection efforts taking place during October 2019 through June 2020. A total of 212 interviews were conducted: 192 with respondents from the eight countries and 20 with representatives of international protection providers. The respondents were either human rights defenders at risk or those who provide protection assistance. To achieve diversity of opinions and comprehensiveness of the data gathered, the researchers ensured that the respondents came from various geographic locations in each country and represented various gender, age, and professional perspectives. Particular attention was

paid to the need to learn about the perspectives of HRD communities under the radar that might be left without protection support.

Around 50% of the interviews were conducted remotely, in part due to the COVID-19 pandemic. In-person interviews were conducted in Armenia, Azerbaijan, Belarus, and Georgia. Interviews in Central Asia had to be done online due to the practical impossibility of travel during the pandemic. Preliminary findings and recommendations were reviewed by the representatives of local human rights communities from the targeted countries during autumn 2020. The inputs received were used to recalibrate the final report.

The study was possible thanks to the invaluable support and engagement of the Human Rights Houses, partner organisations and individuals in the countries of the study and beyond. HRHF is grateful to every respondent that generously dedicated their time to share their views on this important subject and in doing so, contributed to this report.

Findings and recommendations

The study shows that protection infrastructure in the countries of the study is well-established yet not without gaps. An absolute majority of interviewed HRDs face risks as they engage in legitimate human rights work; physical risks prevail over digital risks across all countries. While authoritarian states have a monopoly over threats and violence against defenders, HRDs in countries with hybrid regimes are primarily targeted by non-state actors, which are often emboldened, encouraged and supported by the governments. Women HRDs face additional risks that their male counterparts usually do not experience, such as the risk of sexual violence and harming their children. These additional risks sometimes go unnoticed by the existing protection programmes.

The study has found that the ability of the protection infrastructure to function effectively is heavily reliant on the strength of protection providers. In turn, organisational culture, security and a sense of solidarity among their peers has a direct link with the well-being of HRDs. To ensure the sustainability of protection programmes on the ground, there is a need to effectively address the issue of burnout among protection providers. Donors and international partners are recommended to view local and regional protection providers not only as implementers, but also as beneficiaries of their existing protection programmes. Organisational culture and governance practices must be viewed as factors contributing to the strength of the overall protection infrastructure, as they undoubtedly affect the well-being of defenders.

Local and regional coalitions, reinforced by international assistance, provide the most efficient and effective protection to HRDs at risk. The study thus recommends supporting coalitions of local civil society organisations specialising in protection work, and linking them to international protection providers. The donor community is advised to fund initiatives that build alliances locally and regionally, and support ideas that aim at cultivating new allies. International protection providers are encouraged to channel protection support through such local and regional coalitions, when they exist, or to design protection programmes that envision a long-term effect of creating strong national and regional coalitions.

Furthermore, the data shows that the risks faced by HRDs in hybrid regimes – Armenia, Georgia, Kyrgyzstan and Ukraine – are on the rise and warrant immediate attention and action. There is a need to pay closer attention to the safety and security of HRDs working under more benign regimes, as early signs of deterioration are evident and must be addressed to prevent further setbacks. International and national protection providers should increasingly focus on proactively developing HRD capacities to count-

er risks, building digital and physical security skills of HRDs, and taking preventive measures in response to the deteriorating situation in these countries

Who is this report for?

This report presents findings and recommendations that will help protection providers, as well as their funders, partners, and friendly governments, in their endeavours to improve the situation for HRDs. While these findings and recommendations are based on the present study in eight countries, HRHF's experience in protection work allows to assume with confidence that they are likely applicable in other countries and contexts, given the general commonality of the threats to and concerns for the safety and security of HRDs and independent civil society actors in different parts of the world. Although the study was done prior to and during the outbreak of Covid-19, its findings remain just as relevant and implementation of recommendations even more urgent, as the effects of the pandemic have only exacerbated the situation for HRDs.

HRHF's experience with HRD protection

A decade ago, HRHF and three Human Rights Houses (HRHs) – Belarusian HRH, Educational HRH Chernihiv and HRH Tbilisi - developed a comprehensive protection programme, which has supported several hundred HRDs and their family members by providing legal, financial, and psychological support, as well as temporary shelter and relocation assistance in Eastern Europe and the Caucasus. Over the years, HRHF's protection programme also funded trial observations and mobile groups, nominations of defenders for independent human rights awards, and other concerted efforts toward achieving systemic gains for HRD the protection nationally and internationally. As HRHF continues to focus on protection of HRDs, the findings and recommendations of this study will help HRHF and the network of HRHs review our protection programme and adapt it so that it can continue to serve as a safety net for HRDs in need.



“The Whistleblower” Mural painted on the wall of Human Rights House Zagreb pays tribute to the role that human rights defenders play in society, often at risk.

3. KEY FINDINGS

1. Protection infrastructure is strong yet not without gaps

HRDs in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, and Ukraine have access to well-established protection infrastructure with multiple protection mechanisms. However, there is still a need for more targeted and accessible protection assistance to LGBTQI rights activists, women's rights and gender equality defenders, as well as environmental activists, journalists, and HRDs operating in remote areas. HRDs at risk are often unaware of the protection support available to them. Bureaucracy and rigidity of protection providers, together with poor communication routines, are primary causes of dissatisfaction with protection support. Psychological support is in the highest demand, followed by financial and digital security assistance.

2. Situation for human rights defenders in hybrid regimes is rapidly deteriorating

Absolute majority of HRDs, no matter whether they operate in an authoritarian or a hybrid state, face formidable risks as they engage in their legitimate work. The data shows, however, that the risks faced by HRDs operating under hybrid regimes, are on the rise. This points at the need to pay closer attention to the safety and security of HRDs working under more benign regimes, as it shows early signs of deterioration, which must be addressed to prevent further setbacks.

3. Types and sources of risks differ in countries with authoritarian and hybrid regimes

Threats of violence, smear campaigns, online harassment, and physical attacks are the top risks faced by HRDs in the hybrid countries, while in authoritarian states, HRDs risk illegal detentions, criminal prosecutions, physical attacks, threat of violence, and administrative persecution. Physical risks prevail over digital ones regardless of the regime type. HRDs in countries with hybrid regimes are primarily targeted by right-wing, nationalistic or oligarchic groups with different affiliations and composition, which are often emboldened, encouraged, or supported by their governments. In authoritarian states, the monopoly over threats and use of violence rests primarily within the governments.

Well-intentioned donors and international CSOs also create risks for independent civil society and HRDs in the countries under consideration, in part through failure to recognise and differentiate GONGOs from independent CSOs and legitimising the former with provision of funding and partnership opportunities.

4. Women HRDs face additional risks and limitations

Women HRDs face unique and additional risks that their male counterparts usually do not experience, such as the risks of sexual violence and the risk of harming their children. Existing protection programmes do not always reflect these additional risks for and needs of women HRDs.

5. There is a demand for proactive and preventive protection assistance

HRDs at risk are best protected when their capacities to counter risks are proactively developed (e.g. capacity building to counter digital and physical security threats) and when they have access to both long-term and emergency medical, legal, and psychological assistance.

6. Collaboration of local and international protection providers yields best results for HRDs at risk

Protection infrastructure based on local and regional support, which is simultaneously reinforced by international assistance, provides most efficient and effective protection to HRDs at risk. HRDs are better protected and empowered, when local and regional protection providers are strong, and they are operating in tandem with international partners. Protection providers who are closer to the ground are proved to be more efficient in countering risks and yielding long-term results. However, protection infrastructure cannot rely solely on domestic providers or regional networks, given the threats within hybrid regimes.

7. Organisational culture and solidarity affect the security of HRDs

Solidarity from peers is important for HRDs who face risks, as it helps them feel more protected and strengthens and encourages them to continue their efforts. Organisational culture within human rights CSOs has impact on the safety of HRDs as well. Rigid hierarchy within human rights organisations, as well as the civil society sector at large, have been noted as a challenge to HRD protection in Belarus. Better human resource management practices could mitigate the risks of burnout observed among Ukrainian and Armenian HRDs, which, in turn, will have positive impact on HRD protection in these countries.

8. HRDs are sceptical about new allies, including embassies and intergovernmental organisations

HRDs have difficulties identifying allies in the wider society, even though the researchers gathered some promising examples of cooperation with HRDs by cultural workers and non-mainstream, minority religious institutions. The data indicates that the longer the experience of democratic institutions in a country, the more confidence or experience local actors have in finding allies within their own societies. Notably, embassies and international organisations, as well as offices of Ombudspersons (Public Defenders), are largely missing from the protection infrastructure.

4. RECOMMENDATIONS

Improving the protection infrastructure

1. Ground protection work locally: build and support national and regional protection coalitions

Supporting a coalition of local civil society organisations specialising in protection work, investing in the coalition's infrastructure, and linking that coalition with existing protection programmes will ensure the most timely, flexible, comprehensive, and effective protection for HRDs at risk. Such coalitions should offer protection capacity building for HRDs nationally, serve as focal points for protection coordination locally, and link HRDs at risk with protection assistance provided internationally. The fulfilment of this recommendation will demand concerted and collaborative efforts of donors, international and national protection providers, HRDs, and likeminded civil society actors. To this end, the donor community is advised to fund initiatives that build alliances locally and regionally, as well as to support ideas that aim at cultivating new allies to democratic civil societies and to protection work on the ground. At the same time, international protection providers are encouraged to channel protection support through such local and regional coalitions, when they exist, or to design protection programmes that envision a long-term effect of creating strong national and regional coalitions dedicated to the cause of HRD protection.

2. Focus on preventive support, particularly within the hybrid states

International and national protection providers should increasingly focus on proactively developing HRD capacities to counter risks. Given that the risks to HRDs operating under hybrid regimes have increased significantly over the past three years, international and national protection providers are recommended to develop initiatives that focus on building the digital and physical security skills of HRDs from Armenia, Georgia, Kyrgyzstan, and Ukraine, as a preventive measure in response to deteriorating situation in these countries. This includes organising anti-burnout trainings for HRDs and protection providers and assisting them in improving self-care skills, also supporting national and regional protection providers in developing capacities to offer such services to their beneficiaries. Protection programmes could also benefit from developing interventions that improve HRD capacity in recognising and countering online trolling, and from offering health insurance policies to HRDs living in authoritarian countries, as this will allow HRDs to do more preventive health check-ups and, thus, avert the occurrence of some of the long-term and chronic health problems.

3. Strengthen institutional capacities, organisational security, and individual well-being of local protection providers

Experience has shown that well-functioning of the protection infrastructure is heavily reliant on the strength of protection providers. Therefore, it is very important that national and regional protection providers are encouraged and supported to grow institutionally, to address such institutional weaknesses as governance, financial sustainability, or organisational security (both premises and digital). The present study also demonstrated that burnout is prevalent not only among HRDs at risk, but also among protection providers, who face an additional risk of secondary trauma, which if left unattended will negatively impact the protection providers' ability to support HRDs and their families. The research demonstrates that while instances of burnout and secondary trauma among local protection providers are many, they generally remain without support either because they do not qualify for the support that they administer due to conflict-of-interest considerations or lack capacities to care for their own needs. To ensure sustainability of protection programmes on the ground, donors and international partners are recommended to view local and regional protection providers not only as implementers, but also as beneficiaries of their existing protection programming. Both donors and international partners are encouraged to consider that the overall protection infrastructure is affected by factors such as organisational culture and governance practices of protection providers, an area that needs further attention in the post-totalitarian societies. By viewing local actors as both implementers and beneficiaries, international protection providers will be able to invest in their institutional capacity and organisational security, as well as attend to the well-being of individual protection providers.

4. Acknowledge the importance of physical aspects of protection infrastructure

It is important that donors and international protection providers do not neglect the physical aspects of protection infrastructure (also referred to as hard infrastructure) and put their funds and efforts into building or securing shelters for HRDs and their family members at risk in authoritarian states and within territories occupied by the authoritarian state. If this is impossible to accomplish due to the restrictions enacted by authoritarian regimes, consider empowering and supporting CSOs in safer countries within the region to serve as protection providers for HRDs at risk, as this could ensure provision of timely and flexible support. By attending to the physical aspects of protection infrastructure, such as shelters, donors and international protection providers will benefit the broader community of rights defenders, ensuring that the needs and concerns of all members of the community are well reflected in the existing protection programming. Another neglected physical aspect of protection infrastructure is the computer equipment with which HRDs gather evidence and communicate with the world. Several of the interviewed HRDs underscored the challenges they face in re-starting their human rights protection efforts after the authorities confiscate or damage their computer equipment. Moreover, physical threats coming from the non-state actors and businesses require additional measures, including protection of offices and homes with alarm systems, video cameras, etc. The donor community is urged to consider this finding as it develops future funding mechanisms for protection programmes around the world.

