

# Silent Killer

## Air pollution in Pakistan

We breathe 20,000 times in a day. The air we breathe should be clean and safe. But, are we breathing natural air?

What if we are inhaling not natural oxygen but a mixture of harmful pollutants that, in turn, lead to a variety of diseases?

This is the problem that still has not been paid the due attention despite deaths related to the bad air have touched millions.

Air pollution takes millions of lives every year. It is an invisible killer due to a relatively less awareness attached to the issue.

Why air pollution is an invisible killer?

Poor air has become a leading cause of death worldwide. Every year, it accounts for almost seven million preventable casualties, according to WHO. The deteriorating health conditions caused by ambient air pollution take a toll on the global economy, as the World Bank estimated the financial cost to be almost \$8.1 trillion in 2022.

More importantly, already vulnerable groups are more exposed to the damaging effects of the toxic air. Such as people with pre-existing conditions or genetic predispositions to respiratory or cardiovascular issues, for instance, are likely to suffer more.

This is a global problem. All countries are affected, however, low and middle income nations are more susceptible than others. Bangladesh, Nepal, India and Pakistan have been named as the top four polluted countries of the world.

Almost 128,000 people lose their lives annually in Pakistan due to the toxic air as highlighted by the Fair-Finance Asia Pakistan.

Apart from Lahore, Karachi, Faisalabad and Peshawar have also been included in the unenvi-

ried list of worst polluted cities.

Here comes the Question: Why many of the country's cities are being named among the worst air pollution centres?

The answer is complicated and covers a variety of aspects.

At first, vehicular emission is a major source of the air pollution. Low-quality fuel which is high in sulphur content releases harmful pollutants in the air. To make matters worse, the public transport system is almost unavailable.



Major urban centres such as Lahore and Karachi do not have a properly maintained transport system. In Pakistan's largest city, one can easily observe rickety buses that are diesel-run and below the standard. For context, the sulphur content in diesel is 1 pc which should be less than 0.01 pc as per international standards.

Secondly, Smoke-spewing factories add to the air pollution. Air emissions control devices are not installed in big industries, let alone small ones.

Due to less monitoring and the cost associated with quality fuel, small production units do not use any standardised fuel and burn waste materials.

What is more distressing is the industries working in the residential areas. They are not

merely creating health hazards but also taking lives. Consider the recent news of the death of 18 people, mostly children, in Karachi's Keamari area in January of this year.

A medical board was constituted to ascertain the reason behind the tragedy and in April 2023, the experts blamed the toxic and poisonous emissions – that caused respiratory distress and ultimately failure – from the industrial area for the untimely deaths.

Thirdly, the burning of agricul-

It reduces lifespans. As the recent AQLI report shows the polluted air in Pakistan "could lead to a potential reduction of up to four years in life expectancy".

So what measures are required to mitigate the effects attached to the issue?

Solutions stem from the sources of pollution mentioned above.

First and foremost, an informed policy on the transport sector is imperative. Following a successful model should include replacing diesel-run shaky buses with bio-CNG as it causes much less pollution than petrol and diesel.

Moreover, shifting to electric vehicles should be the ultimate goal. EV policy of Pakistan targets only 30% of on-road vehicles. This would also be encouraging and environment friendly if becomes a reality.

Secondly, monitoring the industrial sites must be included in the government's efforts to curtail air pollution. Stringent penalties must be imposed on factories so they must install air emissions control devices.

Also, the administration must not allow industries to be built in the residential areas as it will drastically put lives at risk.

Most importantly, the government must keep a keen eye on farmers involved in burning the crops' residue and they must not be allowed.

In this regard, awareness can also serve. As setting ablaze the crop would lead to the loss of essential nutrients from the field. This, as a result, does not help against soil erosion. Hence, agriculturists should be made aware that by burning the crop, they are not only causing air pollution but also creating problems for themselves.

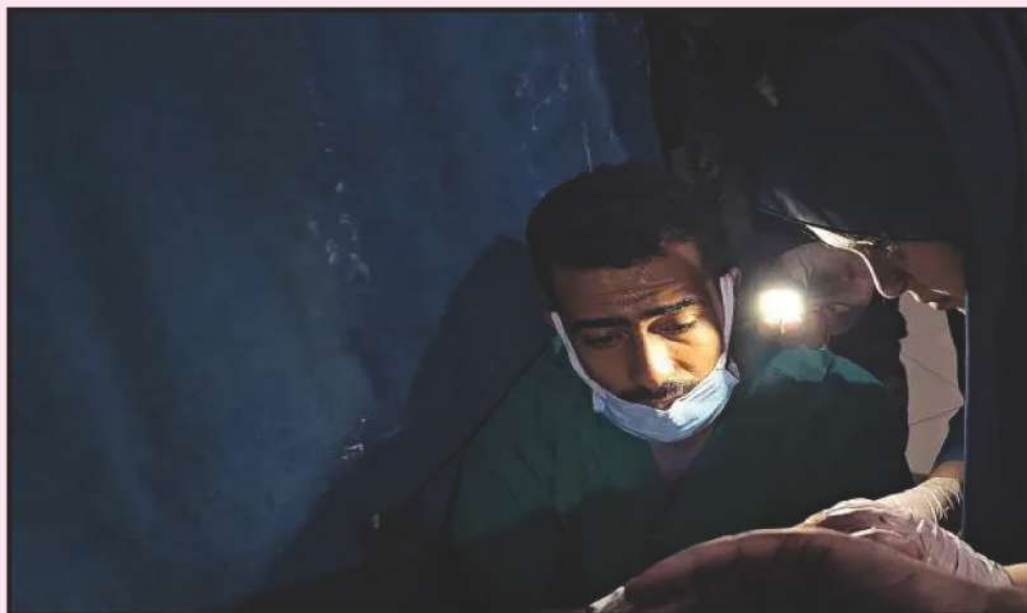


# Gaza: Unlawful Israeli Hospital Strikes Worsen Health Crisis

**Israel's Blockade, Bombardment Decimate Healthcare System; Investigate as War Crimes**

The Israeli military's repeated, apparently unlawful attacks on medical facilities, personnel, and transport are further destroying the Gaza Strip's healthcare system and should be investigated as war crimes, Human Rights Watch said today. Despite the Israeli military's claims on November 5, 2023, of " Hamas's cynical use of hospitals," no evidence put forward would justify depriving hospitals and ambulances of their protected status under international humanitarian law. The World Health Organization (WHO) has reported that at least 521 people, including 16 medical workers, have been killed in 137 "attacks on health care" in Gaza as of November 12.

These attacks, alongside Israel's decisions to cut off electricity and water and block humanitarian aid to Gaza, have severely impeded health care access. The United Nations found as of November 10 that two-thirds of primary care facilities and half of all hospitals in Gaza are not functioning at a time when medical personnel are dealing with unprecedented numbers of severely injured patients. Hospitals have run out of medicine and basic equipment, and doctors told Human Rights Watch that they were forced to operate without anesthesia and to use vinegar as an antiseptic. "Israel's repeated attacks damaging hospitals and harming healthcare workers, already hard hit by an unlawful blockade, have devastated Gaza's healthcare infrastructure," said A. Kayum Ahmed, special adviser on the right to health at Human Rights Watch. "The strikes on hospitals have killed hundreds of people and put many patients at grave risk because they're unable to



receive proper medical care." Human Rights Watch investigated attacks on or near the Indonesian Hospital, al-Ahli Hospital, the International Eye Care Center, the Turkish-Palestinian Friendship Hospital, and the al-Quds Hospital between October 7 and November 7. Human Rights Watch spoke by phone with two displaced people sheltering in hospitals and 16 healthcare workers and hospital officials in Gaza and analyzed and verified open-source data, including videos posted to social media and satellite imagery, as well as WHO databases.

Israeli forces struck the Indonesian Hospital multiple times between October 7 and October 28, killing at least two civilians. The International Eye Care Center was struck repeatedly and completely destroyed after a strike on October 10 or 11. Strikes hit the compound and vicinity of the Turkish-Palestinian Friendship Hospital on

October 30 and 31. Damage to the hospital as well as a lack of fuel for hospital generators resulted in its closure on November 1. Repeated Israeli strikes damaged the al-Quds Hospital and injured a man and child out front. Israeli forces on several occasions struck well-marked ambulances, killing and wounding at least a dozen people in one incident on November 3, including children, outside al-Shifa hospital.

These ongoing attacks are not isolated. Israeli forces have also carried out scores of strikes damaging several other hospitals across Gaza. WHO reported that as of November 10, 18 out of 36 hospitals and 46 out of 72 primary care clinics were forced to shut down. The forced closure of these facilities stems from damage caused by attacks as well as the lack of electricity and fuel.

Health workers at Gaza's hospitals told Human Rights Watch they are dealing with unprecedented numbers of

injured patients. Additionally, thousands of internally displaced people sheltering at hospitals have been put at risk, facing shortages of food and medicine. Gaza's hospitals have been forced to address these issues with shortages of medical staff, some of whom have been killed or injured outside their work.

A doctor at Nasser Medical Center said: "At 3 a.m. I dealt with a 60-year-old woman with a cut wound in her head. I can't make a suture to heal her wound—no gloves, no equipment—so we have to use unsterile techniques."

