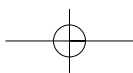
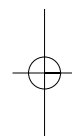
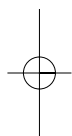
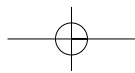
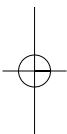
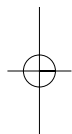




## INTERNATIONAL AND REGIONAL PROTECTION





**DECLARATION ON HUMAN RIGHTS DEFENDERS**  
**ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS**  
**DECEMBER 9, 1998**

**General Assembly resolution 53/144**

Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

The General Assembly,

**Reaffirming** the importance of the observance of the purposes and principles of the Charter of the United Nations for the promotion and protection of all human rights and fundamental freedoms for all persons in all countries of the world,

**Taking note** of Commission on Human Rights resolution 1998/7 of 3<sup>rd</sup> April 1998, See Official Records of the Economic and Social Council, 1998, Supplement n° 3 (E/1998/23), chap. II, sect. A. in which the Commission approved the text of the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms,

**Taking note** also of Economic and Social Council resolution 1998/33 of 30<sup>th</sup> July 1998, in which the Council recommended the draft declaration to the General Assembly for adoption,

**Conscious** of the importance of the adoption of the draft declaration in the context of the fiftieth anniversary of the Universal Declaration of Human Rights, Resolution 217 A (III).

1. Adopts the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect

INTERNATIONAL AND REGIONAL PROTECTION

Universally Recognized Human Rights and Fundamental Freedoms, annexed to the present resolution;

2. Invites Governments, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to intensify their efforts to disseminate the Declaration and to promote universal respect and understanding thereof, and requests the Secretary-General to include the text of the Declaration in the next edition of Human Rights: A Compilation of International Instruments.

*85<sup>th</sup> plenary meeting – 9<sup>th</sup> December 1998*

The General Assembly,

**Reaffirming** the importance of the observance of the purposes and principles of the Charter of the United Nations for the promotion and protection of all human rights and fundamental freedoms for all persons in all countries of the world,

**Reaffirming** also the importance of the Universal Declaration of Human Rights and the International Covenants on Human Rights Resolution 2200 A (XXI), annex. as basic elements of international efforts to promote universal respect for and observance of human rights and fundamental freedoms and the importance of other human rights instruments adopted within the United Nations system, as well as those at the regional level,

**Stressing** that all members of the international community shall fulfil, jointly and separately, their solemn obligation to promote and encourage respect for human rights and fundamental freedoms for all without distinction of any kind, including distinctions based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and reaffirming the particular importance of achieving international cooperation to fulfil this obligation according to the Charter,

**Acknowledging** the important role of international cooperation for, and the valuable work of individuals, groups and associations in contributing to, the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals, including in relation to mass, flagrant or systematic violations such as those resulting from apartheid, all forms of racial discrimination, colonialism, foreign domination or occupation, aggression or threats to national sovereignty, natio-

DECLARATION OF UN ON HUMAN RIGHTS DEFENDERS

nal unity or territorial integrity and from the refusal to recognize the right of peoples to self-determination and the right of every people to exercise full sovereignty over its wealth and natural resources,

**Recognizing** the relationship between international peace and security and the enjoyment of human rights and fundamental freedoms, and mindful that the absence of international peace and security does not excuse non-compliance,

**Reiterating** that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated and should be promoted and implemented in a fair and equitable manner, without prejudice to the implementation of each of those rights and freedoms,

**Stressing** that the prime responsibility and duty to promote and protect human rights and fundamental freedoms lie with the State,

**Recognizing** the right and the responsibility of individuals, groups and associations to promote respect for and foster knowledge of human rights and fundamental freedoms at the national and international levels,

**Declares:**

**Article 1** – Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.

**Article 2**

1. Each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice.

2. Each State shall adopt such legislative, administrative and other steps as may be necessary to ensure that the rights and freedoms referred to in the present Declaration are effectively guaranteed.

**Article 3** – Domestic law consistent with the Charter of the United Nations and other international obligations of the State in the field of human rights and fundamental freedoms is the juridical framework

INTERNATIONAL AND REGIONAL PROTECTION

within which human rights and fundamental freedoms should be implemented and enjoyed and within which all activities referred to in the present Declaration for the promotion, protection and effective realization of those rights and freedoms should be conducted.

**Article 4** – Nothing in the present Declaration shall be construed as impairing or contradicting the purposes and principles of the Charter of the United Nations or as restricting or derogating from the provisions of the Universal Declaration of Human Rights,<sup>2</sup> the International Covenants on Human Rights and other international instruments and commitments applicable in this field.

**Article 5** – For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels:

- (a) To meet or assemble peacefully;
- (b) To form, join and participate in non-governmental organizations, associations or groups;
- (c) To communicate with non-governmental or intergovernmental organizations.

**Article 6** – Everyone has the right, individually and in association with others:

- (a) To know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems;
- (b) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms;
- (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters.

**Article 7** – Everyone has the right, individually and in association with others, to develop and discuss new human rights ideas and principles and to advocate their acceptance.

DECLARATION OF UN ON HUMAN RIGHTS DEFENDERS

**Article 8**

1. Everyone has the right, individually and in association with others, to have effective access, on a non-discriminatory basis, to participation in the government of his or her country and in the conduct of public affairs.

2. This includes, *inter alia*, the right, individually and in association with others, to submit to governmental bodies and agencies and organizations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realization of human rights and fundamental freedoms.

**Article 9**

1. In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights.

2. To this end, everyone whose rights or freedoms are allegedly violated has the right, either in person or through legally authorized representation, to complain to and have that complaint promptly reviewed in a public hearing before an independent, impartial and competent judicial or other authority established by law and to obtain from such an authority a decision, in accordance with law, providing redress, including any compensation due, where there has been a violation of that person's rights or freedoms, as well as enforcement of the eventual decision and award, all without undue delay.

3. To the same end, everyone has the right, individually and in association with others, *inter alia*:

(a) To complain about the policies and actions of individual officials and governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means, to competent domestic judicial, administrative or legislative authorities or any other competent authority provided for by the legal system of the State, which should render their decision on the complaint without undue delay;

(b) To attend public hearings, proceedings and trials so as to form an opinion on their compliance with national law and applicable international obligations and commitments;

INTERNATIONAL AND REGIONAL PROTECTION

(c) To offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms.

4. To the same end, and in accordance with applicable international instruments and procedures, everyone has the right, individually and in association with others, to unhindered access to and communication with international bodies with general or special competence to receive and consider communications on matters of human rights and fundamental freedoms.

5. The State shall conduct a prompt and impartial investigation or ensure that an inquiry takes place whenever there is reasonable ground to believe that a violation of human rights and fundamental freedoms has occurred in any territory under its jurisdiction.

**Article 10** – No one shall participate, by act or by failure to act where required, in violating human rights and fundamental freedoms and no one shall be subjected to punishment or adverse action of any kind for refusing to do so.

**Article 11** – Everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession. Everyone who, as a result of his or her profession, can affect the human dignity, human rights and fundamental freedoms of others should respect those rights and freedoms and comply with relevant national and international standards of occupational and professional conduct or ethics.

**Article 12**

1. Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms.

2. The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.

3. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in



DECLARATION OF UN ON HUMAN RIGHTS DEFENDERS

reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

**Article 13** – Everyone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means, in accordance with article 3 of the present Declaration.