5. Impact domestic legislation and policy

As a part of long-term and concerted efforts toward strengthened protection of human rights defenders, the donor community, international and national protection providers, friendly governments, and HRDs on the ground should support and engage in efforts that aim at improving domestic legislative framework in their target countries, so that the latter reflects the state's commitments contained in the UN and Council of Europe declarations on human rights defenders. These collaborative efforts of donors, international and national protection providers, and HRDs should include creating concrete funding opportunities and implementing advocacy initiatives toward improved national legislative and policy frameworks that explicitly recognise the work of HRDs and detail the state's positive and negative obligations with respect to human rights defenders. Lastly, the donor community is urged to consider additional support for international litigation on the cases of HRDs at risk, as it could reinforce advocacy efforts for improved domestic policies and legislation.

Improving the design and implementation of protection programmes

6. Design protection programmes with focus on the desired impact on the life of the person for whom the support is provided

HRDs at risk recommend that the funders and international protection providers consider designing such protection programmes that support the family members of HRDs, even when defenders themselves do not need direct support. This, they believe, will greatly alleviate some of the pressures they face due to the threats against their family members (including children), which, in turn, will make it possible for them to stay in the country and continue their work. When it comes to supporting children, human rights defenders at risk, especially women HRDs, would benefit from expanding the programmes that cover mid- to long-term stay abroad for their children. Both the donor community and international protection providers should maintain the current emphasis on provision of wide range of protection support, including focus on psychological assistance. Yet, they are encouraged to ameliorate this approach by firmly focusing on the impact that the offered protection measures would have on the programme's beneficiaries. This will be best achieved by ensuring real participation of HRDs at risk in the design of these protection programmes. On their part, HRDs at risk are encouraged to take active steps toward contributing to programme design efforts, so that the final product is fully relevant to their safety and security needs.

7. Run more flexible and adaptable protection programmes

Flexibility and adaptability of protection programmes has two different but interconnected aspects. On the one hand, the interviewed HRDs noted burdensome application procedures and excessive documentation requirements, which preclude them from receiving the needed assistance. Indeed, protection providers have a legitimate need to verify protection cases, set criteria for who can receive what kind of protection support, and how the use of such support should be documented. Proper documentation is important for transparency and accountability, as well as for avoidance of duplication, as protection work is rarely public for obvious security concerns. However, excessive focus on stringent criteria, rather than on the outcome in each protection case, may result in insufficient protection support to human rights defenders at risk. Another aspect of flexibility and adaptability of protection assistance is connected to the notion of a target group of protection programmes. According to the respondents, there is a need to interpret the target groups of protection assistance broadly, to ensure that all HRDs at risk who seek support are able to receive it. The study shows that varying understanding of the definition of a human rights defender may lead to an unintentionally narrower scope of protection support during the implementation phase. In addition, while most protection programmes aim at reaching out to as many defenders in need as possible, it is critical to allow room for reassessing previously supported cases against new risks, so that the existing protection programmes do not leave HRDs at risk without support. International and national protection providers are recommended to adopt some level of flexibility in this regard.

8. Continue mainstreaming of gender and minority considerations in protection programming

According to the study, despite the existence of considerable support directed at LGBTIQ rights activists, women's rights and gender equality defenders, as well as environmental activists, journalists, and HRDs operating in remote areas, the needs of these groups are still insufficiently met by the existing protection programming, as these HRDs face risks from both their governments and local societal groups. The donors of protection assistance programmes are urged to consider the unmet needs of these groups of HRDs, as they make their funding decisions. It is recommended to continue, but scale up the current programmes with a focus on even greater outreach.

Improving communication with beneficiaries and stakeholders

9. Ensure upfront and accurate communication about protection support criteria

The research found that the beneficiaries of existing protection programming report on their lack of knowledge about the protection support criteria and the scope of protection programmes available to them. The interviewed HRDs at risk often do not understand the rationale behind the provider's refusal to grant protection assistance, which in the end deters them from seeking such support in the future. It is recommended that both national and international protection providers always explain grounds for refusal of support, but also consider how improved programme design might address this issue. Without compromising the safety and security of HRDs at risk and protection staff, protection programmes should reconsider whether more information about the available protection assistance can be made public. More information about protection work would especially benefit HRDs operating under hybrid regimes.

10. Enhance engagement with local and international stakeholders

As noted, complexity of the problem requires collaborative efforts and solutions. It necessitates building bridges and alliances with likeminded local and international actors, so that they can support both HRDs at risk and protection providers. It is for this reason that rights defenders and protection providers are encouraged to build coalitions/alliances with other national and regional professional groups, such as psychologists, lawyers, doctors, art groups, writers, etc. and link them with protection programmes. This will ensure that there is a network of lawyers or doctors that are immediately available to HRDs, in case of acute need to respond to cases of detention, administrative harassment, or medical emergency.

Foreign democratic governments play an important role in preventive and responsive protection work through calling on the offending governments to implement their UN, EU, COE, or OSCE commitments and obligations, often accompanied by the dedicated guidelines, related to the protection of HRDs. However, for this to happen, it is necessary to inform policy makers in and the diplomatic corps from these capitals about the importance of supporting human rights defenders around the world and keeping the issue of their safety and security high on the political agenda. Local, regional, and international protection providers, as well as HRDs at risk, must take active steps to communicate and engage with foreign democratic governments to keep the issue of HRD protection high on their agenda. With their extensive knowledge and understanding of country-specific situations, they can provide practical advice on what measures are most effective and share best practices and successful examples where such support played an instrumental role in the protection of human rights defenders.

5. METHODOLOGY AND DATA COLLECTION

The research commissioned by HRHF resembles a systematic mapping review, which is utilised in various disciplines from library science to engineering. It is in essence “a review that seeks to identify, not results, but linkages.”¹ As a rule, mapping is a participatory exercise, which focuses on various relevant characteristics of the concept, idea or mechanism to be mapped, which are generally identified in close consultation with relevant stakeholders. The present study was not envisioned as an evaluation of the protection infrastructure for HRDs at risk, but rather as a review of the existing HRD protection mechanisms in the target countries that focused on the following main aspects: (1) risks affecting HRDs and pro-democracy civic activists in the target countries, (2) HRD experiences with existing protection programmes, and (3) gaps in the current protection programming in the region.

Data Collection

To undertake the review, the researchers initially conducted desk research, collecting and analysing secondary sources of data, both on the external environment for human rights in the targeted regions, as well as the existing HRD protection activities both in the region and around the globe. Given extensive efforts of HRHF and its partner Human Rights Houses in the protection work, the researchers also reviewed relevant reports from these institutions.

The secondary data gathered from desk research was complemented with primary data from fieldwork. To collect the data from primary sources, the researchers first identified a purposive sample of respondents, targeting individuals who were particularly knowledgeable about HRD needs and existing protection mechanisms. Thus, the respondents were either human rights defenders at risk or those who provide protection assistance. To achieve diversity of opinions and comprehensiveness of the data gathered, the researchers ensured that the respondents came from various geographic locations in each country and represented various gender, age, and professional perspectives. Particular attention was paid to the need to learn about the perspectives of HRD communities under the radar that might be left without protection support. For the latter, the researchers complemented the purposive sampling method with snowball sampling, asking the respondents to identify respondents from such vulnerable groups.

The primary data collection involved semi-structured in-person and online interviews in the targeted countries. Three site visits were initially planned to Belarus, Georgia, and one of the Central Asian countries. In the end, the researchers visited four countries: Armenia, Azerbaijan, Belarus, and Georgia. The visit in Central Asia had to be cancelled due to the COVID-19 pandemic. It was feared that remote interviewing may decrease the respondents’ willingness to talk but, given HRHF’s

¹ Dianne Cooper, “What is a ‘mapping study?’” *Journal of Medical Library Association*, 2016 Jan; 104(1), p. 76.

long-term engagement in protecting and supporting HRDs, trust was quickly established to obtain information. The data collection efforts started in Belarus, where the researchers decided to interview a larger sample (50 individuals). It soon became clear that the initial plan for 20 interviews per country was the correct approach, as data reached saturation around that number. Another exception was Ukraine, where additional 5 interviews were conducted with HRDs working in and with Crimea and Eastern Ukraine. The researchers were unable to interview all respondents in their original sample in Tajikistan, as the denial of COVID-19 pandemic by the Tajik authorities meant that some HRDs were too sick to take part in the research.

Constraints and opportunities

While COVID-19 pandemic was a major unforeseen constraint for this research, it was not the only one. Others included the events following the 2020 Presidential election in Belarus, which led to unprecedented repressions, cruelty, and aggression against the protesters, especially HRDs, and the second Karabakh war, which started at the tail end of this exercise. Other key limitations faced by the researchers emanated from the geographic coverage of the study and the sensitivity of the issue area, which could have impacted the respondents' unwillingness to talk. However, these limitations were overcome with careful and collaborative planning and participatory approach to research. The researchers were greatly supported by HRHF in identifying HRDs and protection providers in the target countries, as well as in modifying the agreed upon timeline to accommodate the difficulties that arose as a result of the pandemic and the events in Belarus. Participatory approach to research² and HRHF's long-term engagement in the region greatly helped in developing trust with the respondents, which allowed for candid interviews and collection of nuanced data.

Fig 1. % Participants by age

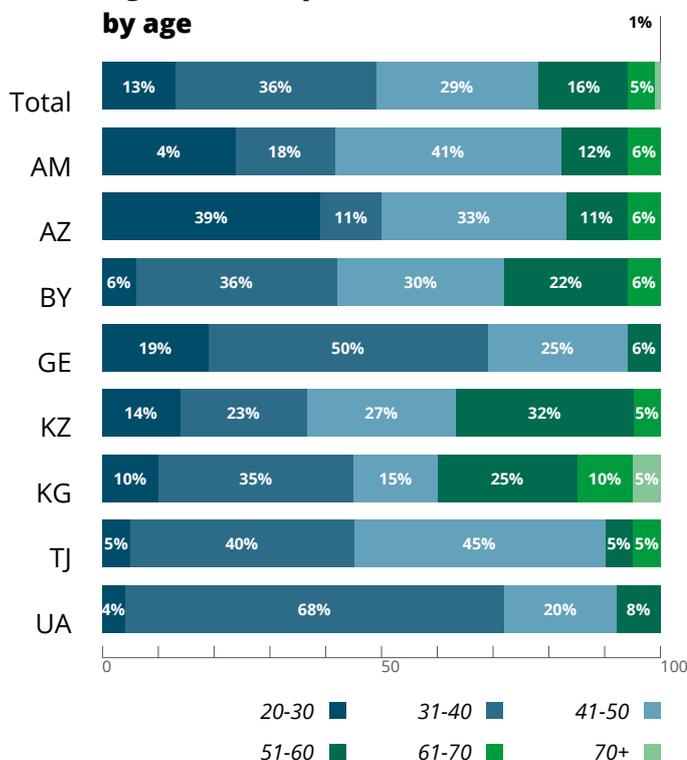
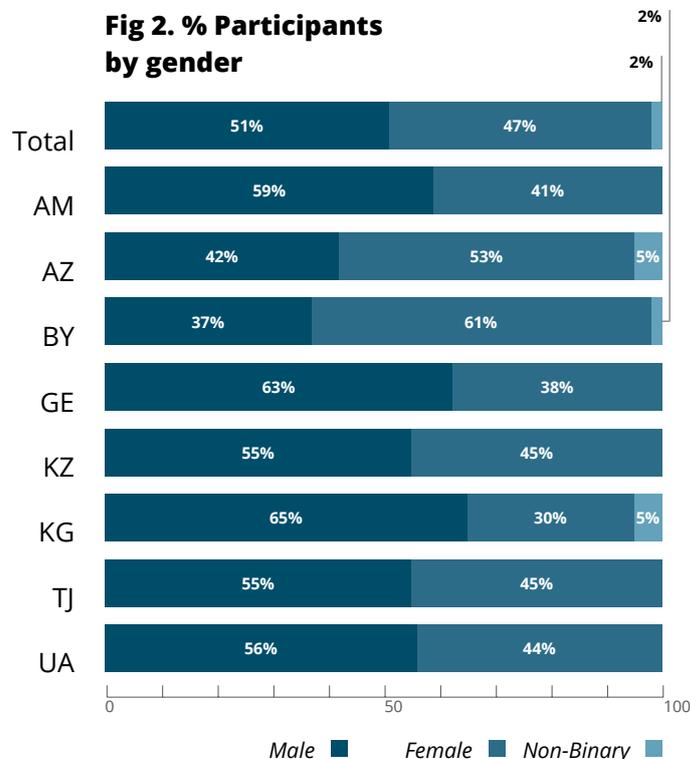


Fig 2. % Participants by gender



² For the research to be truly participatory, it was important to ensure that the respondents were not viewed solely as sources of information, but also as holders of valuable perspectives that need to be reflected throughout data collection and analysis. To this end, the research team planned to cross-check and validate the findings through three different workshops. Only one of the three planned workshops was conducted in Zagreb, Croatia during October 2019, after the researchers completed data collection in Belarus. The inputs received in Zagreb were used to finetune the data collection instruments and to finalise the purposive sample in other seven countries. While other validation workshops could not be conducted due to the COVID-19 pandemic, draft final report was shared with representatives of human rights community from each target country, to check relevance of the report's findings and recommendations.