Hospitals and other medical facilities are civilian objects that have special protections under international humanitarian law, or the laws of war. Hospitals only lose their protection from attack if they are being used to commit "acts harmful to the enemy," and after a required warning. Even if military forces unlawfully use a hospital to store weapons or encamp able-bodied com-



batants, the attacking force must issue a warning to cease this misuse, set a reasonable time limit for it to end, and lawfully attack only after such a warning has gone unheeded. Ordering patients, medical staff, and others to evacuate a hospital should only be used as a last resort. Medical personnel need to be protected and permitted to do their work.

had deployed a rocket launchpad 75 meters from the hospital. These claims are contested. Human Rights Watch has not been able to corroborate them, nor seen any information that would justify attacks on Gaza hospitals. When a journalist at a news conference showing video footage of damage to the Qatar Hospital sought addi-

lances, and other civilian objects, as well as its total blockade of the Gaza Strip, which amounts to the war crime of collective punishment, Human Rights Watch said. Hamas and other Palestinian armed groups need to take all feasible precautions to protect civilians under their control from the effects of attacks and not use civilians as

injured, on babies in incubators, on pregnant people, on cancer patients," Ahmed said. "These actions need to be investigated as war crimes." Blockade's Effect on Hospitals Israel's blockade has severely constrained hospitals, which have run out of essential medicines and basic equipment. While Israeli authorities have allowed minimal humanitarian aid into Gaza, they have continued to block the entry of fuel, which hospitals need for their generators. WHO reported that "hospitals are on the brink of collapse due to the shortage of electricity, medicine, equipment and specialized personnel."

On October 22, the United Nations Children's Fund (UNICEF) expressed grave concern about the impact of the blockade. They noted that 120 newborn children were in incubators, 70 of whom required mechanical ventilation. The incubators and ventilators cannot operate without a stable electricity supply. "The death toll will increase exponentially if incubators start to fail, if hospitals go dark, if children continue to drink unsafe water and have no access to medicine when they get sick," UNICEF said. Between November 11 and 13, three premature babies and 29 other patients reportedly died at al-Shifa hospital amid the power outage and lack of medical supplies, according to UN Office of the Coordination of Humanitarian Affairs (OCHA).

Emerging reports show that unsanitary conditions at hospitals are further affecting access to health care. Tanya Haj Hassan, a doctor who runs a support network for Gaza healthcare workers, told The Guardian that "hundreds of people are sharing one toilet and living in the hospital corridors, and that obviously has significant concerns for hygiene, sanitation and the functioning of the hospitals." Doctors are also reporting that more and more patients are showing signs of disease associated with overcrowding and a lack of sanitation.

A doctor at al-Aqsa Hospital told Human Rights Watch on October 23: "There is a huge shortage of medicines, no elec-



All warring parties must take constant care to minimize harm to civilians. Attacks on hospitals being used to commit "acts harmful to the enemy" are still unlawful if indiscriminate or disproportionate. The use of explosive weapons in densely populated areas heightens the risk of indiscriminate attacks. Attacks in which the anticipated loss of civilian life and property are excessive compared with the concrete and direct military gain are disproportionate. Concerns about disproportionate attacks are magnified with respect to hospitals, since even the threat of an attack or minor damage can have massive life-or-death implications for patients and their caregivers.

The Israeli military on October 27 claimed that "Hamas uses hospitals as terror infrastructures," publishing footage alleging that Hamas was operating from Gaza's largest hospital, al-Shifa. Israel also alleged that Hamas was using the Indonesian Hospital to hide an underground command and control center and that they

tional information to verify voice recordings and images presented, the Israeli spokesperson said, "our strikes are based on intelligence." Even if accurate, Israel has not demonstrated that the ensuing hospital attacks were proportionate.

Israel's general evacuation order on October 13 to 22 hospitals in northern Gaza was not an effective warning because it did not take into account the specific requirements for hospitals, including providing for the safety of patients and medical personnel. The sweeping nature of the order and the impossibility of safe compliance, given that there is no reliably secure way to flee or safe place to go in Gaza, also raised concerns that the purpose was not to protect civilians, but to terrify them into leaving. The WHO director general has said that "it's impossible to evacuate hospitals full of patients without endangering their lives."

The Israeli government should immediately end unlawful attacks on hospitals, ambu-

lances, and other civilian objects, as well as its total blockade of the Gaza Strip, which amounts to the war crime of collective punishment, Human Rights Watch said. Hamas and other Palestinian armed groups need to take all feasible precautions to protect civilians under their control from the effects of attacks and not use civilians as

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tricity, no diesel, no solar, no water to drink or to use. And the electricity company shut electricity to all civilians. ... There is a chronic triage and restrictions on medication; we have had to make referrals to Egypt, but there is no way to get there."

#### Israeli Evacuation Orders

Israeli authorities have ordered the evacuation of all 22 hospitals in Gaza city and northern Gaza. "These [evacuation orders] are impossible to carry out, risking the lives of inpatients and internally displaced persons (IDPs), and particularly the most vulnerable requiring life support," WHO said, adding that there is "insufficient ambulance capacity for transfer and insufficient bed capacity to care for these patients in the south." WHO described the order as "a death sentence for the sick and injured." OCHA expressed concern that "thousands of patients and medical staff, as well as about 117,000 IDPs, are staying in these facilities."

Médecins Sans Frontières (Doctors Without Borders or MSF) general director Meinie Nicolai said: "Israel's 24-hour notice that people in Northern Gaza must leave their land, homes and hospitals is outrageous—this represents an attack on medical care and on humanity."

As of November 13, all but one of the hospitals in Gaza city and northern Gaza are reportedly out of service, according to OCHA.

Human Rights Watch interviewed two people with disabilities sheltering in hospitals who said they could not evacuate. "If they bomb the hospital, I will be dead. I know I cannot move," said Samih al-Masri, a 50-year-old man who said he lost both legs in an Israeli drone strike in 2008 and was sheltering at al-Quds hospital. 202311mena\_gaza\_health\_facilities\_map\_0.jpg

Map showing locations of four attacks on health facilities documented by Human Rights Watch between October 7 and

November 7, 2023. © 2023 Human Rights Watch Indonesian Hospital

The Israeli military repeatedly struck the compound and vicinity of the Indonesian Hospital in Beit Lahiya, one of two major hospitals in northern Gaza.

On October 7, an airstrike hit an area behind the Indonesian Hospital, which OCHA reported killed two men, including a staff member, and injured five others. Hosni Salha, a security guard, was killed while sitting in one of the hospital's vehicles along with the driver and a paramedic, a doctor from the hospital said. After the attack, the doctor took a photo at the scene that shows a destroyed

evacuate or advance warning before the first attack on the hospital. He said that on October 13, a week after the first strike, the hospital received an Israeli evacuation order.

Even those who finish their treatment can't leave. They have no place to go after losing their houses and families and there is no safe place. We have a girl at the hospital who lost her entire family. She currently has no one to stay with, no place to go to. There's also a boy staying at the hospital. We are waiting for him to be identified by a family member or relative.

On October 16, another airstrike hit five meters away

near the hospital. The hospital published photos of the collapsed ceiling to its Facebook page, which it said were the result of strikes in the vicinity of the hospital. Another strike on October 30 targeted an area near the hospital, causing dust and smoke to spread to its entrance. Footage from November 4 and November 6 show additional strikes in the hospital's vicinity.

In a November 5 news conference, an Israel Defense Forces (IDF) spokesperson alleged that "the Indonesian Hospital is being used by Hamas to hide an underground command and control center," that Hamas had a rocket launchpad 75 meters from the hospital, and that it was stealing fuel from the hospital.

In a news conference the next day, the Indonesia-based Medical Emergency Rescue Committee (MER-C), a volunteer group that funds the hospital, disputed the allegations, stating that the only tunnel connected to the hospital was used to send fuel to the hospital's fuel tank to power its generators. Human Rights Watch is not in a position to corroborate the claims by Israel or the committee. A MER-C volunteer told the media on

October 30 that 2,530 people had been treated at the hospital for injuries and that 164 patients remained hospitalized. He said that more than 1,500 displaced residents were also sheltering in empty hospital rooms and in courtyards. On October 31, an influx of patients were sent to the hospital following an Israeli airstrike on Jabalia refugee camp that Gaza's Health Ministry reported killed more than 50 people and injured 150. On November 2, Gaza's Health Ministry reported that the hospital's main generator stopped operating due to a lack of fuel.

International Eye Hospital Human Rights Watch reviewed and verified photos and video footage of the International Eye Hospital in the Tal al-



vehicle. The second civilian was a man passing by the hospital when the attack occurred, the doctor said.

The doctor said that the hospital was treating patients injured in the hostilities, including families wounded in airstrikes that hit their homes. He said that following airstrikes that hit his apartment building, he searched for his daughter, a second-year engineering student. The strikes killed her and four other civilians, including a child: "I started digging with my hands with all my strength; civil defense members haven't arrived yet. I kept digging with my hands until I saw part of her t-shirt, I kept digging, when I saw her, she was already martyred."

The doctor said the Israeli military provided no order to

from the hospital, partially damaging the building, which the doctor said terrified patients and staff.

He said that on the night of October 27, after the Israeli government apparently deliberately disrupted telecommunications in Gaza, the hospital was struck again, causing additional damage to the building. Human Rights Watch geolocated a video and three photographs released on October 28 showing a crater inside the hospital's courtyard.

On October 30, OCHA reported that this attack came after a renewed order by the Israeli military to immediately evacuate the hospital.