**Article 14**

1. The State has the responsibility to take legislative, judicial, administrative or other appropriate measures to promote the understanding by all persons under its jurisdiction of their civil, political, economic, social and cultural rights.

2. Such measures shall include, *inter alia*:

(a) The publication and widespread availability of national laws and regulations and of applicable basic international human rights instruments;

(b) Full and equal access to international documents in the field of human rights, including the periodic reports by the State to the bodies established by the international human rights treaties to which it is a party, as well as the summary records of discussions and the official reports of these bodies.

3. The State shall ensure and support, where appropriate, the creation and development of further independent national institutions for the promotion and protection of human rights and fundamental freedoms in all territory under its jurisdiction, whether they be ombudsmen, human rights commissions or any other form of national institution.

**Article 15** – The State has the responsibility to promote and facilitate the teaching of human rights and fundamental freedoms at all levels of education and to ensure that all those responsible for training lawyers, law enforcement officers, the personnel of the armed forces and public officials include appropriate elements of human rights teaching in their training programme.

INTERNATIONAL AND REGIONAL PROTECTION

**Article 16** – Individuals, non-governmental organizations and relevant institutions have an important role to play in contributing to making the public more aware of questions relating to all human rights and fundamental freedoms through activities such as education, training and research in these areas to strengthen further, *inter alia*, understanding, tolerance, peace and friendly relations among nations and among all racial and religious groups, bearing in mind the various backgrounds of the societies and communities in which they carry out their activities.

**Article 17** – In the exercise of the rights and freedoms referred to in the present Declaration, everyone, acting individually and in association with others, shall be subject only to such limitations as are in accordance with applicable international obligations and are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

**Article 18**

1. Everyone has duties towards and within the community, in which alone the free and full development of his or her personality is possible.

2. Individuals, groups, institutions and non-governmental organizations have an important role to play and a responsibility in safeguarding democracy, promoting human rights and fundamental freedoms and contributing to the promotion and advancement of democratic societies, institutions and processes.

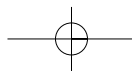
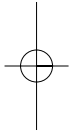
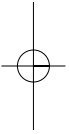
3. Individuals, groups, institutions and non-governmental organizations also have an important role and a responsibility in contributing, as appropriate, to the promotion of the right of everyone to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights and other human rights instruments can be fully realized.

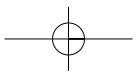
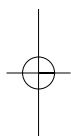
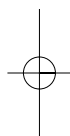
**Article 19** – Nothing in the present Declaration shall be interpreted as implying for any individual, group or organ of society or any State the right to engage in any activity or to perform any act aimed at the destruction of the rights and freedoms referred to in the present Declaration.



DECLARATION OF UN ON HUMAN RIGHTS DEFENDERS

**Article 20** – Nothing in the present Declaration shall be interpreted as permitting States to support and promote activities of individuals, groups of individuals, institutions or non-governmental organizations contrary to the provisions of the Charter of the United Nations.





## INTERNATIONAL PROTECTION (UN)

### MANDATE OF THE SPECIAL REPRESENTATIVE OF THE UN SECRETARY GENERAL ON HUMAN RIGHTS DEFENDERS

#### Resolution on Human Rights Defenders adopted by the United Nations Commission on Human Rights on 26 April 2000, during the 56<sup>th</sup> session<sup>1</sup>

The Commission on Human Rights,

**Recalling** General Assembly resolution 53/144 of 9<sup>th</sup> December 1998 by which the Assembly adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,

**Reiterating** the importance of this Declaration and its promotion and implementation,

**Emphasizing** the important role that individuals, non-governmental organizations and groups play in the promotion and protection of all human rights and fundamental freedoms,

**Noting** with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms are often subjected to threats, harassment, insecurity, arbitrary detention and extrajudicial executions,

1. Welcomes the report of the Secretary-General (E/CN.4/2000/95) on ways for effective promotion and implementation of the Declaration

---

<sup>1</sup> Resolution: E/CN.4/RES/2000/61.

INTERNATIONAL AND REGIONAL PROTECTION

on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, submitted pursuant to Commission resolution 1999/66 of 28 April 1999;

2. Calls upon all States to promote and give effect to the Declaration;

3. Requests the Secretary-General to appoint, for a period of three years, a special representative who shall report on the situation of human rights defenders in all parts of the world and on possible means to enhance their protection in full compliance with the Declaration; the main activities of the special representative shall be:

(a) To seek, receive, examine and respond to information on the situation and the rights of anyone, acting individually or in association with others, to promote and protect human rights and fundamental freedoms;

(b) To establish cooperation and conduct dialogue with Governments and other interested actors on the promotion and effective implementation of the Declaration;

(c) To recommend effective strategies better to protect human rights defenders and follow up on these recommendations;

4. Urges all Governments to cooperate with and assist the Special Representative of the Secretary-General in the performance of his or her tasks and to furnish all information in the fulfilment of his or her mandate upon request;

5. Requests the Secretary-General to provide the Special Representative with all necessary assistance, in particular the staff and resources deemed necessary to fulfil his or her mandate;

6. Requests the Special Representative to submit annual reports on his/her activities to the Commission and to the General Assembly and to make any suggestions and recommendations enabling him or her better to carry out his or her tasks and activities;

7. Decides to consider this question at its fifty-seventh session under the agenda item entitled "Promotion and protection of human rights";

[...]

INTERNATIONAL PROTECTION (UN)

**Nomination of the Special Representative**

On 18 August 2000, Mrs. Hina Jilani from Pakistan was appointed as Special Representative of UN Secretary General on Human Rights Defenders.

**Contacts:**

Ben Majekodunmi:

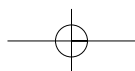
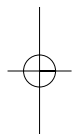
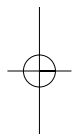
E-mail: [bmajekodunmi@ohchr.org](mailto:bmajekodunmi@ohchr.org)

Chloé Marnay-Baszanger:

E-mail: [Cmarnay-Baszanger@ohchr.org](mailto:Cmarnay-Baszanger@ohchr.org)

Fax: +41 22 917 91 06

E-mail: [urgent-action@ohchr.org](mailto:urgent-action@ohchr.org)





## THE PROTECTION OF HUMAN RIGHTS DEFENDERS IN THE ORGANIZATION OF THE AMERICAN STATES (OAS)

### **Press release on the creation of the «special unit on defenders» within the Inter-American Commission on Human Rights (IACHR), 7<sup>th</sup> December 2001<sup>2</sup>**

*Press release n° 32/01: The Executive Secretariat Creates Unit for Human Rights Defenders*

The Executive Secretary of the Inter-American Commission on Human Rights (IACHR), Dr. Santiago A. Canton, decided to create a Human Rights Defenders Functional Unit within the Office of the Executive Secretary to coordinate the activities of the Executive Secretariat in this field.

The Unit's main function will be to receive information regarding the situation of human rights defenders in the Hemisphere, keep in touch with nongovernmental and governmental organizations, and coordinate the work of the Executive Secretariat with regard to human rights defenders in the Americas.

This initiative takes into account resolution AG/RES. 1818 (XXXI-O/01), adopted by the General Assembly of the OAS at its thirty-first regular session, which requests the Inter-American Commission on Human Rights to continue to pay due attention to the situation of human rights defenders in the Americas and to

---

<sup>2</sup> Press Release no. 32/01: The Executive Secretariat Creates Unit for Human Rights Defenders,  
<http://www.oas.org/OASpage/press2002/sp/año99/año2001/diciembre01/CIDH12701-32.htm>

INTERNATIONAL AND REGIONAL PROTECTION

consider preparing a comprehensive study in this area, which, inter alia, describes their work, for study by the pertinent political authorities.