6. REGIONAL AND COUNTRY CONTEXT

The countries covered by the study belong to the post-Soviet space in Eastern Europe and Central Asia, having (re)gained their independence in 1991. They remain affected by the negative Russian influence that impedes democratic transition and partly supports anti-human rights and anti-civil society agenda. This influence is often linked to the misconstrued traditional values narrative, introduced by Russia to the UN in 2009),³ which opposes the universality of human rights and is projected through the governments or non-state actors, such as Orthodox Churches and radical conservative groups. In Central Asia the rise of conservative Islam is also intertwined with the concept of 're-traditionalisation'.⁴ All countries under review lack comprehensive and transversal policies that create enabling environment for the legitimate work of human rights defenders, with most governments seeing HRDs as their opponents, rather than allies. The ill-informed traditional values narrative is used by the authorities to accuse HRDs of working against national interests, which over time has led to further isolation and stigmatisation of HRDs. As a result, even after 30 years of independence, human rights defending work remains marginalised and will likely be impacted further, as the states covered by the study are progressively reducing civil society space, thus, making the work of human rights defenders increasingly unsafe.⁵ The attacks on HRDs and independent civic actors find fertile grounds in the societies covered by the study, as these societies are already marked by deeply entrenched patriarchal tendencies, which make the efforts for equality, equity, and non-discrimination an uphill battle.⁶

Unfortunately, the space for civil society has shrunk in the developed world as well. This trend was notable even before the COVID-19 pandemic and was highlighted by the Special Rapporteur on the rights to freedom of peaceful assembly and of

³ According to the commentators and human rights defenders, the traditional values text adopted by the Human Rights Council in its December 2009 resolution "presupposes that 'traditional values' make an exclusively positive contribution to promoting and protecting human rights and does not acknowledge that many harmful practices ... are justified by invoking 'traditional values,' [and can have] an unintended impact of "erroneously introduce[ing] the concept of cultural relativism." For more details, see the assessment by Human Rights Watch at <https://www.hrw.org/news/2009/10/02/un-human-rights-council-traditional-values-vote-and-gaza-overshadow-progress>, accessed on 21 March 2021. For full text of the resolution on traditional values adopted by the Human Rights Council, please visit <https://digitallibrary.un.org/record/668115>, accessed on 21 March 2021. For additional assessment of the 'traditionalist agenda' promoted by the Russian Federation please see Kristina Stoeckl and Kseniya Medvedeva, "Double Bind at the UN: Western Actors, Russia, and the Traditionalist Agenda," *Global Constitutionalism*, Volume 7, Issue 3, Nov. 2018, pp 383-421 at <https://www.cambridge.org/core/journals/global-constitutionalism/article/abs/double-bind-at-the-un-western-actors-russia-and-the-traditionalist-agenda/FA07569467BF47076BFCF08F74261386>, accessed on 21 March 2021.

⁴ Galym Zhussipbek, Dilshod Achilov, Zhanar Nagayeva, "Some Common Patterns of Islamic Revival in Post-Soviet Central Asia and Challenges to Develop Human Rights and Inclusive Society," *Religions* 2020, 11(11), 548 at <https://www.mdpi.com/2077-1444/11/11/548>, accessed on 30 March 2021.

⁵ For more detailed and country-specific information on civil society space and the plight of human rights defenders, please see the Freedom House Nations in Transit Reports at <https://freedomhouse.org/report/nations-transit>, accessed on 21 March 2021, as well as annual Country Reports on Human Rights Practices issued by US Department of State at <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>, accessed on 21 March 2021, and annual World Reports on Human Rights by Human Rights Watch at <https://www.hrw.org/previous-world-reports>, accessed on 21 March 2021.

⁶ This has been confirmed by HRHFs own country monitoring of Armenia, Azerbaijan, Georgia, Belarus and Ukraine. See also an edited volume by the Foreign Policy Centre, *The Rise of the Illiberal Civil Society in the former Soviet Union* (2018) at <https://fpc.org.uk/wp-content/uploads/2018/07/The-rise-of-illiberal-civil-society-in-the-former-Soviet-Union.pdf>, accessed on 21 March 2021.

association in his 2014 report.⁷ This global trend of closing civic space has further emboldened the autocratic or semi-democratic (hybrid) regimes, including those in the post-Soviet space, that were previously somewhat checked by the international community. Furthermore, diminished interest in and appetite for the protection of human rights among some of the Western democracies, has made things even more difficult for HRDs and civil society groups, not the least because of dwindling international funds to support their work. Foreign funding legislations enacted in many countries around the world, including those covered by this study, further exacerbate the situation for HRDs and curtail operational space for independent civil society work. In the recent years, the work of rights defenders is disturbed by the increased need to protect themselves from retaliation and reprisals for their legitimate work, be it verbal or physical attacks, surveillance, threats, and smear campaigns.⁸

Another way with which non-democratic regimes curtail democratisation and human rights work in their respective countries is organising and supporting civil society organisations that mimic independent civil society actors and further the regime's political interests both internationally and at home. Such government-organised non-governmental organisations (GONGOs) are encouraged to get involved in international events and advocacy to represent 'alternative' views, which in turn weakens the essential work of democratic civil society and aims to replace the independent HRDs with those obedient to the regime.⁹ These efforts by autocratic and semi-democratic regimes are often inadvertently supported by well-intentioned international funders, who are unable to differentiate GONGOs from independent civil society organisations and legitimize the former by provision of grant support or seating around the table. Multiple studies have noted this phenomenon, including a policy brief submitted to the European Parliament about the state of civil society in the EaP region, which underscores the EaP regimes' efforts "to discredit the genuine local civil society actors and platforms by establishing competing organisations (GONGOs)" and cautions the EU from supporting such actors through its funding mechanisms.¹⁰ The present study further confirms this alarming trend.

The countries explored within the mapping study can be divided into two groups based on the governance regime and democracy index, which reflect the level of freedoms enjoyed by human rights defenders and corresponds to the pressure and threats against them identified within the study. Armenia, Georgia, Kyrgyzstan, and Ukraine are usually assessed as hybrid regimes with deficient democracies and freedoms only partly guaranteed to their citizens; while Azerbaijan, Belarus, Kazakhstan and Tajikistan are countries with authoritarian rule, where societies are not free.¹¹

The study was carried out in late 2019 and the first half of 2020, during the COVID-19 pandemic and before the second Nagorno Karabakh war between

7 See Maina Kiai, Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development, Human Rights Council, Report A/HRC/26/29, 2014 at http://freemission.net/wp-content/uploads/2014/05/A-HRC-26-29_en1.pdf and Maina Kiai, Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms, UN General Assembly, Report A/70/266, 2015 at http://freemission.net/wp-content/uploads/2015/09/A_70_266_ENG.pdf, both accessed 18 March 2021.

8 These and other issues faced by HRDs and independent civil society actors are detailed in HRHF's reports: Resisting Ill Democracies in Europe. Understanding the playbook of illiberal governments to better resist them: A case-study of Croatia, Hungary, Poland and Serbia (2017) at <https://humanrightshouse.org/noop-media/documents/22908.pdf> and Funding Civil Society: How adaptable international donors can support organisations under increasing restriction (2017) at https://humanrightshouse.org/wp-content/uploads/2017/11/2017_09-Funding-Civil-Society-web.pdf, both accessed on 20 March 2021.

9 For more details on the spread of GONGOs in post-Soviet and post-Communist space, please see HRHF's study Resisting Ill democracies in Europe.

10 Vera Rihackova, Briefing Paper Human Rights in Eastern Partnership Countries, submitted to the European Parliament at the request of the Subcommittee on Human Rights at [https://www.europarl.europa.eu/RegData/etudes/notes/join/2011/457048/EXPO-DROI_NT\(2011\)457048_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/notes/join/2011/457048/EXPO-DROI_NT(2011)457048_EN.pdf) (July 2011), accessed on 20 March 2021. The paper highlights the regime tendencies toward supporting GONGOs and notes: "In this regard, also the Eastern Partnership Civil Society Forum, EU induced civil society network, and its National Platforms have not been prevented from problems of this kind, for example in Armenia, Georgia or Azerbaijan," p. 7.

11 The grouping suggested here is in line with The Economist's Global Democracy Index (<https://www.economist.com/graphic-detail/2021/02/02/global-democracy-has-a-very-bad-year>), the Freedom House' rankings found in the Global Freedom Score reports (<https://freedomhouse.org/countries/freedom-world/scores>), and Bertelsmann Foundation's Political Transformation Index (<https://www.bti-project.org/en/home.html?d=D&cb=00000>), all accessed on 21 March 2021.

Azerbaijan and Armenia, the August 2020 elections and subsequent events in Belarus, and the autumn 2020 revolution in Kyrgyzstan. These events only further exacerbated the situation of human rights defenders and pro-democracy civil society actors in these countries, who have since reported fears of further ostracization and overall democratic decline to HRHF.¹² While the timing of the study did not allow the researchers to account for the impact of these recent developments on the protection of HRDs, it does not affect the relevance and validity of the findings. This rather highlights the need for more urgent actions in support for rights defenders in the region.

6.1. Hybrid regimes: Armenia, Georgia, Kyrgyzstan and Ukraine

The group of states with hybrid democracies is characterised by the space for the transition of power through elections. Regular and competitive, albeit flawed elections, are common in these countries. This group of state has seen the revolutions of colour or peaceful revolutions, which have had various degrees of success. Civil societies are vibrant, however, attacks, threats, smear campaigns, and harassment against HRDs, including journalists, are frequent. Though the media is becoming increasingly pluralist, it remains highly polarised. Judiciary is not fully independent and at least high-level corruption persists. Accountability of law enforcement officials remains a major concern, as do the weak democratic institutions. This said, the national Ombudspersons are able to carry out their constitutional mandates. Emergence of right-wing ultra-nationalistic groups targeting human rights defenders is another common trend observed across these countries.

Since the 2018 Velvet Revolution, **Armenia** “experienced tentative gains in freedom”¹³ that could be reversed as a result of the developments after the second Karabakh War, which led to internal violence, including physical attacks against government buildings and the Speaker of the Parliament. According to Freedom House’ Sarah Lepucci and Amy Slipowitz, “such disorder threatens the country’s hard-won progress, and could set off a chain of events that draws Armenia closer to the autocratic tendencies of its neighbours.”¹⁴ Irrespective of the advancement of overall freedoms after 2018 and an improvement of the civil society image, as noted in its reports by Human Rights House Yerevan, LGBTQI rights defenders, women human rights defenders, and environmental activists face serious threats, stigmatisation, and harassment.¹⁵ An additional cause for concern is the rise of “nationalistic and chauvinistic” civic initiatives.¹⁶

Georgia, the country long considered as a leader among the Eastern Partnership states, is backsliding in terms of democracy and freedoms, which is most evident in the country’s sliding democracy scores noted by the Freedom House. The political crisis in the aftermath of the 2020 Parliamentary elections shook the society, as it effectively led to one-party rule. Despite the negative developments, the country still has a robust civil society sector, which is characterised by recent emergence of ecological, youth-led, ethnic minority-oriented, and grassroots movements. Pro-democracy actors, whether local or international, are often the target of smear campaigns initiated by the highest ranks of government and leading politicians, but threats are

¹² For more on the impact of COVID-19 pandemic see Maria Dahle’s article “The Authoritarian Virus” at <https://humanrightshouse.org/articles/the-authoritarian-virus/>, accessed on 21 March 2021.