CCTV footage published by Al Jazeera on October 29 shows the moments the hospital ceiling collapsed due to strikes



Hawa neighborhood of Gaza City showing large structural damage to the main building. In the published material and in satellite imagery from October 10 and 11, damage signatures are consistent with an airstrike using a large air-dropped munition. Two strikes appear to have taken place: one on October 8 and another on October 10 or 11, which destroyed the facility. On October 21, the hospital wrote in a post on its Facebook page that the "hospital no longer exists" with a photo showing its complete destruction. Satellite imagery October 8, 2023. Before Satellite imagery on October 15, 2023, shows the complete destruction of the International Eye Hospital in Gaza City. After

JuxtaposeJS

Before: © 2023 Planet Labs PBC After: © 2023 Planet Labs PBC Satellite imagery comparison between October 8 and October 15, 2023, shows the complete destruction of the International Eye Hospital in Gaza City. Image © 2023 Planet Labs PBC Human Rights Watch was unable to find any published information from Israeli authorities in English, Arabic, or Hebrew reflecting that any advance warning was given or providing any legal basis for the attacks on the medical facility.

Turkish-Palestinian Friendship Hospital

Beginning the night of October 30-31, the Israeli military repeatedly struck the compound and vicinity of the Turkish-Palestinian Friendship Hospital, south of Gaza City on the campus of the Islamic University of Gaza's Faculty of Medicine. The hospital served as the only specialized cancer treatment center in the Gaza Strip.

In satellite imagery collected on the morning of October 30, three impact craters are visible, one measuring 10 meters in diameter, less than 100 meters from the main hospital complex. On the morning after, an additional crater is visible within the hospital complex in

the courtyard, measuring at least 15 meters in diameter.

OCHA reported on October 31 that the hospital had been "hit for the second night in a row," that there was damage to the third floor, and that staff and people sheltering in the hospital were exposed to smoke, causing suffocation and panic. The hospital director, Sobhi Skaik, told Human Rights Watch on November 3 that the October 31 attack struck the third floor of the hospital, affecting both the east and west wings, as well as the approximately 100 to 150 cancer patients there, their families, and hospital staff.

Human Rights Watch verified several videos posted on social media that show the effects of

as a tank's main gun. A video posted on social media on October 30 shows an Israeli tank along Salah al-Din Road, 1.7 kilometers east of the hospital. Multiple clusters of armored military vehicles, including tanks and bulldozers, are also visible on satellite imagery from October 31 southeast of the hospital following the Israeli offensive inside the Gaza Strip. On that day, the closest armored vehicles were less than 500 meters from the hospital.

The hospital shut down on November 1 because of the airstrikes and lack of fuel. Skaik said hospital staff were forced to evacuate patients to the Dar al-Salam hospital in Khan Younis in unsafe condi-

Human Rights Watch was unable to find any published information from Israeli authorities in English, Arabic, or Hebrew providing any advance warning to the hospital or a legal basis for the attacks on the medical facility. Turkish officials have condemned the Israeli military's attack on the hospital as a violation of international law.

Satellite imagery from November 3, 2023, shows several impact craters around the Turkish-Palestinian Friendship Hospital. Click to expand Image

Satellite imagery from November 3, 2023, shows several impact craters around the Turkish-Palestinian Friendship Hospital. © 2023 Airbus



the attacks. A video posted to social media early on October 30 shows damage to the hospital's interior. A video taken from inside the hospital and published on social media early in the evening on October 30 shows a strike near the hospital complex. A loud blast is heard in the video followed by billowing smoke.

Photos and video published by the media and on social media on October 31 show damage inside the hospital's east wing, where there is a large circular hole in the southeastern-facing exterior wall, blown out windows, and a destroyed interior wall.

Human Rights Watch determined that the damage was most likely caused by a shell from a direct fire weapon, such

as a tank's main gun. A video posted to social media early on October 30 shows damage to the hospital's interior. A video taken from inside the hospital and published on social media early in the evening on October 30 shows a strike near the hospital complex. A loud blast is heard in the video followed by billowing smoke.

According to Skaik and the Gaza Health Ministry, on November 2, four cancer patients died following the hospital evacuation. Skaik said that Dar al-Salam hospital was trying to provide services but that it was unable to provide the cancer patients the treatment they needed without the medical devices at the Turkish-Palestinian Friendship Hospital, which cannot be transferred, and that medications were running out. The Health Ministry warned that the condition of 70 of the hospital's cancer patients was critical.

Al-Quds Hospital

Multiple Israeli strikes had hit the vicinity of the al-Quds hospital in the Tal al-Hawa neighborhood of Gaza City by October 16, as shown in videos and photos posted to social media that Human Rights Watch collected and reviewed. The strikes followed Israeli evacuation orders, despite visual evidence that the hospital was being used to treat patients and shelter displaced families. Several high-rise buildings were completely destroyed in the streets adjacent to the hospital, as is evident in November 6 satellite imagery.

The Palestine Red Crescent Society (PRCS) issued a statement that the hospital, which is under its auspices, had



received an Israeli order to evacuate by 4 p.m. (initially 6 a.m.) on October 14. By October 16, strikes had hit the vicinity of the hospital five times, the PRCS said. A video it published on October 18 shows a strike hitting less than 200 meters from the hospital's entrance.

On October 20, the PRCS reported that the Israeli authorities warned about a strike on the hospital by phone and ordered an evacuation. On October 22, Israeli authorities reportedly ordered the hospital to evacuate twice within the span of half an hour. The PRCS posted a video from inside the hospital showing people standing at its entrance following what the hospital said were intense Israeli strikes 20 meters away. The hospital said the strikes occurred during a meeting of hospital staff with the International Committee of the Red Cross.

On October 29, the PRCS said that Israeli authorities warned it about a strike on the hospital and ordered an immediate evacuation, which was preceded by strikes that destroyed buildings as close as 50 meters from the hospital. Footage published on October 29 shows a strike next to the hospital building, just in front of another PRCS site, and damages to the hospital. Videos published on October 30 show the aftermath of the strike and damage to the PRCS site.

Strikes hitting the vicinity of the hospital continued on October 31, according to posts by the PRCS. Footage published on November 2 by the PRCS and other social media accounts show additional strikes in the vicinity the hospital. The PRCS announced on November 2 that fire from Israeli vehicles one kilometer south injured a man and child in front of the hospital and hit the sixth floor of the hospital where many displaced women and children were sheltering, damaging the hospital's central air conditioning units and a water tank.

Video footage shows shattered windows, smoke, and dust as a result of what appears to be an explosion roughly 35 meters northwest of the main hospital entrance on November 3. The PRCS reported that the attack,

whose effects are shown in video footage posted on social media, shattered internal glass panels and collapsed parts of the hospital's plaster ceiling. There were 21 injuries reported, mostly to women and children. Further strikes were reported near the hospital throughout the day.

On November 5, footage shows medical personnel moving an injured man into the hospital while an explosion is audible in the background after a hit nearby. The PRCS stated that the strikes then increased in intensity, duration, and proximity to the hospital, and



have led to 12 injuries among people sheltering inside, in addition to injuries to two patients, one of whom was in the intensive care unit.

OCHA reported that 14,000 displaced people were in al-Quds hospital along with hospital staff and patients as of October 29. The International Federation of Red Cross and Red Crescent Societies warned that hundreds of injured, bedridden, and long-term patients, including those in intensive care, on life-support, and babies in incubators, were being endangered by strikes in the vicinity of the hospital along with displaced people and medical staff, and that it "is close to, if not impossible" to evacuate patients in the current situation.

atellite imagery from November 6, 2023 shows several high buildings damaged or destroyed in the streets adjacent to Al Quds hospital, Gaza City. Click to expand Image Satellite imagery from

November 6, 2023, shows several high buildings damaged or destroyed in the streets adjacent to al-Quds hospital, Gaza City. © 2023 Planet Labs PBC Strikes on Ambulances

Israeli forces have on several occasions struck ambulances marked with the Red Cross or Red Crescent emblem, often near hospitals. Ambulances, like medical facilities, have special protections under the laws of war such that they may not be attacked unless being used to commit "acts harmful to the enemy" and after due warning. In at least one case, the Israeli military claimed

tary purposes.

On October 7, WHO reported that an ambulance in front of the Nasser Medical Complex in Khan Younis was struck around 2 p.m., injuring several paramedics. A verified video posted to social media and an Anadolu Agency photograph showed the destroyed ambulance outside the complex.

WHO reported that a separate attack on October 7, which hit two ambulances in Jabalia, killed two paramedics and injured others.

Gaza's Health Ministry also reported that on October 13, Israeli strikes hit three ambulances, injuring 10 paramedics.

Hostilities and Blockade

The Israeli military's current operations in Gaza began following an October 7 Hamas-led attack in southern Israel that resulted in the killing of about 1,200 people, hundreds of them civilians, according to the Israeli government. Hamas and Islamic Jihad took hostage 240 people, including children, people with disabilities, and older people. Palestinian armed groups in Gaza have also launched thousands of rockets indiscriminately towards Israeli population centers.

The Gaza Health Ministry reported that since the Israeli bombardment of Gaza began on October 7, more than 11,000 people have been killed as of November 10, including more than 4,500 children. Over 1.5 million people have been displaced, OCHA said.

The Israeli government's blockade of Gaza, preventing civilians' access to items essential for their survival, such as water, food, and medicine, amounts to collective punishment and is a war crime. Warring parties must facilitate the rapid passage of impartial humanitarian aid for all civilians in need. During military occupations, such as in Gaza, the occupying power has a duty under the Fourth Geneva Convention, to the fullest extent of the means available to it, "of ensuring the food and medical supplies of the population."