The Executive Secretary said this was an important step to protect the rights of those whose fundamental mission it is to defend the human rights of all human beings disinterestedly, risking their own lives and safety in the process.

Any communication may be sent to IACHR headquarters or by e-mail to [CIDHDefensores@oas.org](mailto:CIDHDefensores@oas.org) or fax: + 1 202 458 39 92.

**Resolution AG/RES 2036 (XXXIV-O/04) adopted by the General Assembly of the OEA, on 8<sup>th</sup> June 2004**

*Human rights defenders in the Americas: support for the individuals, groups, and organizations of civil society working to promote and protect human rights in the Americas<sup>3</sup>*

The General Assembly,

**Having seen** the Annual Report of the Permanent Council to the General Assembly (AG/doc.4265/04 add. 3 corr. 1) as it pertains to this topic and resolution AG/RES. 1920 (XXXIII-O/03), "Human Rights Defenders: Support for the Individuals, Groups, and Civil Society Organizations Working to Promote and Protect Human Rights in the Americas";

**Concerned** that situations persist in the Americas that, directly or indirectly, prevent or hamper the work of individuals, groups, or organizations working to protect and promote fundamental rights;

**Considering** that member states support the work carried out by human rights defenders and recognize their valuable contribution to the promotion, observance, and protection of human rights and fundamental freedoms in the Americas, and to the representation and defense of individuals, minorities, and other groups of persons whose rights are threatened or violated;

<sup>3</sup> <http://www.oea.org/default.htm>

THE PROTECTION OF HUMAN RIGHTS DEFENDERS (OAS)

**Taking note** that in 2003, in its decisions granting provisional measures, the Inter-American Court of Human Rights highlighted the importance of the work of human rights defenders to the development of democracies in the Americas;

**Taking into account** the work accomplished by the Unit for Human Rights Defenders of the Inter-American Commission on Human Rights and the member states' replies to the questionnaire drawn up by that unit with a view to preparing a comprehensive report on the subject; and

**Underscoring** that the performance by human rights defenders of their tasks contributes actively to strengthening democratic institutions and improving national human rights systems,

**Resolves:**

1. To reiterate its support for the work carried out, at both the national and regional levels, by human rights defenders; and to recognize their valuable contribution to the promotion, observance, and protection of human rights and fundamental freedoms in the Hemisphere.

2. To condemn actions that directly or indirectly prevent or hamper the work of human rights defenders in the Americas.

3. To encourage human rights defenders to continue to work selflessly for the enhancement of national human rights systems for the consolidation of democracy, in accordance with the principles contained in the United Nations Declaration on Human Rights Defenders.

4. To urge member states to continue stepping up their efforts to adopt the necessary measures to safeguard the lives, freedom, and personal safety of human rights defenders, and to conduct thorough and impartial investigations in all cases of violations against human rights defenders, ensuring that the findings thereof are transparent and publicized.

5. To invite the Inter-American Commission on Human Rights (IACHR) to conclude its comprehensive report on the situation of human rights defenders in the Americas, in keeping with resolution AG/RES. 1842 (XXXII-O/02), for presentation to the Permanent Council and consideration, if possible, in the second half of 2004.

6. To request the IACHR to:

a. Continue to give due consideration to this matter at the level it deems appropriate;

INTERNATIONAL AND REGIONAL PROTECTION

b. Continue intensifying its dialogue and cooperation with the Special Representative of the United Nations Secretary-General on Human Rights Defenders; and

c. Include in its annual report a section on the work of the Unit for Human Rights Defenders of the IACHR.

**7.** To invite member states to promote the dissemination and enforcement of the instruments of the inter-American system and the decisions of its bodies on this matter, as well as the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

**8.** To invite member states to consider the preparation and implementation of national plans to apply the principles contained in the United Nations Declaration mentioned in the preceding paragraph, for which purpose they may also request the advisory services of the IACHR.

**9.** To urge member states that have not yet done so to reply to the questionnaire prepared by the Unit for Human Rights Defenders of the Inter-American Commission on Human Rights.

**10.** To request the Permanent Council to report to the General Assembly at its thirty-fifth regular session on the implementation of this resolution, which will be carried out in accordance with the resources allocated in the program-budget of the Organization and other resources.

## **THE PROTECTION OF HUMAN RIGHTS DEFENDERS IN THE AFRICAN UNION (AU)**

### **Communiqué announcing the creation of a «Special Rapporteur» on Human Rights Defenders within the African Commission on Human and Peoples' Rights (ACHPR), June 2004<sup>4</sup>**

1. The African Commission on Human and Peoples' Rights (African Commission) held its 35 Ordinary Session in Banjul, Republic of The Gambia, from 21st May to 4th June 2004, presided over by Commissioner Salamata Sawadogo.

2. The following Members were in attendance:
- Commissioner Yassir S. A. El Hassan, Viceperson;
  - Commissioner Mohammed A. Ould Babana;
  - Commissioner Andrew R. Chigovera;
  - Commissioner Vera M. Chirwa;
  - Commissioner Emmanuel V.O. Dankwa;
  - Commissioner Jainaba Johm;
  - Commissioner Angela Melo;
  - Commissioner Sanji M. Monageng;
  - Commissioner Bahame Tom Mukirya Nyanduga;
  - Commissioner Kamel Rezag Bara.

---

<sup>4</sup> Final communiqué of the 35 ordinary session held in Banjul, the Gambia, from 21st May to 4th June 2004.  
[http://www.achpr.org/Final\\_Communique\\_35th\\_Session\\_\\_eng\\_.doc](http://www.achpr.org/Final_Communique_35th_Session__eng_.doc)

INTERNATIONAL AND REGIONAL PROTECTION

14. The African Commission considered issues relating to the protection of the defenders of human rights, the refugees and internally displaced persons as well as the strategies for prompt ratification of the Protocol establishing an African Court on Human and Peoples' Rights and the Protocol relating to the Rights of Women in Africa. In addition, the African Commission looked into its cooperation with the different bodies and structures of the African Union, including the African Court of Justice, the African Peer Review Mechanism, the Pan African Parliament, the Peace and Security Council, New Partnership for Africa's Development (NEPAD) and Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA).

18. The African Commission reviewed the Guidelines for the Review of the Special Mechanisms of ACHPR and decided to appoint:  
– Commissioner Jainaba Johm, Special Rapporteur on Human Rights Defenders in Africa.

21. The African Commission adopted resolutions on the following issues :  
– Protection of Human Rights Defenders in Africa.