¹³ Sarah Lepucci and Amy Splitowitz, “Democracy under Siege,” Freedom in the World 2021 Report by Freedom House, p. 7 See the report at https://freedomhouse.org/sites/default/files/2021-02/FIW2021_World_02252021_FINAL-web-upload.pdf, accessed on 21 March 2021.

¹⁴ Ibid.

¹⁵ See Human Rights House Yerevan, Annual Report 2019 at <https://hrhyerevan.org/en/2020/04/27/human-rights-house-yerevan%26%89-annual-report-2019-en/>, accessed on 22 March 2021.

¹⁶ See the 2020 Nations in Transit Armenia Country Report by Freedom House at <https://freedomhouse.org/country/armenia/nations-transit/2020>, accessed on 22 March 2021.

most pronounced against the LGBTIQ rights defenders, often fuelled by “illiberal” actors, including the Orthodox Church, which have normalized the far-right rhetoric that targets minorities, migrants, and other excluded groups.¹⁷ Russia occupies Abkhazia and South Ossetia regions of the country, which remain inaccessible to Georgian civil society.

Ukraine has implemented positive reforms since 2013-2014 Euromaidan protests, but major challenges remain, not the least of which is rampant corruption. Despite being relatively free, civil society activists are under attack, frequently without any accountability for the perpetrators. As in other hybrid regimes, LGBTIQ rights defenders, anti-corruption watchdogs, and environmental activists are especially targeted, and the emergence of far-right groups is notable.¹⁸ Russia has occupied the Crimean Peninsula since February 2014, which has led to widespread rights violations and exile of many civil society actors from these territories. With the armed conflict in the East of Ukraine active already for 7 years, local and international human rights actors frequently observe fatigue and burnout among HRDs, especially those from the regions.¹⁹

Within the group of hybrid states, **Kyrgyzstan** ranks lowest in terms of democratic development and freedoms enjoyed by the society.²⁰ This said, the country’s civic society is most vocal in the entire Central Asia region and is often referred to as the country’s healthiest but the least protected institution, which is threatened by both the state apparatus and illiberal nationalistic groups. Safety and security of HRDs is significantly more threatened in Kyrgyzstan than in other hybrid states, which was clearly demonstrated by the death in custody of the wrongfully imprisoned prominent human rights defender Azimjon Askarov in July 2020.²¹ Another troubling development came about as a result of the flawed 2020 Parliamentary elections, which led to the election of the country’s new President in January 2021, who is feared to set the country on track towards an authoritarian future. The situation is likely to regress for HRDs and independent civil society actors as the draft constitution tabled by the new government endangers fundamental rights of expression, assembly, and association under the pretext of protecting children, and includes provisions that put new burdensome financial reporting requirements on CSOs, political parties, and trade unions.²²

6.2. Authoritarian regimes: Azerbaijan, Belarus, Kazakhstan and Tajikistan

The group of states with authoritarian regimes are marked by the lack of transition of power through fair and transparent elections. The power in these states mostly remains in the hands of the Soviet ‘ruling class’ and all forms of corruption are

¹⁷ For more information about the state of civil society and human rights in Georgia please see the Freedom in the World 2021 Report and 2020 Nations in Transit Georgia Country Report by Freedom House. More details on the plight of human rights defenders and LGBTIQ people, see Legal Situation of LGBTI persons in Georgia Report by Human Rights Education and Monitoring Center (EMC) at https://ge.boell.org/sites/default/files/emc_legal_situation_of_lgbti_persons_in_georgia_eng.pdf, and *Thematic Report about the State of HRDs in Georgia: Obstacles and Challenges 2020* by Human Rights House Tbilisi (9 December 2020), accessed on 21 March 2021. On the verbal attacks against local and international CSOs, please see the 2020 Nations in Transit Georgia Country Report at <https://freedomhouse.org/country/georgia/nations-transit/2020>, accessed on 19 March 2021.

¹⁸ See the 2020 Freedom of the World Report: Ukraine by Freedom House at <https://freedomhouse.org/country/ukraine/freedom-world/2020>, accessed on 22 March 2021.

¹⁹ For more details about the impact of Russian Occupation, please see Zayets, S., Matviychuk, O., Pechonchik, T., Svyrydova, D., & Skrypnyk, O. (2016), *The Peninsula of Fear: Chronicle of Occupation and Violation of Human Rights in Crimea* at <https://humanrightshouse.org/noop-media/documents/21615.pdf>, accessed on 22 March 2021.

²⁰ See the 2020 and 2019 Nations in Transit Kyrgyzstan Country Reports at <https://freedomhouse.org/country/kyrgyzstan/nations-transit/2020> and <https://freedomhouse.org/country/kyrgyzstan/nations-transit/2019>, both accessed on 20 March 2021.

²¹ See the 2021 World Report – Kyrgyzstan: Events of 2020 by Human Rights Watch at <https://www.hrw.org/world-report/2021/country-chapters/kyrgyzstan>, accessed on 20 March 2021.

²² Ayzirek Imanaliyeva, “Kyrgyzstan: Constitution Draft and Japarov Decrees Hint at Authoritarian Future,” Eurasianet, February 4, 2021 at <https://eurasianet.org/kyrgyzstan-constitution-draft-and-japarov-decrees-hint-at-authoritarian-future> and Human Rights Watch, *Kyrgyzstan: withdraw problematic draft Constitution*, 5 March 2021 at <https://www.hrw.org/news/2021/03/05/kyrgyzstan-withdraw-problematic-draft-constitution>, both accessed on 27 March 2021.

endemic. Civil society organisations and HRDs, including lawyers, suffer from crackdowns and persecutions. The governments in this group of states do not tolerate public protest and resort to violence to silence critical voices. Civic space remains effectively closed. There are dozens of political prisoners in each of these countries, which include unjustly jailed human rights defenders. The media and journalists are suppressed, internet freedoms are curtailed, and government branches are often assimilated. Numerous administrative barriers or harsh NGO and grant legislation further limit the operational space for civil society organisations. Ill-treatment remains rampant and the offices of public defenders are not independent and efficient.

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In **Azerbaijan**, the regime has maintained a strong grip on power since 1993. The NGO and grants legislation virtually eradicated traditional NGO work, whilst civic space remains restricted or closed. Requirements for NGOs to register, operate and use grants, accompanied by sanctions, are arbitrarily applied by the authorities to silence the critics. Most independent media platforms have been blocked since 2017. Since 2014 crackdown was launched against all dissenting voices in the country, encompassing political opposition, journalists, HRDs, and human rights lawyers, Azerbaijan consistently maintains around 100 political prisoners behind bars. Many major civil society leaders and journalists have either been exiled or detained on bogus criminal charges, with most of them released by 2019.²⁴ These developments have resulted in a weak civil society sector, where trust is in short supply. Azerbaijani civil society is mostly a community of individuals, which precludes any efforts to strengthen the sector's institutional capacities. However, the sector is slowly reenergised by the emergence of new actors, most notably women HRDs.

Much like Azerbaijan, **Belarus** has been ruled by the current president since 1994. Critical civil society is unable to function due to many political and legal restrictions, such as arbitrary registration processes, high penalties for activity without registration, and restricted access to foreign funding. The August 2020 Presidential elections once again revealed the real nature of the regime, which tried to silence the dissenting voices by arbitrarily detaining thousands of protesters, subjecting hundreds of people to torture and ill-treatment. The prosecutor's office launched hundreds of politically motivated criminal cases, often targeting human rights defenders. At the time of writing this report, the foreign agent law is being drafted by the government and up to a dozen of HRDs, including volunteers and lawyers, remain behind bars on bogus charges. In March 2021, a criminal case was launched against Viasna, one of the country's biggest NGOs²⁵ and CSOs raided in February 2021 brace themselves for further persecution.

23 See World Report 2020 (https://www.hrw.org/sites/default/files/world_report_download/hrw_world_report_2020_0.pdf) and World Report 2019 (https://www.hrw.org/sites/default/files/world_report_download/hrw_world_report_2019.pdf) by Human Rights Watch, both accessed on 22 March 2021.

24 For more information about the developments in Azerbaijan, please see the following: Human Rights House Network and Freedom Now, *Breaking Point in Azerbaijan: Promotion and Glamour Abroad, Repression and Imprisonment at Home* (12 May 2015) at <https://humanrightshouse.org/articles/unprecedented-crackdown-on-civil-society-in-azerbaijan-ahead-of-european-olympic-games-says-report/>, (2) Parliamentary Assembly of the Council of Europe, *Resolution on the Reported Cases of Political Prisoners in Azerbaijan, Resolution 2322 (2020)* at <http://assembly.coe.int/nw/xml/XRef/Xref-XML-2HTML-en.asp?fileid=28584&lang=en>, and (3) Azerbaijan Internet Watch, *Azerbaijan may end up blocking more online content*, (9 June 2020) at <https://www.az-netwatch.org/news/azerbaijan-may-end-up-blocking-more-online-content/>, all accessed on 25 March 2021.

25 For more information about the situation in Belarus, please see the Human Rights Watch and Freedom House reports at <https://www.hrw.org/world-report/2021/country-chapters/belarus> and <https://freedomhouse.org/country/belarus/nations-transit/2020>, as well as the following articles and opinions: (1) Human Rights House Foundation, "Belarusian authorities must immediately end the coordinated attacks against human rights defenders, journalists and organisations," Feb. 16, 2020 at <https://humanrightshouse.org/statements/belarusian-authorities-must-immediately-end-the-coordinated-attack-against-human-rights-defenders-journalists-and-organisations/>, (2) OMCT, *Belarus: Judicial Harassment against Viasna* at <https://www.omct.org/en/resources/urgent-interventions/belarus-judicial-harassment-against-viasna>, and (3) 112 Ukraine: "Belarus Wants to Adopt Law on Foreign Agents" (Feb 16, 2021) at <https://112.international/politics/belarus-wants-to-adopt-law-on-foreign-agents-59013.html>, all accessed on 27 March 2021.

In **Kazakhstan**, the country's only president since its independence resigned in 2019, but without relinquishing any of his powers. Government critics face prosecution and freedom of expression is suppressed, especially, in the context of the Covid-19 pandemic. Legal provisions on extremism and terrorism are misused against civil society actors and dozens of political prisoners, including rights defender Max Bokaev, who remains in arbitrary detention at the time of writing this report. Despite the restrictive environment, Kazakhstan's civil society has experienced relatively "vibrant" period in recent years, with several strong civil society organisations and individual experts working tirelessly toward advancing human rights causes. In these efforts, they are supported by a relatively free media compared to other autocracies. However, causes of concern are many, including a new wave of persecutions against the country's biggest NGOs and prominent HRDs, launched by the tax authorities in December 2020 and supported by politically motivated judicial proceedings.²⁶

Tajikistan has been ruled by the same leader and his family since 1992. Tajik authorities routinely jail government critics, including human rights lawyers, and harass relatives of exiled dissidents, while forcibly returning political opponents from abroad using politically motivated extradition requests.²⁷ The exact number of political prisoners is hard to track, but "in 2018 the government reported 239 prisoners who were members of banned political parties or movements."²⁸ The government severely restricts fundamental freedoms, including through internet censorship. In addition, "regulatory agencies put pressure on NGOs working on politically sensitive topics. Legislative framework is hostile towards CSOs."²⁹ The Tajik government's denial of the COVID-19 pandemic further exacerbated the plight of civic activists and HRDs, many of whom were put out of commission by the virus and had to care for their health in an already hostile environment.