# Mental Health Crisis Support Rooted in Community

**Governments Should Invest in Rights-Respecting Alternatives to Punitive, Involuntary Treatment**

Governments should invest in mental health care services that help people in humane and rights-respecting ways, Human Rights Watch and Gerstein Crisis Centre said today, releasing a model for community-based mental health crisis response. The case study can serve as a roadmap to support people experiencing a mental health crisis without resorting to policing, involuntary hospitalization, and forced treatment. Systemic inequities, coercive practices, and police violence remain globally pervasive problems that put people experiencing a mental health crisis at particular risk. This is especially true for Indigenous, Black and racialized groups, and Two-Spirit, lesbian, gay, bisexual, transgender, queer+ (2SLGBTQ+) people. The common practice in many countries of sending police as first responders, including for “wellness checks,” increases the risk of injury or death. Even nonpolice responses to people in crisis can excessively pathologize people and lead them into coercive or forced treatment.

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November 15, 2023

Mental Health Crisis Support  
Rooted in Community and  
Human Rights

A Case Study

Download the full report in  
English

“In many communities, people who experience a mental health crisis are confronted with police or coerced into treatment against their will, and there’s another way,” said Samer Muscati, associate disability rights director at Human Rights Watch. “Governments should invest in effective responses that are



based on a person’s right to direct the type of support they receive and decide what’s best for them.”

To demonstrate an effective, alternative approach, Human Rights Watch partnered with Gerstein Crisis Centre, a community-based mental health crisis response center in

Toronto that provides services that are consent-based, non-medical, trauma-informed, and focused on harm reduction. The 33-page case study, “Mental Health Crisis Support Rooted in Community and Human Rights,” presents a viable, replicable framework for a holistic approach to men-

tal health crisis response that supports the autonomy of the individual in crisis.

The case study lays out a rights-respecting and community-based alternative to over-medicalized and police-led responses. It provides a detailed description of the Centre’s approaches and includes lessons learned and good practices from decades of mental health support.

“Over three decades of community-based support for people experiencing mental health crisis has proven the effectiveness and importance of accessible and noncoercive pathways to address the health and wellbeing of our communities,” said Susan Davis, executive director of Gerstein Crisis Centre. “There is more to do to improve our health and social systems and that includes investments and coordinated mental health and addiction strategies at all levels of government.”





The case study offers an example of what has worked well in Canada's largest city with the principles of autonomy, dignity, and non-policing applicable to communities and countries around the world.

Since 1989, Gerstein Crisis Centre has offered communities in Toronto safe, humane, equity-based crisis services. This framework includes free and confidential 24/7 tailored support services to individuals experiencing a mental health or substance use crisis, including thoughts of suicide, all of

sis because there's still a person underneath. And by going through it myself, I think it just gives you that deeper understanding ... I have a lot of empathy ... I try to give back what I received and still do receive. You just go full circle, but for me, I always think the circle gets larger."

The Centre employs about 100 people, the majority of whom have lived or living experience with mental health conditions or substance use.

Gerstein Crisis Centre runs a 24/7 telephone crisis line

The case study incorporates guidelines from the World Health Organization (WHO), including details about informed consent in mental health crisis response, treatment and recovery plans led by the person in crisis and focusing on their strengths, as well as understanding power relations and strategies to avoid and defuse conflict.

According to the WHO in 2019, an estimated one in eight people globally – 970 million people – was living with a mental health condition and

Black, racialized, and 2SLGBTQ+ communities, who continue to experience inequitable access to health care and are overrepresented in judicial systems.

According to Human Rights Watch and Gerstein Crisis Centre, mental health service provision can – and should – respect the human rights of people seeking or receiving care. The necessary components of mental health services that respect human rights include informed consent, respect for individuals' wishes

and perspectives, as well as the availability, accessibility, acceptability, and quality of mental health services. Human Rights Watch and Gerstein Crisis Centre urge governments to examine this case study to design and fund their own programs to provide community-based and rights-respecting support to people experiencing mental health crises.

The case study is part of an initiative by Human Rights Watch to promote solutions-oriented approaches as a way to encourage governments and community-based organizations to develop policies and practices that respect human rights and comply with the principles in the UN Convention on the Rights of Persons with

Disabilities (CRPD). As the first part of this series, Human Rights Watch documented the innovative approach of TANDEMplus, a mobile team in Brussels providing mental health services to people with psychosocial disabilities in their homes or a place of their choice, where they work hand-in-hand to find solutions and help the person regain control over their everyday life.

"Police responders and coercive treatment have been the priority response for people experiencing mental health crises," said Muscati. "Governments should make a paradigm shift and take a new rights-respecting approach that centers the dignity, expertise, and autonomy of people living with mental health conditions."



which may be exacerbated by or emanate from trauma, housing insecurity, and poverty, among other factors. The aim is to provide individuals experiencing mental health crisis timely support, connect them with other services they need, and divert them from unnecessary interactions with police and hospital emergency rooms. The case study documents the lived experience of Kaola Baird, a woman who received support at the Gerstein Crisis Centre and continues to work as a peer to support others experiencing mental health crisis.

"I think when you're going through a crisis ... sometimes you lose a sense of who you are," she said. "And I think there's a lot to be said for not wanting to be seen as your cri-

sis available to community members. The Centre also operates a mobile crisis team that follows up on calls in the community upon the caller's request. Crisis workers dress in regular clothes to ensure privacy and to reduce stigma and power imbalances that uniformed or logoed apparel might evoke.

The Centre hosts crisis beds in private rooms in two houses that provide a safe and supportive environment, staffed around the clock, designed for short-term stays of up to 30 days. The Centre's team provides short-term follow-up support, including referrals to other health and social services, as well as recovery programs led by individuals with experience of mental health, substance use, and the criminal legal system.

yet, on average, only two percent of national health budgets were dedicated to mental health.

Mental health services frequently fail to comply with international human rights standards due to stigma, the use of coercion, and power imbalances between the service provider and the person seeking or receiving support. In many jurisdictions, inadequate legal and policy protections reinforce discrimination and abusive treatment of people with mental health conditions. The situation is particularly dire for individuals experiencing mental health crises, including in circumstances related to substance use, suicidal thoughts, trauma, housing insecurity, and poverty. It is especially so for Indigenous,



# APEC: Press China's Xi on Human Rights

## Summit Agenda Should Address Climate Change, Rights-Respecting Rule

United States and foreign leaders who meet with Chinese President Xi Jinping during his upcoming visit to the United States should confront him about his government's intensifying assault on human rights, Human Rights Watch said today. Xi is expected to attend the Asia-Pacific Economic Cooperation (APEC) summit in San Francisco on November 14-15, 2023, and engage in meetings with US President Joseph Biden and other government and business leaders.

In keeping with the theme of this year's summit, "Creating a Resilient and Sustainable Future for All," participating APEC countries should also prioritize action on climate change and economic justice, while reaffirming international human rights norms and institutions to confront worsening repression and instability around the world.

"The Chinese government is not going to change its conduct unless it faces sustained public pressure about its horrendous crimes in Xinjiang and Tibet, intensifying repression across China, and the dismantling of democracy in Hong Kong," said Elaine Pearson, Asia director at Human Rights Watch. "Government leaders at APEC need to press President Xi both about domestic rights violations and China's efforts to undermine global human rights norms."

China  
Xi's visit to APEC is his first to the United States since 2017. The Biden administration has said since 2021 that promoting human rights is a central element of its foreign policy and its China policy.

While meeting with Xi, US and other leaders should take a firm public stand on human



rights concerns. They should be unambiguous in condemning the Chinese government's crimes against humanity against Uyghurs and other Turkic communities. Leaders should signal to Xi that they support investigations and accountability for these grave crimes at the international level, and press Xi to release the hundreds of thousands of people who remain arbitrarily detained in Xinjiang's prisons. In public and private remarks, leaders who meet with Xi should also identify specific human rights defenders imprisoned throughout China. They should condemn the dismantling of Hong Kong's freedoms, which have deeply imperiled its relationships with democratic governments, and call on him to scrap the draconian National Security Law and release detained pro-democracy leaders.

Climate change

All government leaders at APEC should make or reaffirm commitments to phase out fossil fuels and end tropical deforestation ahead of the upcoming 28th annual United Nations Climate Change Conference (COP28). As COP host, the United Arab Emirates will be under intense scrutiny to live up to its human rights obligations to release unjustly imprisoned human rights defenders and ensure meaningful participation of independent voices at COP28. Government commitments to respecting human rights in their climate policies will be a major issue at COP28, and several governments attending APEC, including China, Vietnam, and Indonesia, have prosecuted or jailed environmental advocates.

"APEC governments need to recognize that robust climate policies can't be realized without the meaningful participa-

tion of civil society, including those voices calling for the phaseout of fossil fuels," said Richard Pearhouse, environment director at Human Rights Watch.

Human Rights Watch issued a question and answer document about COP28, which will begin on November 30.

Rights-respecting rule

Government leaders attending APEC should also make meaningful commitments to protect and promote human rights and democratic rule across the Asia-Pacific region. Democratic backsliding or worsening repression is occurring in countries such as Thailand, Vietnam, and Indonesia.

Many APEC governments, including the summit's host the United States, should do more to address racism, racial or caste-based supremacy, xenophobia, economic inequality, and other entrenched barriers to systemic change. Several states in the United States have recently tightened restrictions on voting rights, peaceful protest, and access to reproductive health, and censored educational materials and journalism. The US government has not taken adequate steps to dismantle systemic racism integral to many US institutions or carry out fair and equitable criminal justice and immigration reforms.

"Leaders of democratic governments attending APEC should publicly reaffirm support for rights-respecting rule," Pearson said. "They should recommit to the underlying core aims of healthy and resilient democratic systems, which are the rights and liberties of their citizens."