**Resolution on the mandate of the Special Rapporteur on Human Rights Defenders within ACHPR**

*Resolution on the Protection of Human Rights Defenders in Africa*

The African Commission on Human and Peoples' Rights meeting at its 35th Ordinary Session held from 21st May to 4th June 2004, in Banjul, The Gambia;

**Recognising** the crucial contribution of the work of human rights defenders in promoting human rights, democracy and the rule of law in Africa;

**Seriously concerned** about the persistence of violations targeting individuals and members of their families, groups or organisations working to promote and protect human and peoples' rights and by the growing risks faced by human rights defenders in Africa;

THE PROTECTION OF HUMAN RIGHTS DEFENDERS (AU)

**Noting** with deep concern that impunity for threats, attacks and acts of intimidation against human rights defenders persists and that this impacts negatively on the work and safety of human rights defenders;

**Recalling** that it is entrusted by the African Charter on Human and Peoples' Rights with the mandate to promote human and peoples' rights and ensure their protection in Africa;

**Reaffirming** the importance of the observance of the purposes and principles of the African Charter for the promotion and protection of all human rights and fundamental freedoms for human rights defenders and all persons on the continent;

**Bearing in mind** the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders);

**Mindful** that in the Grand Bay (Mauritius) Declaration, the Organisation of African Unity called on Member States "to take appropriate steps to implement the UN Declaration on Human Rights Defenders in Africa";

**Mindful** that the Kigali Declaration recognises "the important role that the human rights defenders play in the promotion and protection of human rights in Africa"

**Recalling** its decision to include on its agenda the situation of human rights defenders and to nominate a Special Rapporteur on human rights defenders;

**1. Now decides** to appoint a Special Rapporteur on Human Rights Defenders in Africa for a period of two years with the following mandate -:

- (a) To seek, receive, examine and to act upon information on the situation of human rights defenders in Africa;
- (b) To submit reports at every ordinary session of the African Commission on the situation of human rights defenders in Africa;
- (c) To cooperate and engage in dialogue with Member States, National Human Rights Institutions, relevant intergovernmental bodies, international and regional mechanisms of protection of human rights defenders, human rights defenders and other stake holders;
- (d) To develop and recommend effective strategies to better protect human rights defenders and to follow up on his/her recommendations;
- (e) To raise awareness and promote the implementation of the UN Declaration on Human Rights Defenders in Africa;

INTERNATIONAL AND REGIONAL PROTECTION

**2 Further decides** to nominate Commissioner Jainaba Johm as Special Rapporteur on Human Rights Defenders in Africa for the current duration of her mandate within the African Commission;

**3. Reiterates** its support for the work carried out by human rights defenders in Africa;

**4. Calls upon** Member States to promote and give full effect to the UN Declaration on Human Rights Defenders, to take all necessary measures to ensure the protection of human rights defenders and to include information on measures taken to protect human rights defenders in their periodic reports;

**5. Invites** its members to mainstream the issue of human rights defenders in their activities;

**6. Urges** Member States to co-operate with and assist the Special Rapporteur in the performance of his/her tasks and to provide all necessary information for the fulfilment of his/her mandate;

**7. Requests** the African Union to provide adequate resources, assistance and support in the implementation of this Resolution.

Done in Banjul, The Gambia, 4 June 2004



## **THE PROTECTION OF HUMAN RIGHTS DEFENDERS WITHIN THE EUROPEAN UNION (EU)**

### **Ensuring Protection - European Union Guidelines on Human Rights Defenders<sup>5</sup>**

#### **I. Purpose**

1. Support for human rights defenders is already a long established element of the European Union's human rights external relations policy. The purpose of these Guidelines is to provide practical suggestions for enhancing EU action in relation to this issue. The Guidelines can be used in contacts with third countries at all levels as well as in multilateral human rights fora, in order to support and strengthen ongoing efforts by the Union to promote and encourage respect for the right to defend human rights. The Guidelines also provide for interventions by the Union for human rights defenders at risk and suggest practical means to support and assist human rights defenders. An important element of the Guidelines is support for the Special Procedures of the UN Commission on Human Rights, including the UN Special Representative on Human Rights Defenders and appropriate regional mechanisms to protect human rights defenders. The Guidelines will assist EU Missions (Embassies and Consulates of EU Member States and European Commission Delegations) in their approach to human rights defenders. While addressing specific concerns regarding human rights defenders is

---

<sup>5</sup> These Guidelines were adopted by the Council of the European Union on 15 June 2004.

## INTERNATIONAL AND REGIONAL PROTECTION

their primary purpose, the Guidelines also contribute to reinforcing the EU's human rights policy in general.

## II. Definition

2. For the purpose of defining human rights defenders for these Guidelines operative paragraph 1 of the "UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms" (see Annexe I), which states that "Everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels" is drawn upon.

3. Human rights defenders are those individuals, groups and organs of society that promote and protect universally recognised human rights and fundamental freedoms. Human rights defenders seek the promotion and protection of civil and political rights as well as the promotion, protection and realisation of economic, social and cultural rights. Human rights defenders also promote and protect the rights of members of groups such as indigenous communities. The definition does not include those individuals or groups who commit or propagate violence.

## III. Introduction

4. The EU supports the principles contained in the Declaration on the Right and responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms. Although the primary responsibility for the promotion and protection of human rights lies with states, the EU recognises that individuals, groups and organs of society all play important parts in furthering the cause of human rights.

The activities of human rights defenders include:

- documenting violations;
- seeking remedies for victims of such violations through the provision of legal, psychological, medical or other support; and
- combating cultures of impunity which serve to cloak systematic and repeated breaches of human rights and fundamental freedoms.

## THE PROTECTION OF HUMAN RIGHTS DEFENDERS (EU)

5. The work of human rights defenders often involves criticism of government's policies and actions. However, governments should not see this as a negative. The principle of allowing room for independence of mind and free debate on a government's policies and actions is fundamental, and is a tried and tested way of establishing a better level of protection of human rights. Human rights defenders can assist governments in promoting and protecting human rights. As part of consultation processes they can play a key role in helping to draft appropriate legislation, and in helping to draw up national plans and strategies on human rights. This role too should be recognised and supported.

6. The EU acknowledges that the activities of Human Rights Defenders have over the years become more recognised. They have increasingly come to ensure greater protection for the victims of violations. However, this progress has been achieved at a high price: the defenders themselves have increasingly become targets of attacks and their rights are violated in many countries. The EU believes it is important to ensure the safety and protect the rights of human rights defenders. In this regard it is important to apply a gender perspective when approaching the issue of human rights defenders.

#### IV. Operational Guidelines

7. The operational part of the Guideline is meant to identify ways and means to effectively work towards the promotion and protection of human rights defenders in third countries, within the context of the Common Foreign and Security Policy.

#### **Monitoring, reporting and assessment**

8. EU Heads of Mission are already requested to provide periodic reports on the human rights situation in their countries of accreditation. The Council Working Party on Human Rights (COHOM) has recently approved the outline of fact sheets to facilitate this task. In line with these fact sheets Missions should address the situation of human rights defenders in their reporting, noting in particular the occurrence of any threats or attacks against human rights defenders. In this contexts HoMs should be aware that the institutional framework can have a major impact on the ability of human rights defenders to undertake their work in safety. Issues such as legislative, judicial, administrative or

## INTERNATIONAL AND REGIONAL PROTECTION

other appropriate measures, undertaken by States to protect persons against any violence, threats retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of any of the rights referred to the UN Declaration on Human Rights Defenders are all relevant in this regard. Where it is called for, HoMs should make recommendations to COHOM for possible EU actions, including condemnation of threats and attacks against human rights defenders, as well as for demarches and public statements where human rights defenders are at immediate or serious risk. HoMs should also report on the effectiveness of EU actions in their reports.

9. The HoMs reports and other relevant information, such as reports and recommendations from the Special Representative of the Secretary General for Human Rights Defenders, UN Special Rapporteurs and Treaty Bodies as well as non-governmental organisations, will enable COHOM and other relevant working parties, to identify situations where EU actions are called upon and decide actions to be taken or, where appropriate, make recommendations for such action to PSC / Council.