²⁶ For more information about the situation in Kazakhstan please see the Human Rights Watch and Freedom House reports at <https://www.hrw.org/world-report/2021/country-chapters/kazakhstan> and <https://freedomhouse.org/country/kazakhstan/nations-transit/2020>, as well as the following statements and reports: (1) End Campaign against Human Rights NGOs, a statement by the Coordination committee of the Civic Solidarity Platform (29 January 2021) at <https://www.omct.org/en/resources/urgent-interventions/kazakhstan-end-campaign-against-human-rights-ngos> and (2) The Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism adopted by the Human Rights Council during its 43rd Session (24 February – 20 March, 2020) at <https://digitallibrary.un.org/record/3852204?ln=en>, all accessed on 27 March 2021.

²⁷ For more details, please see the 2020 Nations in Transit Tajikistan Country Report at <https://freedomhouse.org/country/tajikistan/nations-transit/2020> and the 2021 World Report – Tajikistan: Events of 2020 by Human Rights Watch at <https://www.hrw.org/world-report/2021/country-chapters/tajikistan>, both accessed on 20 March 2021.

²⁸ See the 2019 Tajikistan Country Report on Human Rights Practices issued by the US Department of State, p. 6 at <https://www.state.gov/wp-content/uploads/2020/03/TAJIKISTAN-2019-HUMAN-RIGHTS-REPORT.pdf>, accessed on 21 March 2021.

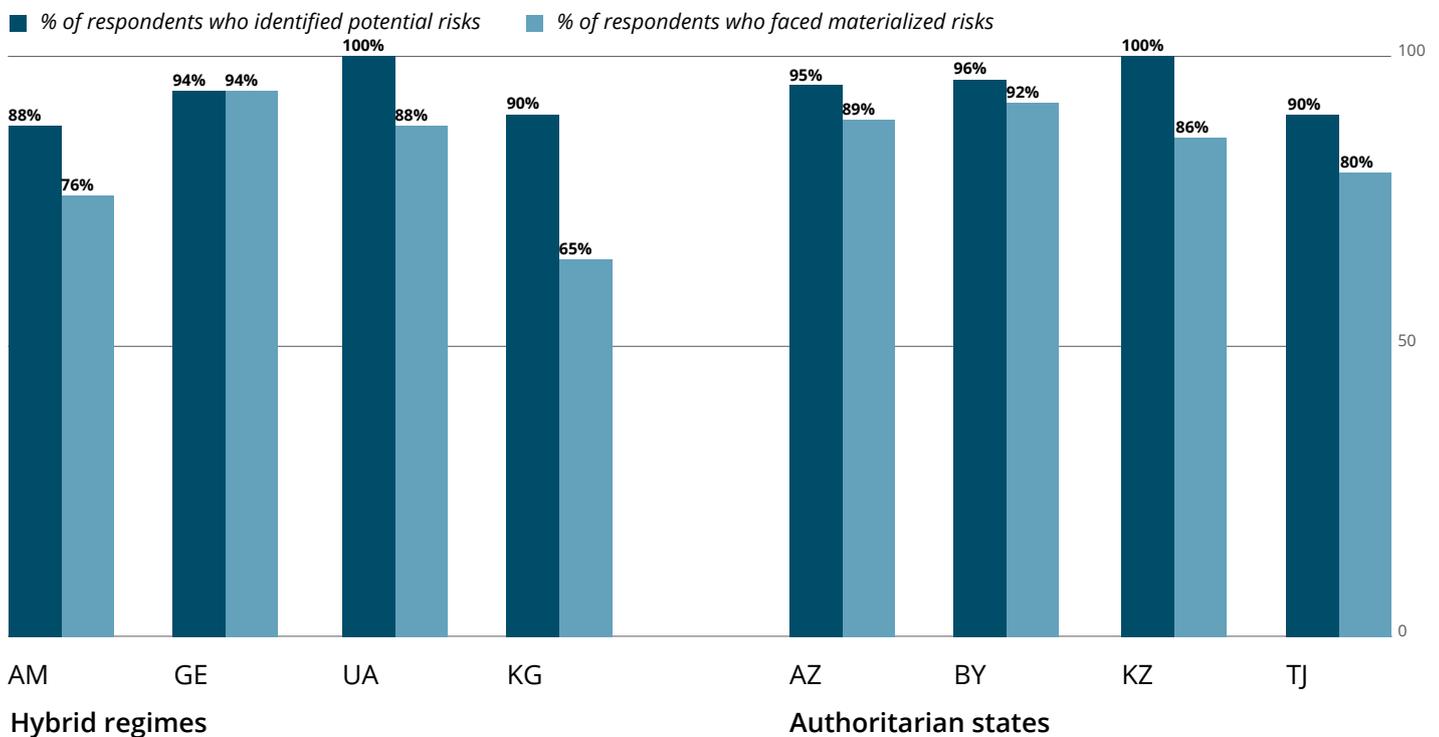
²⁹ Please see the 2020 Nations in Transit Tajikistan Country Report

7. RISKS AFFECTING HUMAN RIGHTS DEFENDERS

7.1. Potential vs materialised risks

The respondents were asked about the potential and materialised risks,³⁰ both online and offline, which they have faced in their human rights work over the past 3 years (2016 – 2017 onward). Potential risks affect the professional and personal behaviour and well-being of HRDs, as well as inform decisions and any precautionary measures taken by them and their organisations. The table below details information about potential and materialised risks and shows that in all eight countries, irrespective of the regime type, a vast majority of human rights defenders have seen their potential risks materialise over time.

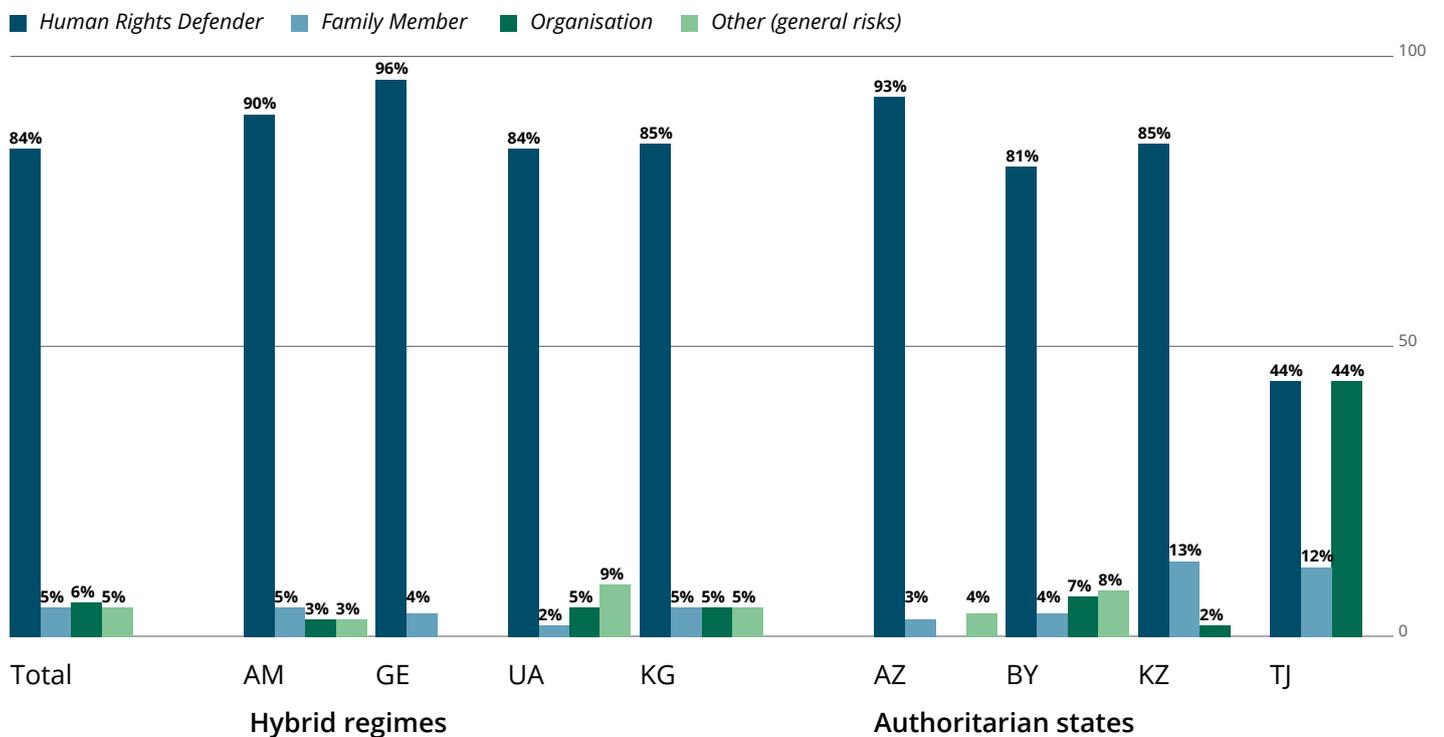
Fig 3. Potential and materialised risks



³⁰ A potential risk is one that is not actual but, in time, could be. It differs from a perceived risk, as the latter may be neither potential nor actual (materialised), but a reasonable person could think that there is a risk, which could have its own ramifications. This research focused on identifying materialised and potential risks. Perceived risks were not explored.

Just as important, the respondents indicated that these risks are faced not only by rights defenders, but also occasionally by their organisations and, frequently, by their family members. Tajikistan stands out among the group with its equal targeting of individual defenders and the CSOs they represent. This is a curious finding, which warrants additional probing, especially, given Tajikistan’s slowly evolving civil society sector and the recent attempts of Tajik authorities to further reduce the CSO operational space through changes in the Tax and Administrative Violations Codes.³¹

Fig 4. Materialised risks: those affected

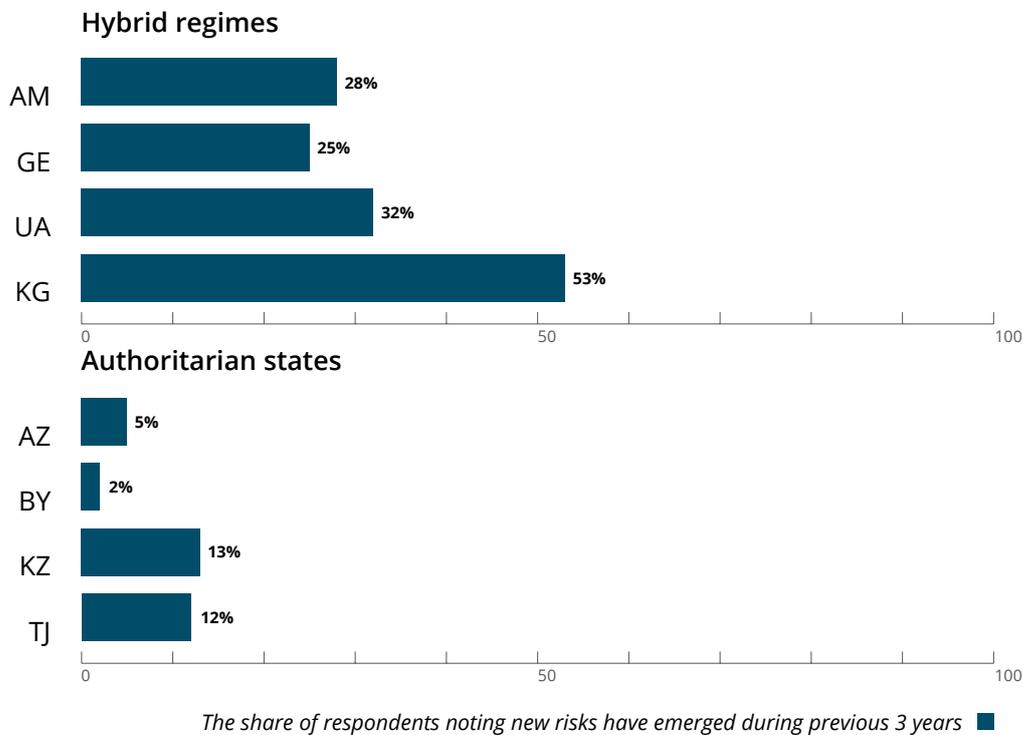


³¹ For more information, please see the Civic Freedoms Updates: Tajikistan by the International Center for Non-Profit Law (ICNL) at [https://www.icnl.org/resources/civic-freedom-monitor/tajikistan#:~:text=Civil%20society%20organiza-tions%20\(CSOs\)%20in,and%20the%20process%20of%20democratization](https://www.icnl.org/resources/civic-freedom-monitor/tajikistan#:~:text=Civil%20society%20organiza-tions%20(CSOs)%20in,and%20the%20process%20of%20democratization), accessed on 24 March 2021.