# Latest Findings on Extreme Heat and Pregnancy in Pakistan

## Climate Endangers Care, Cooking, and Other ‘Women’s Work’



Fainting, dehydration, nausea—a new report documents in excruciating detail the increasing challenges faced by pregnant and postpartum women enduring extreme heat in Pakistan.

The White Ribbon Alliance, a nongovernmental organization that advocates for maternal health, conducted interviews in Sindh Province that adds to a growing body of research showing the unique vulnerability of this population to rising global temperatures.

While the deadly dangers of heatwaves driven by the climate crisis, such as the one that hit Sindh in 2022, get increased attention, the specific harms to pregnant women—including links to higher incidence of still birth, preterm birth and, maternal hyperten-

sion—have often been overlooked. More generally, extreme heat fuels feminized poverty and has an impact on other aspects of sexual and reproductive health such as pregnancy impacts on mental health.

Women described fainting, being hospitalized with dehydration, or being otherwise sickened by heat while pregnant. One woman worried the blazing heat prompted her fetus to move less but, like others, she had no choice but to continue working, which generates even more heat for the overtaxed body. These women described struggles with eating and sleeping, contributing to poor moods, and difficulties breastfeeding due to the heat. Some women described exhausted despair while hand-

fanning hot and uncomfortable babies hour after hour without electricity to run a fan.

To mitigate the impacts of extreme heat, women talked about their need for cash support ahead of heatwaves, subsidized solar panels, and household batteries for fans to be able to work at night. Better resourcing Pakistan’s Lady Health Worker program, which provides information and home visiting support for pregnant women, is another way forward.

Addressing the sweeping harms of the climate crisis will take considerable resources. For now, United Nations funding for vulnerable countries is low and talks about resourcing ahead of the upcoming COP28 climate summit are reportedly stalled. Pakistan’s new climate

adaptation plan calls for the most affected communities to be the focus of support efforts, but the plan should be updated to include specific actions that can increase opportunities for pregnant women to decide how to prepare for an increasingly unstable future.

The report calls for slashing greenhouse gas emissions and fossil fuel operations. There are limits as to how much we can adapt to rising temperatures and protect pregnancy health. Everyone fighting for sexual and reproductive rights has a stake in the battle for the right to a healthy environment and should add their voices advocating for the support of pregnant and postpartum women in this fight.



# Burkina Faso: Emergency Law Targets Dissidents Junta Using Conscription to Punish Critics

Burkina Faso's military junta is using a sweeping emergency law against perceived dissidents to expand its crackdown on dissent, Human Rights Watch said today. Between November 4 and 5, 2023, the Burkinabe security forces notified in writing or by telephone

country. The plan seeks to create a "legal framework for all actions" to be taken against insurgents and gives the president extensive powers to combat the insurgency, including requisitioning people and goods and restraining civil liberties.

and speech."

By targeting individuals who have openly criticized the junta, the conscription undertaken in Burkina Faso violates fundamental human rights, Human Rights Watch said. The recent notifications for conscriptions targeted, among

Korbéogo, president of the Burkina Faso Democratic Youth Organization (Organisation Démocratique de la Jeunesse du Burkina Faso, ODJ); and the journalists Issaka Lingani and Yacouba Ladj Bama. Domestic civil society groups,



at least a dozen journalists, civil society activists, and opposition party members that they will be conscripted to participate in government security operations across the country. The transitional military authorities assert that the conscription orders are authorized under the April 13 "general mobilization," part of a plan to recapture territory lost to Islamist armed groups, which control roughly half of the

"The Burkina Faso junta is using its emergency legislation to silence peaceful dissent and punish its critics," said Ilaria Allegrozzi, senior Sahel researcher at Human Rights Watch. "The government should not respond to the abusive Islamist armed groups with further human rights abuses but should instead strengthen efforts to protect civilians and uphold basic rights to freedom of expression

others, Bassirou Badjo and Rasmane Zinaba, members of the civil society group Balai Citoyen; Daouda Diallo, prominent rights defender, secretary-general of the Collective Against Impunity and Stigmatization of Communities (Collectif contre l'Impunité et la Stigmatisation des Communautés, CISC), and laureate of the 2022 Martin Ennals Award for Human Rights Defenders; Gabin

media organizations, and trade unions have strongly condemned what one called the "selective and punitive" application of the "general mobilization" decree. In a November 6 statement, the Burkinabe Movement of Human and Peoples' Rights (Mouvement Burkinabè des Droits de l'Homme et des Peuples, MBDHP) said the general mobilization "has been specifically designed and



adopted not to contribute to the fight against terrorism,” but to repress critical opinions. Human rights activists and journalists told Human Rights Watch they feared being conscripted. “This wave of notifications is affecting people’s mental wellbeing,” said an independent journalist living

17 soldiers and 36 volunteers assisting the military in Koumbri, in one of the deadliest attacks against the security forces since the beginning of the year. While governments are empowered to conscript members of the civilian population over age 18 for the national

gated—suspended—under any circumstances. The United Nations Human Rights Committee (HRC), the independent expert body that monitors state compliance with the ICCPR, has said restrictions on free expression should be constructed and interpreted narrowly and the restrictions

Mohamed Bazoum. In September, the junta suspended the Paris-based news outlet Jeune Afrique, accusing it of publishing “misleading” articles seeking “to discredit” the national armed forces. In late October, at least 15 civil society organizations and trade unions called for a mass meet-



in Ouagadougou, Burkina Faso’s capital. “I am asking myself if I will be next.” Some said they decided not to publicly criticize the conscriptions to be able to continue their work. “A human rights defender is useful to others only if he is alive and free,” an activist from the North region said. “I need to keep working and serve my community, and I cannot do so if I am sent to the front.” On September 6, the media reported the army had conscripted an anesthesiologist, Arouna Louré, following a Facebook post in which he commented on the military response to the Islamist insurgency. He was sent to Koumbri, Yatenga province, one of the most dangerous areas in the country’s North region, to support the military medical services there. On September 5, the day before Louré was conscripted, Islamist fighters killed at least

defense, there are limits that the junta has far overstepped. Human Rights Watch takes the position that conscription should not take place unless it has been authorized and is in accordance with domestic law. The conscription law needs to meet reasonable standards of fairness in apportioning the burden of military service. It needs to be carried out in a manner that gives the potential conscript notice of the duration of the military service and an adequate opportunity to contest being required to serve at that time. Conscription also needs to be carried out according to standards consistent with nondiscrimination and equal protection under law. Under the International Covenant on Civil and Political Rights (ICCPR), certain rights may be restricted under a state of emergency but must be tailored to the “exigencies of the situation,” while other rights may not be der-

“may not put in jeopardy the right itself.” Under the African Charter on Human and Peoples’ Rights, no derogation of charter rights is allowed, even during a time of emergency. Since it took power in an October 2022 coup, the military junta has increasingly cracked down on the media and peaceful dissent, shrinking the civic space in Burkina Faso. National and international journalists face increasing harassment, threats, and arbitrary arrests. In April, the military authorities expelled two journalists working for the French newspapers Libération and Le Monde following their reports on human rights abuses by the army. In August, Burkinabe military authorities suspended the independent radio station Radio Omega for one month after it broadcasted an interview with supporters of Niger’s ousted president,

ing in Ouagadougou to commemorate the popular uprising of October 30 and 31, 2014, that ended the power of then-President Blaise Compaoré. The groups also challenged the transitional government about the deterioration of the security situation, high cost of living, poor governance, and corruption. On October 28, the Ouagadougou mayor called on the organizers to cancel their meeting due to potential “disturbances to public order.” The meeting did not take place. “Providing security for the people of Burkina Faso demands a long-term commitment to promote respect for human rights,” Allegrozzi said. “Using conscription to silence dissent will neither advance the junta’s efforts against the Islamist insurgency nor improve the deteriorating rights situation in the country. The government should immediately end this misuse and abuse of conscription.”



# Americas: Migrants Pushed to Cross Darién Gap, Abused

**Lack of Safe and Legal Pathways Risks People's Lives, Empowers Organized Crime**

(Washington, DC) – Restrictions on movement imposed by governments in the Americas have pushed migrants and asylum seekers to risk their lives crossing the Darién Gap, a swampy jungle at the Colombia-Panama border, Human Rights Watch said in a report released today. 202311americas\_colombia\_pa

migration via the Darién Gap. Human Rights Watch found that restrictions on movement from South American countries to Mexico and Central America, often promoted by the United States government, have helped contribute to sharp increases in numbers of people crossing the Darién Gap. This exposes migrants to

million people have crossed the Darién Gap on their journey north, often to the United States, fleeing human rights crises in the Americas, including violence and persecution, and escaping poverty. Venezuelans, Haitians, and Ecuadorians, along with people from other regions like Asia and Africa, risk their lives

the Darién Gap four times between April 2022 and June 2023 and interviewed almost 300 people to document the drivers and responses to this crisis. Those interviewed included migrants and asylum seekers who had or were about to make the crossing, victims of serious abuses, aid workers, Colombian and Panamanian



nama\_dariengap cover  
November 9, 2023  
“This Hell Was My Only Option”  
Abuses Against Migrants and Asylum Seekers Pushed to Cross the Darién Gap  
Download the full report in English  
The 62-page report, “‘This Hell Was My Only Option’: Abuses Against Migrants and Asylum Seekers Pushed to Cross the Darién Gap,” is the first in a series of Human Rights Watch reports on

abuses, including sexual violence, and empowers organized crime in the area. “The devastating stories we heard in the Darién Gap are the result of failed immigration policies that push people into danger and abuse,” said Juanita Goebertus, Americas director at Human Rights Watch. “The increasing immigration challenges in our region require new, region-wide policies that ensure the rights of people on the move.” Over the last year, over half a

in this difficult terrain. 202311americas\_panama\_colombia\_dariengap\_nationalities  
Click to expand Image  
Since January 2022, over 440,000 Venezuelans have crossed the Darién Gap, the largest number for any nationality. They are fleeing an ongoing humanitarian emergency in their country, which has undermined access to food and medicine, as well as abuses and persecution by security forces, armed groups, and gangs. Human Rights Watch visited

authorities, and migration experts from across the region. Researchers also reviewed data and reports by the Colombian, Panamanian, and US governments; UN agencies; international, regional, and local human rights and humanitarian organizations; and local legal clinics. Migrants and asylum seekers embark on boats that take them from Necoclí to Capurganá, Colombia, where many began a days-long journey across the Darién Gap. Click to expand