**Role of EU Missions in supporting and protecting human rights defenders**

10. In many third countries EU Missions (Embassies of EU Member States and European Commission Delegations) are the primary interface between the Union and its Member States and human rights defenders on the ground. They therefore have an important role to play in putting into practice the EU's policy towards human rights defenders. EU Missions should therefore seek to adopt a proactive policy towards human rights defenders. They should at the same time be aware that in certain cases EU action could lead to threats or attacks against human rights defenders. They should therefore where appropriate consult with human rights defenders in relation to actions which might be contemplated. Measures that EU Missions could take include:

- co-ordinating closely and sharing information on human rights defenders, including those at risk;

## THE PROTECTION OF HUMAN RIGHTS DEFENDERS (EU)

- maintaining, suitable contacts with human rights defenders, including by receiving them in Missions and visiting their areas of work, consideration could be given to appointing specific liaison officers, where necessary on a burden sharing basis, for this purpose;
- providing, as and where appropriate, visible recognition to human rights defenders, through the use of appropriate publicity, visits or invitations;
- attending and observing, where appropriate, trials of human rights defenders.

**Promotion of respect for human rights defenders in relations with third countries and in multilateral fora**

11. The EU's objective is to influence third countries to carry out their obligations to respect the rights of human rights defenders and to protect them from attacks and threats from non-state actors. In its contacts with third countries, the EU will, when deemed necessary, express the need for all countries to adhere to and comply with the relevant international norms and standards, in particular the UN Declaration. The overall objective should be to bring about an environment where human rights defenders can operate freely. The EU will make its objectives known as an integral part of its human rights policy and will stress the importance it attaches to the protection of human rights defenders. Actions in support of these objectives will include:

- where the Presidency, or the High Representative for the CFSP or EU Special Representatives and Envoys, or European Commission are making country visits they will, where appropriate, include meetings with, and raising individual cases of, human rights defenders as an integral and part of their visits to third countries;
- the human rights component of political dialogues between the EU and third countries and regional organisations, will, where relevant, include the situation of human rights defenders. The EU will underline its support for human rights defenders and their work, and raise individual cases of concern whenever necessary;
- working closely with other like minded countries with similar views notably in the UN Commission on Human Rights and the UN General Assembly;

## INTERNATIONAL AND REGIONAL PROTECTION

- promoting the strengthening of existing regional mechanisms for the protection of human rights defenders, such as the focal point on human rights defenders of the African Commission on Human and Peoples' Rights and the special Human Rights Defenders Unit within the Inter-American Commission on Human Rights, and the creation of appropriate mechanisms in regions where they do not exist.

**Support for Special Procedures of the UN Commission on Human Rights, including the Special Representative on Human Rights Defenders**

12. The EU recognises that the Special Procedures of the UN Commission on Human Rights (Special Rapporteurs, Special Representatives, Independent Experts and Working Groups) are vital to international efforts to protect human rights defenders because of their independence and impartiality; their ability to act and speak out on violations against human rights defenders worldwide and undertake country visits. While the Special Representative for Human Rights Defenders has a particular role in this regard the mandates of other Special Procedures are also of relevance to human rights defenders. The EU's actions in support of the Special Procedures will include:

- encouraging states to accept as a matter of principle requests for country visits by UN Special Procedures;
- promoting via EU Missions, the use of UN thematic mechanisms by local human rights communities and human rights defenders including, but not limited to facilitating the establishment of contacts with, and exchange information between, thematic mechanisms and human rights defenders;
- since the Special Procedures are unable to carry out their mandate in the absence of adequate resources, EU Member States will support the allocation of sufficient funds from the general budget to the Office of the High Commissioner for Human Rights.

**Practical supports for Human Rights Defenders including through Development Policy**

13. Programmes of the European Community and Member States aimed at assisting in the development of democratic processes and institutions, and the promotion and protection of human rights in develo-

## THE PROTECTION OF HUMAN RIGHTS DEFENDERS (EU)

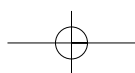
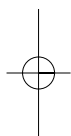
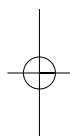
ping countries are among a wide range of practical supports for assisting human rights defenders. These can include but are not necessarily limited to the development co-operation programmes of Member States. Practical supports can include the following:

- bi-lateral human rights and democratisation programmes of the European Community and Member States should take further account of the need to assist the development of democratic processes and institutions, and the promotion and protection of human rights in developing countries by, inter alia, supporting human rights defenders through such activities as capacity building and public awareness campaigns;
- by encouraging and supporting the establishment, and work, of national bodies for the promotion and protection of human rights, established in accordance with the Paris Principles, including, National Human Rights Institutions, Ombudsman's Offices and Human Rights Commissions;
- assisting in the establishment of networks of human rights defenders at an international level, including by facilitating meetings of human rights defenders;
- seeking to ensure that human rights defenders in third countries can access resources, including financial, from abroad;
- by ensuring that human rights education programmes promote, inter alia, the UN Declaration on Human Rights Defenders.

**Role of Council Working Parties**

14. In accordance with its mandate COHOM will keep under review the implementation and follow-up to the Guidelines on Human Rights Defenders in close co-ordination and cooperation with other relevant Council Working Parties. This will include:

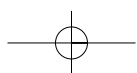
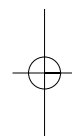
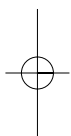
- promoting the integration of the issue of human rights defenders into relevant EU policies and actions;
- undertaking reviews of the implementation of the Guidelines at appropriate intervals;
- continuing to examine, as appropriate, further ways of co-operating with UN and other international and regional mechanisms in support of human rights defenders;
- reporting to Council, via PSC and COREPER, as appropriate on an annual basis on progress made towards implementing the Guidelines.

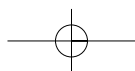
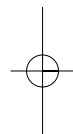
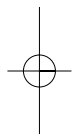






## ANNEXES





## ANNEX 1

### PARTNER ORGANISATIONS AND CONTRIBUTORS

#### International NGOs

Agir ensemble pour les droits de l'Homme  
Amnesty International  
Avocats Sans Frontières (ASF)  
Droits et démocratie - Centre international des droits de la personne et du développement démocratique  
Fédération internationale d'action des chrétiens pour l'abolition de la torture (FIACAT)  
Foundation Martin Ennals  
Forefront  
Frontline  
Human Rights First  
Human Rights Internet  
Human Rights Watch (HRW)  
International Commission of Jurists (ICJ)  
International Confederation of Free Trade Unions (ICFTU)  
International Freedom of Expression Exchange (IFEX)  
International Gay and Lesbian Human Rights Commission (IGLHRC)  
International League for Human Rights (ILHR)  
International Rehabilitation Council for Torture Victims (IRCT)  
International Service for Human Rights (ISHR)  
Minority Rights Group  
Peace Brigades International (PBI)  
Reporters Without Borders (RSF)

#### Regional NGOs

*Africa*  
Afronet  
African Centre for Human Rights

ANNEXES

Institute for Human Rights and Development in Africa  
Union interafricaine des droits de l'Homme (UIDH)

*Americas*

Central Latinoamericana de Trabajadores (CLAT)  
Centro por la Justicia y el Derecho Internacional (CEJIL)  
Coalición de las ONG por la Corte Penal Internacional  
Comisión Latinoamericana por los Derechos y Libertad de los Trabajadores y los Pueblos (CLADEHLT)  
Comisión para la Defensa de los Derechos Humanos en Centroamérica (CODEHUCA)  
Enlace Mapuche Internacional  
Equipo Nizkor  
France Amérique Latine  
Latin American Consultation on Human Rights Defenders  
One World América Latina  
Organización Regional Interamericana de Trabajadores (ORIT)  
Red Solidaria por los derechos humanos (REDH)