The respondents were additionally asked whether the risks they are exposed to are new (emerged in the last three years) or stable. The answers confirm that the risks against HRDs within hybrid regime countries are on the rise.

The data on HRDs having experienced threats for their human rights work confirm the scale of targeting of HRDs and serve as a clear indicator for the immense pressure they endure while carrying out their legitimate work. Combined with the emergence of new risks against HRDs within hybrid countries, the data rings early warning alarm as to the development trajectory of hybrid regimes and their proximity to the authoritarian states. The severity of threats facing HRDs in hybrid regimes and authoritarian states differ. Nonetheless, even within more developed democracies, defending human rights is an increasingly unsafe endeavour. Lastly, the findings indicate that women HRDs face unique and additional risks that their male counterparts normally do not experience, such as the risks of sexual violence and the risks of targeting their children.

Fig 5. Respondents that experienced new risks



7.2. Most prevalent risks per country

The prevailing risks against human rights defenders within the group of hybrid states are the following:³²

Fig 6: Top risks per country. Hybrid countries

	Armenia	Georgia	Ukraine	Kyrgyzstan
1	Threat of violence	Threat of violence	Physical attacks	Threat of violence
2	Smear campaigns*	Smear campaigns, including 'online trolling' ^{**}	Threat of violence	Physical attacks
3	Online harassment ^{***}	Online harassment	Digital attacks (DDos ^{****} attacks on a website, hacking the accounts and IT infrastructure)	Smear campaigns
4	Physical attacks	Physical attacks	Online harassment	

* Smear campaign refers to the coordinated campaign of slander and disinformation against HRDs that can be carried out by various means, including through social media.

** Online trolling is understood in this context as a coordinated campaign carried out by social media users, in order to threaten and harass HRDs and to undermine their reputation and credibility. Online trolling is likely to be organised by the state, though it can also be supported by non-state actors. Most recently, Government-organised online trolling against civil society actors, including HRDs, was confirmed in Georgia.

*** Online harassment refers to more localised targeting of HRDs via social media, which is not necessarily a part of an orchestrated attack. Harassment is used to threaten or intimidate the rights defenders and is discriminatory in nature. The harassment might frequently reach the level of hate speech, which is "advocacy, promotion or incitement, in any form, of the denigration, hatred or vilification of a person or group of persons, as well as any harassment, insult, negative stereotyping, stigmatisation or threat in respect of such a person or group of persons, based on a personal characteristic or status". Hate speech can be part of the smear campaign too.

**** DDos, distributed denial-of-service, attack is a "malicious attempt to disrupt the normal traffic of a targeted server, service or network by overwhelming the target or its surrounding infrastructure with a flood of Internet traffic".

Other notable risks per country include:

- In Armenia, being "on the list" of NGOs affiliated with the Open Society Foundation Armenia.
- In Georgia, a risk of losing work in response to activism.
- Ukraine is characterised by several risks that are absent in other countries, such as: growing popularity of right-wing political groups in Europe leading to pro-Russian decisions in international politics; disruption of court sessions and obstruction of free movement (prohibition to enter the Russian-occupied Crimea).
- In Kyrgyzstan, the risk of intimidation by police through summons for "talks" is prevalent, which is less characteristic of other hybrid states but more reflective of the trend within authoritarian countries.

Important to underline that women HRDs have to cope with the threats against their children, particularly in Georgia, Kyrgyzstan, and Armenia.

³² For the purposes of this report, top or prevalent risks are the ones that stem from the combined quantitative and qualitative analysis of the respondents' answers. They were identified by the sizeable number of respondents per country, merging both potential and materialised risks. Normally, materialised risks are at the top of these rankings and the potential risks are further down the list.

As expected, authoritarian states have a broader spectrum of risks that the respondents experience, which adversely affects the broad community of HRDs in these countries and has lasting negative impact on the civil society.

Table 7: Top risks per country. Authoritarian states

	Azerbaijan	Belarus	Kazakhstan	Tajikistan
1	Illegal detention	Administrative persecution and fines	Illegal detention	Arbitrary inspections against organisations
2	Online surveillance, wire-tapping	Illegal detention	Threats of violence	Police intimidation (summoning for a “talk”)
3	Digital attacks (DDos attacks on a website, hacking the accounts and IT infrastructure)	Police intimidation (summoning for a “talk”)	Physical, photo and video surveillance	Threats of violence
4	Pressure to leave the country	Illegal searches	Administrative persecution and fines	Criminal prosecution
5	Criminal prosecution	Threats of violence	Smear campaigns	Smear campaign
6	Threat of violence	Smear campaigns	Physical attacks	Threat of criminal prosecution
7	Physical attacks	Criminal prosecution	Administrative fines	

Other risks in the authoritarian states include risks common to Azerbaijan and Belarus:

- NGO registration is often arbitrarily hampered and acceptance of grants within NGO legal framework is obstructed, driving civil society to the fringes of law.
- Arbitrary tax inspections.
- Pressure through employer’s or landlords, including owners of meeting places/ conference rooms.

Belarusian and Kazakh HRDs share a risk of removal of their children by social services based on arbitrary application of legislation against them.³³

Azerbaijan, Belarus, and Kazakhstan share the risks of illegal freezing of personal bank accounts and forced military conscription. Uniquely in relation to Kazakhstan,

³³ This risk affects both male and female defenders.

HRDs spoke about the risk of rape,³⁴ as well as forced mental status examinations. Online attacks from trolls also emerged as a threat faced by HRDs. Tajik respondents are particularly concerned about the risks faced by civil society organisations there, as this could lead to closing of the organisation.

7.3. Risks common to all countries

One of the most worrying findings of the research is that HRDs across almost all countries are naming threat to life and a threat of murder as a risk they face in their line of work. Though only a handful respondents referred to this risk, the seriousness and effect of this threat cannot be underestimated. Furthermore, the findings reveal that women HRDs and LGBTQI rights defenders across all eight countries are subject to even greater risks than the rest of the HRD community.

Interestingly, the findings point toward donors and international partners as the ones who can also aggravate risks for HRDs. Though not prevalent, recalibration of donor programming to increased cooperation with national and local authorities was identified as a risk by some respondents. Another risk that the respondents link to the donor community is the recognition of GONGOs by foreign partners as democratic civil society actors and legitimate development partners. Understandably, the GONGO-isation of the sector was separately outlined as a risk. These trends are not new. In fact, for more than a decade, scholars and experts have rung alarm bells, as more governments started to prop up state-controlled civil society organisations both to discredit the democratic civic actors and to trick well-meaning international donors and CSOs into shifting their grant support to these more institutionally robust GONGOs.³⁵

Furthermore, risks associated with the organisational culture across civil society organisations and social security systems are worthy of attention too, such as:

- Burnout.
- Lack of solidarity within the civil society and communities.
- Losing health.
- Social vulnerability of HRDs, including those in pre-retirement age.
- Lost international contacts and ties because of rotation of organisation's personnel.
- Strict hierarchy within the NGOs, which is true mostly for Belarus.

Lastly, the data does not suggest prominent differences between digital and physical security risks. On the contrary, the physical risks seem to prevail.

7.4. Sources of risks affecting HRDs

The data unequivocally indicates that the HRDs in hybrid countries are primarily targeted by the right-wing, nationalistic groups with different affiliations and composition. In fact, the increased risk of physical attacks against HRDs across these countries is mostly linked to such groups, while within the authoritarian states the risks affecting HRDs originate from the state apparatus.

Concerns about the rise of right-wing, illiberal actors in more advanced democracies with Soviet past, including all countries within the hybrid group of this study,

³⁴ A female HRD mentioned this risk.

³⁵ As noted above in the section detailing the context of this study, the European Parliament was warned about the threat of using the EU funding mechanisms to support non-democratic civil society actors that are increasingly found among the membership of the EaP Civil Society Forum's National Platforms.

have been raised for some time now.³⁶ However, it is important to underscore that according to local pro-democracy civil society actors, these nationalistic groups are not naturally developing from within these societies. Rather, they are supported by illiberally minded government authorities, who also carry the responsibility for emboldening such groups through their own anti-HRD rhetoric, smear campaigns, and persistent failure to bring perpetrators to justice.³⁷

This said, threats originating directly from the state should not be downplayed within this group of countries. For example, it is now well-documented that the Government of Georgia organised and supported ‘online trolls,’ so that they could wage smear campaigns against and harass HRDs online.³⁸ Similarly, potential affiliation of law enforcement agencies with oligarchic groups that threaten HRDs in the regions of Ukraine raises concerns about public authorities hiding behind seemingly independent actors that are targeting HRDs.

Fig 8: Top sources of risks. Hybrid countries

	Armenia	Georgia	Ukraine	Kyrgyzstan
1	Right-wing nationalistic groups, often linked to oligarchs associated with the previous government	Right-wing national-istic groups	Right-wing nationalistic and conservative groups, sometimes linked to oligarchs, war veterans*	Conservative radical groups
2	Government authorities	Government authorities, including members of the parliament	Government authorities	Government authorities

* In the present Ukrainian context, many respondents underlined strong affiliation between the Ministry of Internal Affairs, local oligarchs, and radical groups attacking HRDs, especially, in the regions.

Based on the input received from the respondents, within the authoritarian states the monopoly over the use and threats of violence seems to rest primarily within the governments. Nevertheless, the threats emanating from radical conservative and religious groups are serious too, particularly, against women and LGBTIQI rights defenders.

36 The Foreign Policy Centre, The Rise of the Illiberal Civil Society in the former Soviet Union? 2018, p.1, at <https://fpc.org.uk/wp-content/uploads/2018/07/The-rise-of-illiberal-civil-society-in-the-former-Soviet-Union.pdf>, accessed on 20 March 2021.

37 See Human Rights House Yerevan, Annual Report 2019, at <https://hrhyerevan.org/en/2020/04/27/human-rights-house-yerevan%26%89-annual-report-2019-en/>, Human Rights House Tbilisi, Thematic Report about the State of HRDs in Georgia: Obstacles and Challenges 2020 (9 December 2020), ZMINA Human Rights Centre, Annual Report on Persecution of Civil Society Activists and Human Rights Defenders in 2020 (January 2021) at https://zmina.ua/content/uploads/sites/2/2021/01/stateofhumanrightsdefenders2020_reportua_web-2.pdf, The Foreign Policy Centre, The Rise of the Illiberal Civil Society in the former Soviet Union? 2018, pp. 61, 66 – 72, at <https://fpc.org.uk/wp-content/uploads/2018/07/The-rise-of-illiberal-civil-society-in-the-former-Soviet-Union.pdf>, all accessed on 30 March 2021.

38 This issue was confirmed by Facebook removing hundreds of pages from Facebook affiliated with the Georgian government. For more information about this, please see <https://civil.ge/archives/332443>, accessed on 17 March 2021.

Fig 9: Top sources of risks. Authoritarian countries

	Azerbaijan	Belarus	Kazakhstan	Tajikistan
1	Government authorities	Government authorities	Government authorities	Government au-thorities
2	Rarely, non-state actors threatening HRDs via social media, could be linked to the government	While the source of risks is almost exclusively the government, a singular instance of conservative orthodox groups was noted attacking feminist HRDs in relation to the draft law on domestic violence	Non state actors potentially linked to the government, but also businesses and oligarchs	

The defenders working on environmental protection, financial transparency, and anti-corruption across all eight countries, put emphasis on risks emanating from non-state actors that threaten them and their work, often with the governments' benediction or inaction. This can be explained by the nature of their work, as these HRDs often oppose entrenched business interests of the wealthy and the powerful, habitually referred to as oligarchs within the given context.