#### Image

Migrants and asylum seekers embark on boats that take them from Necoclí to Capurganá, Colombia, where many began a days-long journey across the Darién Gap. © 2022 Human Rights Watch

Human Rights Watch found that visa requirements imposed by Mexico and Central American governments contribute to the increase in migrants crossing the Darién Gap. Following the imposition of visa requirements by some of these countries for Venezuelans and Ecuadorians in 2021 and 2022, the numbers of people of both nationalities

rules of conduct for locals and migrants alike, at times enforcing these rules through violence. The Colombian military estimates that the Clan collects, on average, US\$125 per person crossing the Darién Gap. If the estimate is accurate, the armed group may have made a total of US\$57 million between January and October 2023 from its control over this migration route. Criminals and bandits prey upon migrants and asylum seekers as they cross the many routes through the jungle, especially on the Panamanian side. People are routinely robbed, sexually abused, and

asking her where the money was. She pointed to her boots. They took all the money she had stored there and let her go. Governments in the Americas should implement rights-respecting immigration policies that build on the Los Angeles Declaration on Migration and Protection, signed by 21 states in 2022. They should seize the upcoming 40th anniversary of the 1984 Cartagena Declaration, a landmark international instrument on refugees' rights in Latin America, to respond to the increasing migration challenges in the region. Movement restrictions, often

and ensuring access to asylum. Governments should put in place a region-wide temporary protection system that would grant all Venezuelans and Haitians legal status for a reasonably timed and renewable term and ensure that their visa requirements do not effectively prevent access to asylum and push people to resort to dangerous crossings, including the Darién Gap, Human Rights Watch said.

Governments should also take steps toward creating an equitable and rights-focused regional mechanism to determine the responsibility of countries to examine asylum claims and protect refugees,



crossing the Darién Gap have skyrocketed, suggesting a cause-and-effect relationship. During their days-long walk across the gap, migrants and asylum seekers of all nationalities frequently experience robbery and serious abuses, including sexual violence. On the Colombian side of the Darién Gap, the Gulf Clan, an armed group involved in drug trafficking, regulates the routes that migrants and asylum seekers can use, decides who can assist them on the way, extorts people who benefit from migrant flows, and establishes

at times raped. Médecins Sans Frontières (MSF or Doctors without Borders) has assisted 950 people, most of them women, who reported sexual violence crossing the Darién Gap since April 2021. In May 2022, armed men ambushed a group of migrants, including a 22-year-old Haitian woman travelling with her husband and 1-year-old son. The men separated her and two other women from the group. One man shoved her against a tree and sexually assaulted her, she said. A second man joined in the assault,

promoted by the United States, have pushed migrants and asylum seekers to cross the Darién Gap, exposing them to abuse and empowering organized crime.

The devastating stories of abuses of people who try to cross the Darién Gap are the result of failed immigration policies that push people into danger.

Governments in the Americas should take steps towards ensuring rights-respecting immigration policies, including by increasing safe and legal pathways for migration

considering individual factors, like social or family ties and individual choices, to the extent possible. Governments should distribute costs equitably and offer member states incentives for sharing responsibility, Human Rights Watch said.

“Whether fleeing persecution or seeking economic opportunities, migrants and asylum seekers deserve safe and dignified ways to move,” Goebertus said. “They are all entitled to basic safety and respect for their human rights during their journey.”



# Landmark Australian Ruling Rejects Indefinite Immigration Detention

## Longstanding Practice to Deter Asylum Seekers Found Unlawful



In a landmark decision on Wednesday, Australia's high court ruled that indefinite immigration detention is unlawful. The decision overturns a 2004 ruling that held that noncitizens without visas could be detained indefinitely, so long as the government intended to remove them as soon as "reasonably practicable."

The current case centered around a stateless Rohingya refugee facing the prospect of life in detention. The man was born in Myanmar and arrived in Australia by boat as a teenager in 2012. He had been granted a temporary visa, but it was canceled in 2015 when he was convicted of a criminal offense and imprisoned. Upon

completion of his sentence in 2018, the government transferred him to immigration detention. The Australian government had rejected his visa application on the grounds he had committed a "serious crime and was a danger to the community."

As an ethnic Rohingya, he is effectively denied citizenship under Myanmar's 1982 Citizenship Law. Six other countries the Australian government had asked to resettle him also rejected him.

In the November 8 ruling, the high court determined that because there is no real prospect the man could be removed from Australia in the "reasonably foreseeable future," his continued deten-

tion is unlawful, and he must be released immediately.

The ruling could trigger further immigration detention releases. There are reportedly 92 people in a similar positions who have largely been refused visas on character grounds. Most could not be deported to their home countries because they had a well-founded fear of persecution.

The Australian government has placed hundreds of noncitizens in immigration detention for years. The average detainee is held for 708 days and there are currently 124 people who have been detained for more than five years.

Successive Australian governments have used the detention of asylum seekers as a form of

deterrence.

Since 1992, Australia has had a policy of mandatory detention of all asylum seekers arriving by boat. In 2013, the government sharpened this policy further to mandate sending those who arrive by boat to offshore detention or turning boats back to the country departed from.

Under international human rights law, immigration detention should be an exceptional measure of last resort, not a punishment.

The high court's ruling provides real hope for those languishing in limbo for years in Australian immigration detention.



# EU Foreign Ministers Should Urge UAE Rights Progress Ahead of COP28

## Press for Fossil Fuel Phaseout, End to Repression of Civil Society

Last month, the European Council proclaimed itself as “the global leader in climate

all fossil fuels. Global climate leadership requires a clear commitment to

efforts to tackle the climate crisis and protect rights. Ahmed Mansoor’s case is

meaningfully protest in the UAE, where demonstrations are effectively illegal.



action”. The November 13 EU Foreign Ministers meeting with COP28 President Sultan Al-Jaber of the United Arab Emirates (UAE), where the global climate conference is set to begin later this month, is the first real test of that claim. In a letter to EU foreign ministers ahead of their meeting with Al-Jaber, Human Rights Watch urged them to call on the UAE to end its repression of independent civil society, release imprisoned human rights defenders, including Ahmed Mansoor, and ensure governments at COP28 commit to a full, equitable, and rights-respecting phase out of

human rights within climate diplomacy. We cannot secure the robust climate policies the world needs without the meaningful participation of civil society.

For over a decade, the UAE has targeted rights activists leading to the complete closure of civic space, severe restrictions on freedom of expression online and offline, and the criminalization of peaceful dissent.

The UAE is also one of the world’s largest oil producers. The government is using COP28 to burnish its image while continuing its fossil fuel expansion, undermining global

emblematic of the UAE’s systematic repression of human rights. Mansoor, the country’s most prominent rights defender, has been arbitrarily imprisoned in isolation since his arrest in March 2017. At least 60 other Emirati rights defenders, activists, and political dissidents have been unjustly detained since 2012.

In August, the United Nations Climate Change Executive Secretary, Simon Stiell, said that “there will be space available for climate activists to assemble peacefully and make their voices heard” at COP28. But it is unclear how activists will be able to safely and

COP28’s success depends on upholding human rights before, during, and after the conference. EU foreign ministers should call on the UAE to live up to its rights obligations by supporting a fossil fuel phaseout, releasing all imprisoned rights defenders, and ensuring meaningful participation of independent voices at COP28.

The Minister of Industry and Advanced Technology in the United Arab Emirates (UAE) and COP28 UAE President-Designate, Sultan Ahmed al-Jaber, attends a press conference at the Petersberg Climate Dialogue in Berlin, Germany



# Older People Not Spared in Hostilities in Israel/Palestine

## Older Israeli Hostages, Gaza Residents Under Bombardment at Particular Risk

The last month has been a nightmare for Israeli and Palestinian civilians, including older people. About 1,400 people in Israel

year-old Margalit Moses, and her husband, 79-year-old Gadi Moses in their family home in Lakhish, Israel, October 30, 2023. The older Moses couple

the International Committee of the Red Cross urging that they have access to the hostages, which they should be granted under international law, those

difficulties, including access to medicines.

Israel's collective punishment of Gaza's population through cutting off food, water, elec-

tricity, and fuel, and willfully blocking humanitarian relief, which are war crimes, makes worse an already dire situation for older people trapped in the strip.

Israel's unlawful 16-year closure of Gaza, part of the crimes against humanity of apartheid and persecution being committed by Israel against Palestinians, has long harmed older people. In 2021, HelpAge International found that 80 percent of those surveyed



have been killed and more than 240 taken hostage since October 7, according to the Israeli government. Old Lives Matter, a University of Haifa project, reports that over 110 older people were killed in the Hamas-led attack on October 7. Others survived the attack but lost family members or caregivers.