*Asia*

Asian Center for the Progress of Peoples (ACPP)  
Asian Human Rights Commission (AHRC)  
Forum Asia  
South Asian Human Rights Documentation Centre (SAHRDC)

*Europe*

Equipo Nizkor  
International Helsinki Federation for Human Rights (IHF)

*Maghreb / Middle East*

Cairo Institute for Human Rights Studies (CIHRS)  
Réseau Euro-méditerranéen des droits de l'Homme (REMDH)

**National NGOs**

*Algeria*

Association des familles de disparus en Algérie  
Collectif des Familles de Disparus en Algérie  
Ligue Algérienne de défense des Droits de l'Homme (LADDH)  
SOS disparus

*Argentina*

Asociación Abuelas de la Plaza de Mayo  
Asociación Madres de la Plaza de Mayo  
Centro de Estudios Legales y Sociales (CELS)  
Comité de Acción Jurídica (CAJ)  
Federación de Tierra y Vivienda (FTV)  
Liga Argentina por los Derechos del Hombre

PARTNER ORGANISATIONS AND CONTRIBUTORS

*Azerbaijan*

Human Rights Center of Azerbaijan (HRCA)  
Center for the Protection of Conscience and Religious Freedom (DEVAMM)

*Bahrain*

Bahrain Centre for Human Rights (BCHR)  
Bahrain Society for Human Rights (BHRS)

*Bangladesh*

Bangladesh Human Rights Commission (BHRC)  
Bangladesh Rehabilitation Centre for the Victims of Torture (BRCT)  
Human Rights Congress for Bangladesh Minorities (HRCBM)  
ODIKHAR

*Belarus*

Belarussian Association of Journalists  
Helsinki Committee for Human Rights

*Bhutan*

People Forum for Human Rights and Development (PFHRD) (based in  
Katmandu, Nepal)

*Bolivia*

Asamblea Permanente de Derechos Humanos (APDHB)  
Centro de Estudios Jurídicos e Investigación Social (CEJIS)

*Bosnia-Herzegovina*

Helsinki Committee for Human Rights

*Brazil*

ACAT-Brasil  
Centro de Justiça Global (JC)  
Movimento dos Trabalhadores Rurais Sem Terra (MST)  
Movimento Nacional dos Direitos Humanos (MNDH)

*Burkina Faso*

Mouvement Burkinabé des Droits de l'Homme et des Peuples (MBDHP)

*Burundi*

Ligue Burundaise des Droits de l'Homme (ITEKA)

*Cameroon*

ACAT-Cameroun  
Human Rights Defence Group  
Mouvement pour la défense des droits de l'Homme et des libertés (MDDHL)  
Maison des droits de l'Homme du Cameroun

*Central African Republic*

Ligue centrafricaine des droits de l'Homme (LCDH)

ANNEXES

*Chad*

Association tchadienne pour la promotion et la défense des droits de l'Homme (ATPDDH)

Collectif des Associations de défense des droits de l'Homme (CADH)

Ligue tchadienne des droits de l'Homme (LTDH)

*Chile*

Comité de defensa de derechos del pueblo (CODEPU)

*China*

Human Rights in China

*Colombia*

Asamblea Permanente de la Sociedad Civil por la Paz

Central Unitaria de Trabajadores (CUT)

Asociación para la Promoción Social Alterniva (MINGA)

Colombia Campesina

Comision Colombiana de Juristas (CCJ)

Comision Intereclesial de Justicia y Paz

Comité Permanente por la Defensa de Derechos Humanos (CPDH)

Comité Permanente para la Defensa de los Humanos " Héctor Abad Gómez "

Comité de Solidaridad con los Presos Políticos (CSPP)

Corporación Colectivo de Abogados "José Alvear Restrepo" (CCAJAR)

Corporación Juridica Libertad

Corporación para la Defensa y Promoción de los Derechos Humanos (REINICIAR)

Corporación Regional para la Defensa de los Derechos Humanos (CREDHOS)

Corporación Servicios Profesionales Comunitarios (SEMBRAR)

Fundación Comité de Solidaridad con los Presos Políticos (FCSP)

Organización Femenina Popular (OFP)

Organización Internacional de Derechos Humanos - Acción Colombia (OID-HACO)

Organización Nacional Indígena de Colombia (ONIC)

*Congo-Brazzaville*

Observatoire congolais des droits de l'Homme (OCDH)

*Congo (Democratic Republic of)*

Association Africaine de Défense des Droits de l'Homme (ASADHO)

Centre des droits de l'Homme et du droit humanitaire (CDH)

Comité des observateurs des droits de l'Homme (CODHO)

Coordination des actions de promotion de la paix et des droits de l'Humain (CAPDH)

Groupe évangélique pour la non-violence (GANVE)

Groupe Lotus

Journalistes en Danger (JED)

Justice Plus

Les Amis de Nelson Mandela

PARTNER ORGANISATIONS AND CONTRIBUTORS

Ligue des Electeurs  
Voix des Sans Voix (VSV)

*Côte d'Ivoire*  
Ligue des Droits de l'Homme (LIDHO)  
Mouvement Ivoirien pour les Droits Humains (MIDH)

*Cuba*  
Comisión Cubana de Derechos Humanos y Reconciliación Nacional

*Ecuador*  
Assemblée permanente des Droits de l'Homme (APDH)  
Centro de Derechos Económicos y Sociales (CDES)  
Centro de Documentación de Derechos Humanos " Segundo Montez Mozo "  
(CSMM)  
Confederacion de Nacionalidades Indígenas del Ecuador (CONAIE)  
Fundación Regional de Asesoría en Derechos Humanos (INREDH)  
Minga Informativa de Movimientos Sociales

*Egypt*  
Cairo Institute for Human Rights Studies (CIHRS)  
Egyptian Center for Housing Rights (ECHR)  
Egyptian Organisation for Human Rights (EOHR)  
Hisham Mubarak Center for Law  
Human Rights Association for the Assistance to Prisoners (HRAAP)

*Ethiopia*  
Action Aid Ethiopia  
Ethiopian Human Rights Council (EHRC)  
Ethiopian Free Press Journalists' Association (EFJA)  
Ethiopian Teachers' Association (ETA)

*Federal Republic of Yugoslavia*  
Humanitarian Law Center (HLC)  
Helsinki Committee for Human Rights in Serbia

*France*  
ACAT  
Amnesty International - French Section

*Gambia*  
Gambian Press Union

*Georgia*  
Former Political Prisoners for Human Rights  
Human Rights Information and Documentation Centre (HRIDC)

*Guatemala*  
Casa Alianza  
Central General de Trabajadores de Guatemala (CGTG)  
Centro de Acción Legal en Derechos Humanos (CALDH)

ANNEXES

Grupo de Apoyo Mutuo (GAM)  
Vicariato Apostólico de Petén

*Guinea-Bissau*  
Guinean League of Human Rights

*Haiti*  
Centre œcuménique des droits de l'Homme (CEDH)  
Haitian Human Rights Organizations Platform (POHDH)  
National Coalition for Haitian Rights (NCHR)  
Justice et Paix

*Honduras*  
Comité para la Defensa de los Derechos Humanos (CODEH)