8. RESPONDENTS' EXPERIENCE WITH EXISTING PROTECTION PROGRAMMES

8.1. Support received

The respondents were asked to share their thoughts and observations about the existing protection programmes. According to the data, most respondents from Azerbaijan, Belarus, Tajikistan, and Ukraine have at different times used protection support from local or international providers. This differs from the experience of Armenian, Georgian, and Kyrgyz respondents, where only 50% or less have noted such an experience.

In terms of experience with the existing protection programmes, the differences among the two groups of countries are less prominent, nevertheless, they remain noteworthy. Those who benefited from protection programmes offered by various civil society organisations named six types of support as most frequently used: psychological and legal support, information provision, financial support, solidarity, and international advocacy. The research also found that HRDs within the authoritarian countries get almost a full spectrum of protection support, as opposed to HRDs operating within hybrid regimes. This is not surprising, given much more serious threats associated with defending human rights within authoritarian countries. It also supports the view that HRDs operating in the context of shrinking or closed civic space are at a greater risk and need broader protection toolbox to survive.

Among the hybrid regimes, Kyrgyzstan stands out as the country with the narrowest range of protection support received, which is deduced from the lowest percentage of respondents who have come across the protection assistance. They noted that there was not much support to choose from and they ended up using whatever was offered. This is an important finding, as HRDs face significantly higher risks and intimidation in Kyrgyzstan than in other countries with hybrid regimes. Therefore, the respondents' limited experience with protection programmes is alarming and indicates a need for supporting a more robust protection assistance for HRDs operating in Kyrgyzstan.

Fig 10: % of respondents to have received particular type of support

Support received	AM	GE	UA	KG	AZ	BY	KZ	TJ
Psychological	27%	31%	38%	15%	50%	30%	38%	37%
Legal	27%	31%	33%	0%	38%	55%	38%	37%
Information provision (about available support)	33%	19%	24%	5%	38%	50%	33%	21%
Financial	13%	0%	38%	0%	56%	55%	14%	32%
Solidarity	40%	19%	24%	5%	38%	41%	24%	11%
International advocacy	33%	13%	24%	5%	38%	52%	24%	5%
Additional protection for home/office	40%	6%	33%	15%	6%	14%	10%	11%
Digital security	0%	13%	19%	10%	25%	0%	24%	16%
Medical	13%	6%	0%	0%	19%	27%	14%	21%
Physical security	13%	0%	19%	15%	13%	0%	14%	16%
Replacement of equipment	0%	0%	5%	5%	19	25%	10%	5%
Relocation	0%	0%	0%	0%	6%	18%	5%	26%
Visa	0%	0%	0%	0%	25%	14%	0%	11%
Support in adapting to life in a new country	0%	0%	0%	0%	19%	5%	0%	5%
Training on security issues	0%	0%	0%	5%	0%	0%	14%	5%

Hybrid regimes

Authoritarian states

The data demonstrated that psychological support is one of the most received supports in the countries under review. This confirms the general trend of increased awareness of and need for such assistance. Despite the fact that psychological support is most frequently used by HRDs, protection providers note that it is challenging to organise. The reasons are many, including the enduring stigma and misunderstanding associated with the need to work with a psychologist found among HRDs across all eight countries.

The data across all countries points out that, in general, HRDs at risk are primarily utilizing protection support offered by international providers. Belarus is the only country, where respondents mention local providers almost twice more often than internationals. This can be explained by the nature of the regime and the long-term focus on HRD protection and security by Belarusian CSOs. For more than a decade, the Belarusian Human Rights House has spearheaded the efforts to build capacity of local HRDs against physical and digital risks, with a strong emphasis on the latter.

8.2. Support available

The research found that in-country communication channels are most effective in raising awareness among HRDs about the support opportunities offered by both local and international providers. In countries where the resident professional community is not a key source of information on protection possibilities, local HRDs tend to believe that they do not have access to the need information. There is a link between the perception of insufficient awareness and low levels of trust within the local human rights community. In Azerbaijan, where international CSOs are the major source of information about protection support, the respondents spoke of impossibility of receiving protection assistance and inaccessibility of information about the available support. As one of the respondents mentioned, “I have a feeling that support programmes are out there, but they are kept secret from those for whom they are meant.” Respondents from Armenia also pointed at the lack of a trustworthy domestic professional network to initiate solidarity measures. A striking discovery was the wide disparity between the support available for the Armenian HRDs from international CSOs and the local knowledge about these possibilities. While almost all international providers interviewed for the study noted that their protection programmes covered Armenia, these programmes’ beneficiaries are mostly unaware of such opportunities.

Overall, local provider CSOs offer decent range of support to HRDs at risk, however, there is a clear shortage of certain types of support, such as the replacement of equipment, visa support, assistance with adapting to life in a relocation country, protection for home and office, and capacity development.

The data also shows that sometimes local providers succeed in developing unique tools of assistance that are tailored to the needs of the targeted communities of HRDs. For example, Ukrainian CSOs help families of political prisoners from Crimea with transferring packages to prisons and travelling to court hearings that are often held in Russia, far from Crimea. In a similar vein, Azerbaijani human rights lawyers, whose needs are often not met through existing protection programming, are offered retreat opportunities in Georgia for much needed rest and respite. It is notable that there is a distinct lack of local support available to HRDs in Tajikistan and Azerbaijan, while in Kazakhstan and Belarus, which also belong to the same group of authoritarian states, HRDs benefit from significantly more local assistance.³⁹

³⁹ To confirm this conclusion, Kazakh respondents indicate that less HRDs at risk need to leave Kazakhstan and they mostly stay within the country.

In general, international CSOs provide the broadest range of support and there are certain types of support provided exclusively by them, such as nominations for awards, general capacity building, networking and, most importantly, relocation.

8.3. Notable success stories

The research found that local providers tend to rely on their deep knowledge of the context and understanding of the processes within the HRD community and society at large, while international providers follow stricter procedures that are more bureaucratic and, therefore, lengthier in time. Local reliance on relaxed rules and better contacts may be more vulnerable to bias, however, it also ensures more efficient provision of protection support. The following success stories showcase the decisive role and efficiency of local and regional service providers in delivering protection support to HRDs at risk. These successful examples do not diminish the importance of an international approach to protection assistance, but rather support an idea of adopting a more mixed approach.

Human Rights House Tbilisi: Safe haven for Azerbaijani HRDs

The Human Rights House Tbilisi offers protection services to HRDs at risk from Azerbaijan, having built extensive and full-service protection programme with wide range of assistance⁴⁰. These efforts started after the 2014 crackdown in Azerbaijan, as Azerbaijani HRDs were forced to flee to neighbouring Georgia. The House assists HRDs at risk, including lawyers, journalists, political activists, and civil society leaders, as well as their affected family members or individuals linked to them. The House offers legal, medical, financial, and psychological aid (online and offline), language courses, accommodation, as well as occasional visa support, and short rest and respite opportunities for human rights lawyers.

At times when there was a large influx of HRDs from Azerbaijan to Georgia, HRH Tbilisi focused on integrating the exiled human rights community into the Georgian civil society space. The House conducted capacity building activities to enable Azerbaijani civil society actors to hone their skills as individual HRDs and learn about the Georgian legislation and administrative practices, so that they could run their own organisations from the country. Moreover, in support of Azerbaijani journalists, HRH Tbilisi built extensive partnerships with Georgian media outlets and offered the exiled HRDs paid internships. HRH Tbilisi gradually developed links and contacts among Azerbaijani HRD community in Azerbaijan or in exile, enabling them to verify cases quickly and operate at a high speed. During 2014-2020, HRH Tbilisi supported 217 beneficiaries from Azerbaijan.

Despite the success of HRH Tbilisi, the abduction of the exiled Azerbaijani investigative journalist Afghan Mukhtarli in Georgia serves as a cautionary tale for considering hybrid states as fully safe destinations for HRDs fleeing authoritarian countries. Afghan Mukhtarli has long been a target of Azerbaijani authorities for his investigative journalism work. He and his wife, Leyla Mustafayeva, who is a journalist as well, fled to Georgia in January 2015. HRH Tbilisi hosted them and offered full spectrum of protection support, with Afghan and Leyla eventually settling down in Tbilisi to continue their work. On 29 May 2017, Afghan Mukhtarli was abducted in the centre of Tbilisi in broad daylight by individuals, who according to Mukhtarli were wearing Georgian criminal police uniforms.⁴¹ The next morning, Afghan Mukhtarli resurfaced in a detention centre in Baku, for “illegally crossing the Georgian-Azeri

⁴⁰ Since 2019 Human Rights House Tbilisi expanded the protection programme to HRDs at risk from Belarus, Russia, Turkey and Ukraine too.

⁴¹ See Case of Afghan Mukhtarli: Facts and Evaluation, Human Rights House Tbilisi (2018), <https://humanrightshouse.org/wp-content/uploads/2018/05/The-Case-of-Afghan-Mukhtarli.pdf>, accessed on 25 March 2021.



Human Rights House Tbilisi assists HRDs at risk, including lawyers, journalists, political activists, and civil society leaders, as well as their affected family members or individuals linked to them.



In May 2018, marking a year since his disappearance, Human Rights House Tbilisi held protests calling for the release of Afgan Mukhtarli and a proper investigation into his case.

border while carrying large sums of undeclared money.⁴² After months of bogus judicial hearings in Azerbaijan, he was sentenced to 6 years in prison.⁴³ It is important to keep in mind that before the abduction, Afgan Mukhtarli issued several public statements, where he voiced his fears that he was under unlawful surveillance.⁴⁴ Following Afgan's abduction, Leyla Mustafayeva repeatedly reported alleged surveillance and harassment instance, but Georgian law enforcement authorities did nothing to address her concerns. While Afgan Mukhtarli and his family now safely reside in Germany, their experience shows that HRD safety is jeopardized both at home, as well as in those countries of exile, which have yet to complete democratic consolidation processes.

Kadir Kassiyet in Kazakhstan: focal point for protection

Kazakhstan stands out among other authoritarian states by the reliance of HRDs on local rather than international providers of protection assistance. Kazakh HRDs at risk, unlike their counterparts from other authoritarian regimes, are less likely to seek international relocation and asylum as a protection measure. This finding is further supported by the fact that visa support is almost never used by HRDs in Kazakhstan (see Figure 10 above). The underlying reason for this might be just how the protection support is organised within this country.

The case of Kazakhstan shows that the presence of a CSO, Kadir Kassiyet, that is dedicated to the cause of HRD protection, which proactively builds capacities of HRDs to counter risks and reactively supports those in need, is an important contributing factor to HRD safety. It also shows that the complexity of the problem requires collaborative efforts and solutions, which cannot be achieved independently, without other local democratic actors, including the media, independent experts, and other civil society organisations.

42 "Afgan Mukhtarli: Did Georgia Help Abduct Azerbaijani Journalist?" BBC News, (8 July 2017) at <https://www.bbc.com/news/world-europe-40606599>, accessed on 25 March 2021.

43 Afgan Mukhtarli was released from prison in Azerbaijan in spring 2020 and left for Germany. He currently resides there with Leyla Mustafayeva and their daughter.

44 Case of Afgan Mukhtarli: Facts and Evaluation, p. 9.

While the relative success in Kazakhstan is attributable to a coalition of local actors, it would not have been possible without the commitment and coordination efforts of the protection focal point CSO. The latter serves an additional important role, as a point of reference for international providers, who need a reliable source of information for verifying cases and linking local targets with international CSOs. The positive outcomes notwithstanding, the study identified significant room for improvements, as the respondents highlighted the need for more coordination and transparency in provision of protection support.

8.4. Effects of protection

One of the most significant positive effects of protection assistance outlined by the respondents is improved psychological well-being of HRDs at risk. Specifically, they note reinforced feelings of safety, security and support, and reduced levels of stress. Another most frequent positive effect is better protection in courts, due to the legal support provided to HRDs and their families. Kazakhstan stands out as a particularly successful example of the latter. For the entire group of respondents, another positive outcome of the existing protection efforts is connected to the ability of individual HRDs and human rights organisations to continue their line of work, as they are given a chance to recover and to enhance their security.

While not mentioned frequently, some effects are too substantial to disregard. In particular, HRDs in Azerbaijan and one respondent in Georgia believe that the support saved their lives. Furthermore, support in adapting to life in a new place has proven to be vital for respondents from Azerbaijan and occupied territories of Ukraine.