While they released Nurit Cooper, 79, and Yocheved Lifshitz, 85, on October 23, Palestinian armed groups are still holding other older people hostage, including Holocaust survivors, people with dementia, and peace activists.

Chanan and Edna Choen, hold up portraits of his sister, 77-

were abducted by Hamas-led fighters from their home in the kibbutz of Nir Oz on October 7, 2023. Click to expand Image

Chanan and Edna Choen, hold up portraits of his sister, 77-year-old Margalit Moses, and her husband, 79-year-old Gadi Moses in their family home in Lakhish, Israel, October 30, 2023. The older Moses couple were abducted by Hamas-led fighters from their home in the kibbutz of Nir Oz on October 7, 2023. © 2023 Ohad Zwigenberg/AP Photo

At least 35 older people are being held hostage or missing, according to the Hostages and Missing Families Forum. With

who require medication and care may not be getting them. The taking of hostages and deliberate killing of Israeli civilians by Hamas and other armed groups are war crimes. Older people have not been spared in Gaza either. More than 10,000 Palestinians have been killed in Gaza since October 7, including 667 older people, according to Gaza's Ministry of Health. Amid relentless bombardment that has reduced entire blocks to rubble, Israeli authorities have ordered more than 1 million people to flee northern Gaza. But for many older people, evacuation is impossible. Those who flee face particular

in Gaza required medical support and 78 percent felt anxious most or all of the time.

International humanitarian law guarantees special respect and protection to older civilians, who can face heightened risk of injury and abuses in armed conflict. Parties to conflict should arrange to safely remove older people from besieged or encircled areas.

Hamas and Islamic Jihad should immediately release all detained civilians, including older hostages, and Israel should cease unlawful attacks, restore water and electricity, and allow in badly needed aid, fuel, food, and medicines to Gaza.



# Submission to the Special Rapporteur on the Situation of Human Rights Defenders



Human Rights Watch welcomes the opportunity to provide input on the challenges and risks child and youth human rights defenders face for the upcoming report by the Special Rapporteur on the situation of human rights defenders. This submission discusses the risks climate activists have faced in Australia, India, and Uganda. It focuses on examples of activists under age 32, as requested by the Special Rapporteur.

Submission to the Special Rapporteur on the situation of human rights defenders Australia

Following increased climate protest activity in New South Wales (NSW), the government in March 2022 established a new police unit known as the Strike Force Guard.[1] The

unit is designed to “prevent, investigate and disrupt unauthorized protests across the state.” On April 1, the state parliament introduced new laws and penalties specifically targeting protests that blocked roads and ports.[2] Protesters can now be fined up to AU\$22,000 (US\$15,250) and be jailed for up to two years for protesting without permission on public roads, rail lines, tunnels, bridges, and industrial estates.

In 2022, Human Rights Watch interviewed three climate protesters who had been arrested and charged under the new laws.[3] These cases indicate that climate protesters are being targeted for disproportionate punishment.

Violet (Deanna) Coco, a 31-year-old activist, took part in a

climate protest on April 13, 2022, that stopped traffic in one lane on the Sydney Harbor Bridge.[4] Coco climbed on the roof of a parked truck and stood holding a lit emergency flare. After approximately 25 minutes, NSW police forcibly removed her and the other protesters from the road. Coco was charged with disrupting vehicles, interfering with the safe operation of a bridge, possessing a bright light distress signal in a public place, failing to comply with police direction, and resisting or hindering a police officer.

She was also charged under explosives regulations for holding the emergency flare; with an incitement offense for “encouraging the commission of a crime” by livestreaming the protest on Facebook; and

for uploading a video of a climate protest she took the previous week, and with disrupting traffic during three previous protests.[5]

Coco pleaded guilty to two charges – blocking traffic and failing to comply with police direction – and not guilty to the other charges. She was released on AU\$10,000 (US\$6,940) bail, but the magistrate ordered her not to leave her apartment for any purpose except for emergency medical assistance or to attend court. She was also ordered not to associate with any other Fireproof Australia member. Coco spent 21 days under what amounted to house arrest. On May 5, 2022, a magistrate amended her bail and, while she was allowed to leave her property, the authorities



imposed a curfew banning her from leaving her address before 10 a.m. and after 3 p.m. In March 2023, Coco was issued with a 12-month conditional release order after a district court judge heard she had been initially imprisoned on false information provided by the New South Wales police.[6]

In August 2022, the state of Victoria followed New South Wales with harsh new measures targeting environmental protesters at logging sites with up to 12 months in jail or \$21,000 in fines.[7] In Tasmania, environmental activists now face fines of \$13,000 or two years in prison, while nongovernmental organizations that have been found to “support members of the community to protest” face fines of over \$45,000.[8]

On May 18, 2023, the South Australia government introduced harsh new anti-protest measures in the South Australian lower house in the morning and then rushed them through after lunch with bipartisan support after just 20 minutes of debate and no public consultation.[9] The bill would increase the punishment for “public obstruction” 60-fold, from \$750 to \$50,000 or three months in jail, with activists also potentially facing orders to pay for police and other emergency services responding to a protest or action. On May 30, the laws were passed after a 14-hour debate in the South Australian upper house.[10]

**India**  
In February 2021, Indian authorities arrested Disha Ravi, 21, a Bengaluru-based activist who volunteers for Fridays for Future, on charges including sedition and criminal conspiracy.[11] Ravi was sent to police custody for five days. Indian authorities also issued arrest warrants against Nikita Jacob, a lawyer, and Shantanu Muluk, an activist, who were granted pre-arrest bail.[12]

The authorities alleged Ravi was the “key conspirator” in editing and sharing an online toolkit shared by the Swedish Fridays for Future founder Greta Thunberg on social media, including Twitter, aimed at providing information to those seeking to peacefully support ongoing farmers protests.[13] In granting bail to Ravi, the Delhi court said the

evidence on record was “scanty and sketchy,” and that citizens cannot be jailed simply because they disagreed with government policies.[14] It added: “The offense of sedition cannot be invoked to minister to the wounded vanity of governments.”

The Indian government has enforced Information Technology Rules that allow for greater governmental control over online content, threaten to weaken encryption, and seriously undermine media freedoms, rights to privacy, and freedom of expression online. These rules put youth and other human rights defenders and journalists at further risk of being targeted by the authorities for their online content.[15]

**Uganda**  
Young people from across Uganda have faced reprisals for fighting for climate justice.[16]

On September 25, 2020, Ugandan police arrested and detained for eight hours eight youth climate activists while participating in the global climate strike in Kampala. The police told them election campaigns were not allowed, although the activists repeatedly explained that they were an environmental—not a political—movement. The activists, only two of whom were above the age of 18, were detained in a room for eight hours, questioned, and then allowed to leave.[17]

Human Rights Watch published a report that documented a range of restrictions on freedom of expression, association, and assembly related to oil development, including the planned East African Crude Oil Pipeline (EACOP) by the government.[18] Civil society organizations and environmental defenders regularly report being harassed and intimidated, unlawfully detained, or arbitrarily arrested. Human Rights Watch interviewed 31 people in Uganda between March and October 2023, including 21 environmental defenders, and several of whom were under 32 years old.

Many student climate activists protesting EACOP have been arrested and charged with various offences in Kampala since 2021. These protests have been largely peaceful and usually small in scale.[19] Since 2021,

there have been at least 22 arrests, largely of students, at anti-EACOP protests in Kampala. Nine students were arrested in October 2022 after demonstrating support for the European Parliament resolution on EACOP and charged with “common nuisance.” Their case was finally dismissed on November 6, 2023, after more than 15 court appearances.[20] Another four protesters were arrested on December 9, 2022, as they marched to the National Environmental Management Authority (NEMA) to demand a re-evaluation of the environmental damage caused by EACOP. One of the detainees was kept at an unknown location until the morning of December 12 when all four were released.[21]

Another protesting student was arrested in Kampala on June 27, 2023, after trying to deliver a petition to the Speaker of the House of Uganda’s parliament. He told Human Rights Watch he was taken to an unlawful place of detention known as a “safe house” with his hands tied behind his back, questioned by plain-clothed security officials about who was providing the funding for the protests, before he was knocked to the floor. He said he awoke two days later in the hospital with serious injuries.[22] On July 11, 2023, five individuals were arrested after protesting EACOP in downtown Kampala.[23]

On September 15, 2023, four student protesters were arrested after a “Fridays for Future” and “StopEACOP” joint protest at the Ugandan parliament as part of the “Global Fight to End Fossil Fuels,” a global mobilization and day of action. They were released on bond five days later and have been charged with “common nuisance.”[24] Their next hearing is scheduled for November 27, 2023. One of the students described to Human Rights Watch being held in a room inside parliament and beaten by uniformed parliamentary security officials and others in civilian clothes with “batons, gun butts, and using their boots to step on our heads” before being taken to Kampala’s Central Police Station (CPS). At the CPS he described plain-clothes intelligence officers asking: “Who are your lead-

ers? Among us, who is your leader? How many are you? Who are your leaders in different universities? Who is managing your social media accounts?” They then described being beaten further in CPS cells by other prisoners, one of whom said, “We have order from above to discipline you. You need to stop working on EACOP.”[25] Human Rights Watch encourages the Special Rapporteur to call on governments to:

Promote and protect universally recognized human rights and fundamental freedoms, respect, and protect the work of climate activists, in line with their human rights obligations.