*India*  
People's Union for Civil Liberties (PUCL)  
People's Watch - Tamil Nadu

*Iran*  
Centre for Human Rights in Iran  
Ligue pour la Défense des Droits de l'Homme en Iran (LDDHI)

*Israel*  
ACRI  
Adalah  
B'Tselem  
Palestinian Human rights Monitoring Group

*Kazakhstan*  
Kazakh-International Bureau for Human Rights and the Rule of Law  
(KIBHRRL)

*Kyrgyzstan*  
Kyrgyz Committee for Human Rights (KCHR)

*Laos*  
Lao Movement for Human Rights (MLDH)

*Lebanon*  
Frontiers Center  
Palestinian Human Rights Organisation (PHRO)  
Soutien aux Libanais détenus arbitrairement (SOLIDA)

*Liberia*  
Liberia Watch for Human Rights (LWHR)

*Lybia*  
Libyan League for Human Rights

*Malaysia*  
Suara Rakyat Malaysia (Suaram)



PARTNER ORGANISATIONS AND CONTRIBUTORS

*Mauritania*

Association mauritanienne des droits de l'Homme (AMDH)  
SOS Esclaves

*Mexico*

Centro de Derechos Humanos "Fray Bartolomé de Las Casas"  
Comisión mexicana de defensa y promoción de los derechos humanos  
(CMDPDH)  
Ligue Mexicaine pour la Défense des Droits de l'Homme (LIMEDDH)

*Morocco*

Association Marocaine des Droits Humains (AMDH)  
Forum Vérité Justice  
Organisation Marocaine des Droits Humains (OMDH)

*Nepal*

Advocacy Forum Nepal  
Centre for Victims of Torture (CVICT)  
Informal Sector Service Center (INSEC)  
International Institute for Human Rights (NSHR)

*Nicaragua*

Centro Nicaraguense de Derechos Humanos (CENIDH)

*Niger*

Association nigérienne de défense des droits de l'Homme (ANDDH)

*Nigeria*

Civil Liberties Organisation (CLO)

*Northern Ireland*

Committee on the Administration of Justice (CAJ)

*Occupied Palestinian Territories*

Addameer  
Al-Haq  
Al-Mezan Centre for Human Rights  
Palestinian Centre for Human Rights (PCHR)

*Pakistan*

Human Rights Commission of Pakistan (HRCP)  
Human Rights Education Forum Pakistan (HREF)

*Peru*

Asociación Pro Derechos Humanos (APRODEH)  
Coordinadora Nacional de Derechos Humanos (CNDDHH)

*Philippines*

Alliance for the Advancement of People's Rights (KARAPATAN)  
May First Labour Centre (Kilusang Mayo Uno - KMU)

ANNEXES

*PREDA Foundation*  
Task Force Detainees of the Philippines (TFDP)

*Russian Federation*  
Association of the Soldiers' Mothers of Saint - Petersburg  
Comité Tchétchénie, France  
Echo of War  
Human Rights Centre of Krasnodar  
Kazan Human Rights Centre  
Memorial  
Russian-Chechen Friendship Society (RCFS)  
Union of the Soldiers' Mothers Committees

*Rwanda*  
Communauté des Autochtones Rwandais (CAURWA)  
Ligue Rwandaise pour la Promotion et la Défense des Droits de l'Homme  
(LIPRODHOR)  
Réseau International pour la Promotion et la Défense des Droits de l'Homme  
au Rwanda (RIPRODHOR)

*Senegal*  
Organisation nationale des droits de l'Homme (ONDH)  
Rencontre africaine des droits de l'Homme (RADDHO)

*Serbia - Montenegro*  
Center for Anti-War Action (CAA)  
Humanitarian Law Center (HLC)  
Helsinki Committee for Human Rights in Serbia

*Singapore*  
Think-Center-Singapour

*South Korea (Republic of Korea)*  
Korean Confederation of Trade Union (KCTU)

*Sudan*  
Sudanese Human Rights Group (SHRG)  
Sudan Organization Against Torture (SOAT)

*Syria*  
Comités de Défense des Libertés Démocratiques et des Droits de l'Homme en  
Syrie (CDF)  
Human Rights Association in Syria

*Togo*  
ACAT-Togo  
Ligue Togolaise des droits de l'Homme (LTDH)

*Tunisia*  
Association de lutte contre la torture en Tunisie (ALTT)  
Association internationale pour la soutien des prisonniers politiques (AISSP)

PARTNER ORGANISATIONS AND CONTRIBUTORS

Comité pour le Respect des Libertés et des Droits de l'Homme en Tunisie (CRLDHT)

Conseil National pour les Libertés en Tunisie (CNLT)

Ligue Tunisienne des Droits de l'Homme (LTDH)

Section Tunisienne du Mouvement International ATTAC (RAID)

*Turkey*

Human Rights Association (IHD)

Human Rights Foundation in Turkey (HRFT)

*United States of America*

Centre for Constitutional Rights (CCR)

*Uganda*

Foundation for Human Rights Initiative

*Uzbekistan*

Human Rights Society of Uzbekistan (HRSU)

Legal Aid Society (LAS)

*Venezuela*

Comité de Familiares de Víctimas del 27 de Febrero (COFAVIC)

Red de Apoyo por la Justicia y la Paz (REDAPOYO)

*Vietnam*

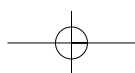
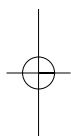
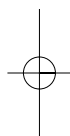
Vietnam Committee for the Defence of Human Rights

International Buddhist Information Bureau

*Zimbabwe*

Zimbabwe Human Rights Association (ZIMRIGHTS)

Zimbabwe Lawyers for Human Rights (ZLHR)



## ANNEX 2

### THE OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS: AN FIDH AND OMCT JOINT PROGRAMME

#### Activities of the Observatory

The Observatory is an action programme based on the conviction that strengthened co-operation and solidarity among defenders and their organisations will contribute to break the isolation they are faced with. It is also based on the absolute necessity to establish a systematic response from NGOs and the international community to the repression against defenders.

With this aim, the Observatory seeks:

- a) a mechanism of systematic alert of the international community on cases of harassment and repression against defenders of human rights and fundamental freedoms, particularly when they require an urgent intervention;
- b) the observation of judicial proceedings, and whenever necessary, direct legal assistance;
- c) international missions of investigation and solidarity
- c) a personalised assistance as concrete as possible, including material support, with the aim of ensuring the security of the defenders victims of serious violations;
- d) the preparation, publication and world-wide diffusion of reports on violations of the rights and freedoms of individuals or organisations, that work for human rights around the world;
- e) sustained action with the United Nations (UN) and more particularly the Special Representative of the Secretary General on Human Rights Defenders and as necessary with geographic and thematic Special Rapporteurs and Working Groups
- f) sustained lobbying with various regional and international intergovernmental institutions, especially the African Union (AU), the Organisation of American States (OAS), the European Union (EU), the Organisation for Security and Co-operation in Europe (OSCE), the Council of Europe, the International Organisation of the Francophonie (OIF), the Commonwealth, the League of Arab States and the International Labour Organisation (ILO).

The Observatory's activities are based on the consultation and the co-operation with national, regional, and international non-governmental organisations.