Less input was received from the respondents regarding longer-term effects of protection. Some respondents outlined increased solidarity within the society, more stable personal life, reconsideration of activism agenda, and ability to plan ahead. In general, HRDs from countries with more hostile political environments tend to notice more long-term effects of support and put additional emphasis on them.



The situation for human rights defenders in Kazakhstan is dire. In this photograph an activist holds up photos of prominent activist Dulat Agadil (left) and his son Zhanbolat, 17, who was stabbed to death just 10 months after his father mysteriously died while in police custody. Photo: azattyq.org (Radio Free Europe / Radio Liberty)

9. ALLIES IN PROTECTION WORK

The study attempted to identify other groups beyond traditional civil society fabric that already are or could serve as allies in providing protection to HRDs at risk. The findings indicate that the longer the experience of democratic institutions in a country in question, the more confidence or experience local actors have in finding allies within their own countries.

The most frequently mentioned probable and actual allies were non-mainstream, minority churches in a given territory, religious organisations, cultural organisations, artists, celebrities, influencers, businesses (small businesses and social enterprises in particular), lawyers and law firms, public libraries, national human rights institutions (Ombudsperson's offices), diaspora, community of psychologists, embassies, and the UN agencies present in the country. Importantly, in Armenia and Ukraine, the Ombudsperson's offices were mentioned not as current but as potential allies.

While the respondents from authoritarian states were sceptical about most of the above-listed groups and their real ability to act as partners (with Tajik respondents being the most pessimistic), some existing and hopeful experiences were collected among the interviewees from hybrid regimes. In Georgia, the Evangelical Baptist Church offered Tbilisi Pride their premises for holding an LGBTQI-themed theatre performance during the 2018 Pride Week, while the largest public library in Tbilisi offered shelter to demonstrators as they were fleeing police violence in 2019. In Kyrgyzstan, women's Islamic organisation helps foster women's rights, while small businesses and social enterprises promote the rights of people with disabilities. Within Ukraine, the Orthodox Church of Ukraine and the local Ukrainian cultural workers in Crimea are believed to be providing valuable support.

It is telling that the academia and universities were not identified in any of the countries as powerful civil society actors or allies. However, the respondents largely believe that they should be playing this role within their countries and communities.

10. GAPS WITHIN PROTECTION PROGRAMMES

From those respondents who have had experience with protection programmes, 78% received support in all cases they needed it, while 22% noted that they were not supported when in need. The negative answers stood out among the respondents from Armenia, Ukraine, and Tajikistan. Low awareness of protection mechanisms in Armenia and lack of available support in Tajikistan might explain much of this feedback.

According to the respondents, the following are some of the reasons for not being able to receive protection support:

1. Unavailability of protection support, especially, in remote areas or outside the capital cities.
2. Low awareness of HRDs on the available means of support and, sometimes, confusion among the HRDs as to what the protection measures entail.
3. Lack of trust in the protection provider, either because of the latter's alleged co-operation with the authorities or its arbitrary application of protection criteria. This could be fuelled by the fact that sometimes protection providers failed to explain the reason(s) for refusing support to the HRDs or their family members.
4. Inconvenient format of support, including impossibility to travel for participation in the available protection programmes.
5. Unavailability of continuous protection support, despite the persisting need.

The interviewees also noted that even when they received protection support, it came with its own challenges, mostly linked to bureaucratic barriers and slow timelines, including complicated reporting, documentation of expenses incurred, and inability of protection providers to cover the fines levied on HRDs. There is a sentiment among the interviewed HRDs that they have limited choices in protection assistance. Thus, they often received psychological counselling when what they needed was an anti-burnout training. The respondents also noted difficulties in finding a psychologist and underlined the need for timely decision making. Other challenges mentioned by the respondents were linked to lack of visa support for family members in risk situations and risky transfers of direct support.

The study found that about 40% of all respondents found the support received insufficient.⁴⁵ However, the type of support that was marked as lacking or insufficient mirrors some of the most frequently received assistance. Thus, while psychological, financial, digital security, legal, and medical assistance, as well as information provision and physical security support, are largely provided in all eight countries, these are also the support measures that the respondents found to be insufficient. The answers reveal that the beneficiary HRDs do not consider medical support during emergency situations as sufficient. They believe that medical assistance should be provided in non-emergency cases as well, to minimize the harm done by long-term

⁴⁵ Interesting to note that the figure is 70% in Ukraine.

work within unfavourable environments and to reverse the gradual deterioration of physical and mental health.

Within some of the countries mapped immediately after the outbreak of Covid-19 pandemic, the respondents highlighted the need to be assisted in their work with those who are potentially infected. A good portion of respondents from across all countries also highlighted the need to support the rehabilitation of newly released political prisoners.

Within the group of hybrid states, the respondents from Armenia noted that there is a need to increase HRDs awareness about burnout and the importance of self-care. Given the effect of the second Karabakh War on Armenian civil society actors, this need has presumably grown significantly.⁴⁶ The respondents from Ukraine were clearly not satisfied with the level of international advocacy around the cases of HRDs at risk. Kyrgyz respondents underscored the shortage of digital security assistance and protection for working spaces and equipment.

HRDs from autocratic states of Azerbaijan, Belarus, and Tajikistan feel that they are not receiving sufficient support with obtaining visas and international relocation. They underscore the importance of swift support, as they face severe threats and crackdowns from the authorities. The lack of legal support was underscored in Azerbaijan, which is not surprising given the crackdown against human rights lawyers in the country and the general scarcity of licensed lawyers, who are willing to take on politically sensitive cases.⁴⁷ Also, in Azerbaijan, there is an unmet need for qualified doctors, who can document the signs of alleged torture or ill-treatment. HRDs in Tajikistan underline the lack of preventive support, while the respondents from Kazakhstan underscored the need for better coordination and for more transparent decision making on provision of protection support.

As a significant gap outlined by women HRDs across all governance regimes and countries is the impossibility to participate in various protection programmes that require travel, as it is impossible for them to leave their children behind.

Lastly, though solidarity is not a typical protection service provided to the defenders, many respondents spoke about the lack of solidarity within civil society as a gap in protection infrastructure that affects their overall feeling of safety.

10.1. Groups of HRDs with unmet needs

The study documented a wide list of HRDs with unmet needs, as perceived by the respondents of the research. Whilst certain groups are among the ones most frequently supported by various protection programmes, the others are less visible to the protection infrastructure. The landscape of human rights actors whose needs are insufficiently covered are very much similar across all eight countries. A curious finding, nonetheless, is that international providers of protection support believe that there are significantly more groups with unmet protection needs than seems to be the understanding among local HRDs and local protection providers. Also interesting is that while international respondents often referred to the need for whistle-blower protection, local protection providers and HRDs do not utilise the same terminology, but refer, for example, to teachers who speak up against the rights violations of children at schools or any other issue. Furthermore, international respondents identified a unique group of HRDs with unmet needs – social workers – who are often affiliat-

⁴⁶ Freedom House, Armenia: Authorities Must Protect Democratic Institutions and Civil Society, 12 March 2021 at <https://freedomhouse.org/article/armenia-authorities-must-protect-democratic-institutions-and-civil-society>, accessed on 26 March 2021.

⁴⁷ Observatoire International des Avocats, International Day of Lawyer in Danger 2021, Azerbaijan, 11th edition, at <https://www.uanet.org/sites/default/files/leaflet-jm-2021-web-en.pdf>, accessed on 26 March 2021.

ed with state-funded social service providers and work with groups in marginalized and vulnerable situations to safeguard their rights.

The groups found to be lacking support:

- LGBTQI activists and organisations,
- Women's rights and gender equality activists and organisations, HRDs focusing on domestic violence,
- Environmental activists/organisations,
- Journalists, bloggers,
- Regional and community activists,
- Lawyers working in remote areas,
- Antidiscrimination activists,
- HRDs belonging to initiatives working with socially stigmatised groups (sex workers, drug users, people infected with HIV/AIDS),
- HRDs belonging to trade union, social and economic rights activists,
- Urban activists,
- Political activists,
- HRDs working in conflict affected areas,
- HRDs working on war crimes or extremism,
- Students and youth activists,
- Defenders of religious communities and minorities,
- Whistle blowers (teachers, social workers, medical workers who speak up against rights violations),
- Animals' rights activists,
- Defenders of the rights of people with disabilities,
- Budget transparency, anti-corruption, bank-watch activists,
- Roma and ethnic minority defenders,
- Political prisoners,
- HRDs operating in exile,
- Trade union activists,
- HRDs who defend rights without formal remuneration,
- Grassroots
- Representatives of the cultural sector (including writers, cultural activists)
- Social entrepreneurs,
- Activists supporting the rights of medical workers amidst Covid-19 pandemic,
- Educational activists (mostly campaigning against discrimination and corruption),
- Social workers.

A closer examination of country situations reveals that, in Georgia and Armenia, HRDs operating alone, using non-conventional and unorthodox methods, generate controversy and, thus, might not always be covered by the existing protection programmes. In Ukraine, since the Russian military occupation of Crimea in February 2014, Christian protestants and priests of the Orthodox Church of Ukraine are named as a group that is not receiving (adequate) attention and assistance. Additionally, Ukrainian volunteer civic activists are in need of support and protection. In Azerbaijan, parents of political prisoners accused of charges linked to extremism, who are fighting for justice and for the protection of their children's rights, are believed to be excluded from protection support.⁴⁸ In Belarus, activists from football fanbase, who often engage in social and political protests,⁴⁹ are not covered, while in Kazakhstan, defenders from Kazakh-speaking minorities and ethnic Kazakh migrants from China, usually residing in rural or remote areas, seem to be insufficiently supported.

⁴⁸ International Partnership for Human Rights, Human Rights Club, Global Diligence LLP, Truth Hounds, and Civic Solidarity, "Azerbaijani Government Crackdown in Ganja: Extrajudicial Killings, Torture, Arbitrary Detention, Unfair Trials and Unlawful Restrictions on the Freedom of Assembly," 2 February 2020 at <https://www.humanrightsclub.net/wp-content/uploads/2020/02/here.pdf>, accessed on 25 March 2021.

⁴⁹ Examples are solidarity with Ukraine over the war with Russia, opposition to Belarus' integration with Russia, etc.

Also, in Kazakhstan, activists from trade unions that are virtually eradicated by the government are still requiring protection support, which is not always available to them.

As expected, the least protected groups of HRDs include LGBTQI rights activists, women's rights and gender equality defenders, as well as environmental activists, journalists and HRDs operating in remote areas. The ones at the very top of insufficiently supported groups are sexual orientation and gender identity (SOGI) activists. This can also be explained by the scale of risks they face and the fact that they are threatened by both the governments, as well as non-state actors, namely, conservative members of their respective societies. It can be concluded that the misinformed traditional values narrative results in greater targeting of and bigger protection needs for SOGI activists, thus, requiring more attention to SOGI activists. Indeed, while protection assistance to this group is included in all protection programmes available in the countries in question, the protection need of these HRDs is so great that they are also highlighted as the group that is not fully on the radar of the existing protection infrastructure.

Another common trend is that further the HRDs operate from the political centre, the less visible they seem to become to the protection programmes, which are often centred around the capital cities. Lastly, the HRDs operating in the conflict zones might be not only overlooked, but at times, difficult to reach.

The respondents asked to express their own views as to why the above-mentioned groups receive little or insufficient attention. There are the usual challenges of scarcity of financial and human resources, which preclude protection providers from reaching out to more groups, especially, in remote and rural areas. At the same time, the respondents believe that there is a general lack of awareness of what support measures are available. Lastly, HRDs are unaware of self-care mechanisms and cannot pre-emptively address burnout.

However, beyond the named obstacles, there are major concerns linked to the existing protection mechanisms, which inadvertently privilege those HRDs that are closer and more visible to national and international protection programmes. For various reasons noted above, the above-listed groups and their activism are significantly less visible, which could explain why they receive insufficient support. According to the interviewees, there have been instances when HRDs cannot provide 'sufficient proof' of their activism. Therefore, HRDs closer to donors and international CSOs enjoy privileged support, while other groups might not even be considered as HRDs. The respondents also point out that some programmes choose to adopt a too narrow definition of an HRD, which limits the circle of these programmes' beneficiaries. Finally, helping certain HRDs at risk might be too risky for local providers of protection assistance.

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