Publicly condemn assault, threats, harassment, intimidation, and arbitrary arrests of activists, and direct security and other government officials to stop arresting, harassing, or threatening activists for protesting or on false accusations.

End arbitrary arrests and prosecutions of human rights defenders, anti-EACOP activists, and peaceful protesters.

Respect and protect the rights of all human rights defenders and civil society organizations to exercise freedoms of association, assembly, and expression, in accordance with international human rights norms. Where applicable, ratify and implement regional human rights agreements to ensure public participation in environmental decision-making and to protect environmental defenders.

[1] “Australia: Climate Protesters’ Rights Violated,” Human Rights Watch news release, June 22, 2022, <https://www.hrw.org/news/2022/06/22/australia-climate-protesters-rights-violated>.

[2] Government of New South Wales, Australia, “Roads and Crimes Legislation Amendment Bill 2022,” <https://www.parliament.nsw.gov.au/bill/files/3963/First%20Print.pdf> (accessed November 2, 2023).

[3] “Australia: Climate Protesters’ Rights Violated.”

[4] Mark Saunokonoko and Savannah Meacham, “Four protesters charged after city-bound lane shut down on Sydney Harbour Bridge,” 9 News, April 13, 2022, <https://www.9news.com.au/nat>



ional/protesters-truck-shut-down-sydney-harbour-bridge-lane-in-fireproof-australia/5fd4cb62-121b-4368-ad7b-c829b90f0b0a (accessed November 2, 2023).

[5] Stop FF Subsidies, Facebook, April 12, 2022, <https://www.facebook.com/FireproofAustralia/videos/372812611520955> (accessed November 2, 2023); David Wu, "Fireproof Australia demonstrators block traffic at Lilyfield following protest at Brighton-Le-Sands one day earlier," Sky News, April 6, 2022, <https://www.skynews.com.au/australia-news/fireproof-australia-demonstrators-block-traffic-at-lilyfield-following-protest-at-brightonlesands-one-day-earlier/news-story/15bc2634d3f036f5409232aca7741aea> (accessed November 2, 2023).

[6] "Climate activist Deanna 'Violet' Coco's 15-month jail sentence quashed on appeal," Guardian, March 14, 2023, <https://www.theguardian.com/australia-news/2023/mar/15/climate-activist-deanna-violet-cocos-15-month-jail-sentence-overturned-on-appeal> (accessed November 1, 2023).

[7] "Victoria passes laws raising penalties for environmental protesters at logging sites," Guardian, August 4, 2022, <https://www.theguardian.com/australia-news/2022/aug/04/victorian-bill-targeting-environmental-protesters-moves-closer-to-a-vote> (accessed November 2, 2023).

[8] Human Rights Law Centre, "A blow for democracy as Tasmania's anti-protest bill passes Upper House," August 23, 2022, <https://www.hrlc.org.au/news/2022/8/23/a-blow-for-democracy-as-tasmanias-anti-protest-bill-passes-upper-house> (accessed November 2, 2023); Sophie McNeill (Human Rights Watch), "Australia's Crackdown on Climate Activists," Op-ed, The Diplomat, May 29, 2023, <https://www.hrw.org/news/2023/05/30/australias-crackdown-climate-activists>.

[9] Royce Kurlmlov, "South Australia rushes through anti-protest laws as activists rally outside oil and gas conference," Guardian, May 18, 2023, <https://www.theguardian.com/australia-news/2023/may/18/south-australia-anti-protest-laws-activists-rally-oil-gas-conference-adelaide> (accessed November 2, 2023).

[10] "South Australia passes laws to crack down on protest after disruption of oil and gas conference," Guardian, May 30, 2023, <https://www.theguardian.com/australia-news/2023/may/31/south-australia-passes-laws-to-crack-down-on-protest-after-disruption-of-oil-and-gas-conference> (accessed November 3, 2023).

[11] Raj Shekhar and Santosh Kumar R B, "Delhi cops pick up 22-year-old Disha Ravi from Bengaluru for sedition in Greta toolkit case," Times of India, February 15, 2021, <https://timesofindia.indiatimes.com/india/delhi-cops-pick-up-22-year-old-girl-from-bengaluru-for-sedition-in-greta-toolkit-case/articleshow/80915712.cms> (accessed November 2, 2023).

[12] "Delhi Police issue arrest warrant against Nikita Jacob, Shantanu in farm protest document case," Scroll.in, February 15, 2021, <https://scroll.in/latest/986936/delhi-police-issue-arrest-warrant-against-nikita-jacob-shantanu-in-farm-protest-document-case> (accessed November 2, 2023); "Lawyer Nikita Jacob, Activist Shantanu Muluk Questioned In 'Toolkit' Case," NDTV, February 22, 2021, <https://www.ndtv.com/india-news/lawyer-nikita-jacob-activist-shantanu-muluk-questioned-in-toolkit-case-2375943> (accessed November 2, 2023).

[13] Mallika Joshi, "Explained: Why is Delhi Police probing a farmers' protest 'toolkit' tweeted by Greta Thunberg?" Indian Express, February 22, 2021, <https://indianexpress.com/article/explained/greta-thunberg-toolkit-farmers-protest-fir-delhi-police-7176187/> (accessed November 2, 2023); Billy Perrigo, "India's Farmers' Are Leading One of the Largest Protests Yet Against Modi's Government. Here's What They're Fighting For," Time, December 8, 2020, <https://time.com/5918967/india-farmer-protests/> (accessed November 2, 2023).

[14] "Disha Ravi gets bail in toolkit case: What the court said," Hindustan Times, February 24, 2021, <https://www.hindustantimes.com/india-news/disha-ravi-gets-bail-in-toolkit-case-what-the-court-said/>

<https://www.hindustantimes.com/india-news/disha-ravi-gets-bail-in-toolkit-case-what-the-court-said-101614139070425.html> (accessed November 2, 2023).

[15] Jayshree Bajoria (Human Rights Watch), "India's Digital Governance 'Model' Fails on Rights," Op-ed, Just Security, September 6, 2023, <https://www.hrw.org/news/2023/09/06/indias-digital-governance-model-fails-rights>.

[16] Juliane Kippenberg, "The Ugandan Youth Activists Urging Action at COP27," Human Rights Dispatch, November 8, 2022, <https://www.hrw.org/news/2022/11/08/ugandan-youth-activists-urging-action-cop27>.

[17] Human Rights Watch submission to the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association on the challenges and threats facing climate defenders, May 2021, [https://www.hrw.org/sites/default/files/media\\_2021/06/210528\\_Climate%20Defenders%20Submission\\_Human%20Rights%20Watch.pdf](https://www.hrw.org/sites/default/files/media_2021/06/210528_Climate%20Defenders%20Submission_Human%20Rights%20Watch.pdf).

[18] Human Rights Watch, "Working On Oil is Forbidden": Crackdown against Environmental Defenders in Uganda (New York: Human Rights Watch, 2020), <https://www.hrw.org/news/2023/11/02/uganda-oil-pipeline-protests-stifled>.

[19] Article 29(1)(d) of Uganda's Constitution protests the "freedom to assemble and to demonstrate together with others peacefully and unarmed, and to petition." <https://www.ilo.org/dyn/natlex/docsg/ELECTRON-IC/44038/90491/F206329993/UGA44038.pdf>.

[20] Those arrested and charged are David Musiri, Lyazi Alex, Java Imuran, Wenani Gerald, Nkurunziza Alphonse, Kajubi Maktum, Akiso Benjamin, Akis Gongga and Lubega Nsamba. See tweet from Elijah Turyagumanawe, October 4, 2022, <https://twitter.com/elijahhtury/sta-tus/1577202568308350976?s=20&t=W4x60yH6qsizMPmxNEsdyA>.

[21] Those arrested were Bob Barigye, Mutesi Zariika, Naruwada Shamim, and

Nalusiba Phionah. It was Bob Barigye's fourth time being arrested for protests related to EACOP.

[22] Human Rights Watch interview with B. L., September 20, 2023.

[23] "Kyambogo University Student Arrested in Stop EACOP Protest," Campus Bee, <https://campusbee.ug/news/kyambogo-university-student-arrested-in-stop-eacop-protest/> (accessed November 9, 2023).

[24] Green Media, Twitter, September 15, 2023, <https://x.com/greenmedia01/status/1702627231426609314?s=46&t=gpwNfmjf2b0IEVYIOhH8OA> (accessed November 9, 2023).

[25] Human Rights Watch interview with P. L., September 25, 2023. This pattern of prisoners administering beatings in detention has been previously documented in Uganda by Human Rights Watch in 2011: "Despite prohibitions in Ugandan law and international standards on prisoners being employed in any disciplinary capacity, prisoners with disciplinary authority also mete out punishments within the prison. At some prisons, prisoners reported having been beaten by prisoners with disciplinary authority in the wards on the orders of wardens or as they watched and tacitly approved." See Human Rights Watch, "Even Dead Bodies Must Work": Health, Hard Labor, and Abuse in Ugandan Prisons (New York: Human Rights Watch, 2011), <https://www.hrw.org/report/2011/07/14/even-dead-bodies-must-work/health-hard-labor-and-abuse-ugandan-prisons>. TotalEnergies in their October 23, 2023, response to Human Rights Watch stated: "The Country Security representative went to the Central Police Station where the protesters were being held and checked on the wellbeing of the protesters and reminded the Officer in Charge of the duty to respect the protesters' human rights." The full response can be found in the annex to our report, <https://www.hrw.org/news/2023/11/02/uganda-oil-pipeline-protests-stifled>.