## ANNEXES

With efficiency as its primary objective, the Observatory has adopted flexible criteria to examine the admissibility of cases that are communicated to it, based on the "operational definition" of human rights defenders adopted by the OMCT and FIDH:

"Each person victim or risking to be the victim of reprisals, harassment or violations, due to his compromise exercised individually or in association with others, in conformity with international instruments of protection of human rights, in favour of the promotion and realisation of rights recognised by the Universal Declaration of Human Rights and guaranteed by several international instruments".

To ensure its activities of alert and mobilisation, the Observatory has a system of communication devoted to defenders in danger.

This system, known as the Emergency Line, is accessible through:

Email : [observatoire@iprolink.ch](mailto:observatoire@iprolink.ch)

Tel : + 33 (0) 1 43 55 20 11 / Fax : + 33 (0) 1 43 55 18 80 (FIDH)

Tel : + 41 22 809 49 39 / Fax : + 41 22 809 49 29 (OMCT)

### **Animators of the Observatory**

From the headquarters of FIDH (Paris) and OMCT (Geneva), the Observatory's Programme is supervised by Antoine Bernard, Executive Director of FIDH and Juliane Falloux, deputy Executive Director, and Eric Sottas, Director of OMCT and Anne-Laurence Lacroix, deputy Director.

At FIDH, the programme is managed by Catherine François, Programme Officer of the Observatory, with the assistance of Isabelle Brachet, Alexandra Koulaeva, Bénédicte Grandin, Alexa LeBlanc, Antoine Madelin, Chadi Sidhom, Jimena Reyes, Rosa Sanchez, Stéphanie David, Elin Wrzoncki, Marceau Sivieude, Carole Berrih, Beatrice Quadranti, Gaël Grilhot, Daniel Bekoutou, Florent Geel, Nicolas Barreto-Diaz and Bénédicte Piton.

At OMCT, the Observatory is managed by Mariana Duarte and Delphine Reculeau, chargées de mission, with the assistance of Clemencia Devia Suarez, Catherine Ferry, Alexandra Kossin, Hannes Opelz, Katrin Weilhammer and Laëtitia Sedou.

The Observatory's activities are assisted by the local partners of FIDH and OMCT.

### **Operators of the Observatory**

#### *FIDH*

The International Federation for Human Rights (FIDH) is an international nongovernmental organisation for the defence of the human rights enshrined in the Universal Declaration of Human Rights of 1948. Created in 1922, it includes 141 national affiliates throughout the world. To date, FIDH has undertaken more than a thousand missions for investigation, observation of trials, mediation or training in more than one hundred countries. These last years the FIDH has developed with its partners organisations, an action programme for economic,

## THE OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS

social and cultural rights and for the promotion of international justice and helping victims to achieve greater justice. In recent years, FIDH has adopted legal intervention as a mode of action.

FIDH has either consultative or observer status with the United Nations Economic and Social Council, UNESCO, the Council of Europe's Permanent Human Rights Committee, the African Commission for Human and Peoples' Rights, the Inter-governmental Organisation of the Francophonie, the International Labour Organisation, and the Organisation of American States (OAS).

FIDH is also in constant and systematic contact with the European Union, the United Nations and the International Criminal Court (ICC) through its permanent delegations in Brussels, in Geneva and in the Hague. FIDH facilitates each year the access and use of existing international mechanisms to more than 200 representatives of its member organisations, and also relays and supports their activities on a daily basis.

The International Board is comprised of: Sidiki Kaba, President ; Catherine Choquet, Olivier de Schuter, Driss El Yazami, Philippe Kalfayan, Luis Guillermo Perez, Secretaries general ; Philippe Vallet, Treasurer ; and of Dobian Assingar (Chad), Souhayr Belhassen (Tunisia), Akin Birdal (Turkey), Juan Carlos Capurro (Argentina), Karim Lahidji (Iran), Fatimata Mbaye (Mauritania), Siobhan Ni Chulachain (Ireland), Vilma Nuñez de Escorcía (Nicaragua), Jose Rebelo (Portugal), Raji Sourani (Palestine), Peter Weiss (United States), Pie Ntakarutimana (Burundi), Michel Tubiana (France), Alirio Uribe (Colombia), Vo Van Ai (Viet Nam), vice-presidents.

*OMCT*

Created in 1986, the World Organisation Against Torture (OMCT) is currently the largest international coalition of NGOs fighting against torture, summary executions, forced disappearances and all other types of cruel, inhuman or degrading treatment. It co-ordinates the SOS-Torture network that is made up of 282 nongovernmental organisations in more than 90 countries and seeks to strengthen and accompany their activities on the field. The structure of the SOS-Torture network has allowed OMCT to reinforce local activity while favouring the access of national NGOs to international institutions. Support is granted to individual victims or potential victims of torture through urgent campaigns (notably in favour of children, women, and human rights defenders) and urgent legal, social and medical assistance. It is also more general in nature, through the submission of reports to the various United Nations mechanisms.

A delegation of the International Secretariat has been appointed to promote activities in Europe. OMCT has either consultative or observer status with the United Nations Economic and Social Council (ECOSOC), the International Labour Organisation (ILO), the African Commission on Human and Peoples' Rights and the Council of Europe.

Its Executive Council is composed of: Elisabeth Reusse-Decrey, President, Denis von der Weid, Vice-President, Olivier Mach, Vice-President, José Domingo Dougan Beaca, Treasurer, Catherine Fauchier-Magnan, José

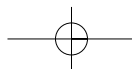
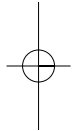
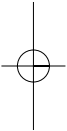


## ANNEXES

Figueiredo, Alphonse Mac Donald, Florence Notter, Pascal O'Neill, Christine Sayeg and Katherine Shiraishi. Delegates Assembly, elected in December 2001 is composed of twenty four members. For Africa: Madeleine Afite, Innocent Chukwuma, Aminata Dieye, Osman Hummada and Guillaume Ngefa; for Latin America: Ernesto Alayza Mujica, Helio Bicudo, Alberto León Gómez, and Alicia Pérez Duarte; for North America: Al Bronstein, for Asia: Joseph Gathia, Sanjeeva Liyanage, Ravi Nair, Elisabeth P. Protacio and Khalida Salima ; for Europe : Panayote Elias Dimitras, Nazmi Gür, Hélène Jaffe, Tinatin Khidasheli and Frauke Seidensticker ; for North Africa and Middle East: Mohammad Abu-Harthieh, Hassam Moosa, Radhia Nasraoui and Lea Tsemel.

## Thanks

The Observatory wishes to thank for their support the Swedish International Development Cooperation Agency (SIDA), HIVOS, the French Ministry for Foreign Affairs, Inter-governmental Agency of the Francophonie, OAK Foundation, the Foundation Un Monde par Tous, along with all the persons, national and international organisations, intergovernmental organisations and media which responded to the Observatory's requests and supported its actions.





## TABLE OF CONTENTS

Foreword by Lida Yusupova, Martin Ennals Award .....	5
Let's join forces! Testimonies .....	7
Introduction .....	9
Africa .....	17
Americas .....	103
Asia .....	207
Europe and the CIS .....	283
Maghreb and the Middle East .....	357
International and Regional protection .....	425
Declaration on Human Rights Defenders .....	427
International protection (UN) .....	437
Protection of Human Rights Defenders within the Organisation of American States (OAS) .....	441
Protection of Human Rights Defenders within the African Union (AU) .....	445
Protection of Human Rights Defenders within the European Union (EU) .....	449
Annexes .....	457
Partner Organisations and Contributors .....	459
The Observatory for the Protection of Human Rights Defenders, a joint FIDH and OMCT Programme .....	469