



Human rights defender: Mission and/or profession?

By Tamari Ortoidze

Yolanda Moran, a human rights defender in Mexico, once stated: “You become a human rights defender without realizing it, carried by your instinct to protect and shelter.”

In general, nowadays, using the term “human rights defender” and being one has become too popular in the world and in my country – Georgia. Recent democratic developments settle new rules and standards of a ‘game,’ you choose whether to follow them or not. State governing is kind of a game which should be played according to the law, the law that is set in the State; it is important to act legally and have justice inside and outside of your State.

States express their will to act within the frames of law and moreover within the frames of human rights. An important issue is that the Game rules are set by law and the legislative system. The main principle of the rule of law prompts the whole justice system to act within the frames of the law. The Declaration on Human Rights Defenders (*hereinafter* ‘the Declaration’) promotes universally recognized Human Rights and Fundamental Freedoms. It settles that “the prime responsibility and duty to promote and protect human rights and fundamental freedoms lies with the State.”¹ This means that government should play the game according to the rules – law.

The well-known fact is that States still break the law; human rights are abolished more or less all over the world and the duty of the State to promote and protect human rights is spurned. The abolishment of human rights and law should be dismissed, fought and confronted. So who should fight against injustice, who in reality, promotes and strives for the protection and realization of human rights and fundamental freedoms?

How come people started being human rights defenders? To explore the answer on the question, we should say what human rights are, what they really mean. Human rights are moral principles or norms that describe certain standards of human behavior, and are regularly protected as legal rights.

According to Article 1 of the Declaration, “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.”² Human rights defender doesn’t have an exact explanation or definition: who is a human rights defender? The question is quite actual and as OHCHR has described, the Declaration ‘refers to “individuals, groups and associations ... contributing to ... the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals.”’³ Human rights defenders fight for

¹ Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms - Preamble

² Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms – Article 1;

³ Retrieved from <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx#ftn1>, last visited on 24 July 2017;

equality and against injustice; they fight but also try to prevent future unlawful actions. They act to promote human rights and realize them.

The term “human rights defender” has been used increasingly since the adoption of the Declaration on human rights defenders in 1998. Until then, terms such as human rights “activist”, “professional”, “worker” or “monitor” had been most common. The term “human rights defender” is seen as a more relevant and useful term.

Time by time, following up the development of the States, the abolishment of human rights still stays one of the biggest issues and the number of human rights defenders and “fighters” is increasing day by day. The OHCHR states that “human rights defenders can be any person or group of persons working to promote human rights, ranging from intergovernmental organizations based in the world’s largest cities to individuals working within their local communities. Defenders can be of any gender, of varying ages, from any part of the world and *from all sorts of professional or other backgrounds*. In particular, it is important to note that human rights defenders are not only found within NGOs and intergovernmental organizations but might also, in some instances, be government officials, civil servants or members of the private sector.”⁴

The wide range of people who act as human rights defenders make it difficult to determine what is “human rights defending.” It is too difficult to define whether human rights defender is a profession or mission. There is no place where you can go and get the status of a human rights defender. It is a term that is used according to the job and employment. Still, to get the answer for the essay whether human rights defender is a mission or profession, we should use theoretical and practical information.

The term “profession” is described in the Oxford Dictionary as “a *paid occupation*, especially one that involves *prolonged training and a formal qualification*.” Whereas, in the Merriam Webster dictionary, it is:

- a. A calling requiring specialized knowledge and often long and intensive academic preparation,
- b. A principal calling, vocation, or *employment*.

As for “mission,” Merriam Webster dictionary defines this as a *task or job* that someone is given to do. If we fully consider both definitions of profession and mission, we can see that human rights defender includes elements of both of them. Firstly, a human rights defender does not need to be a lawyer; to defend human rights does not mean that you have to have a diploma from a law faculty. Nevertheless, it is an important element of a profession to have a specialized knowledge, which can be gained via trainings and intensive academic preparations. A full bachelor or master’s degree is not mandatory for defending human rights.

Human rights defenders do their job; they try their best to defend human rights according to democratic standards in the world. They choose themselves to take the task and do some job in the field of human rights. The materials and definitions give me the opinion that human rights defenders get knowledge and get a profession in the field, and that their work is toward some missions. Human rights defenders, for me, is a mix of both profession and mission. They cross each other and automatically get balanced through their work. Since 1998, the term “human

⁴ Retrieved from <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx#ftn1>, last visited on 24 July 2017;

rights defender” has been used, but till today it is too hard to define what the term fully means, what it describes in reality: is it some kind of a mission or not, can it be a profession?

OHCHR clearly shows that defenders can be “*from all sorts of professional or other backgrounds,*” so it is not obligatory to have one specialization field. The issue is to have the job, the employment, and work for it. Human rights defenders choose to have a task and job (mission) to defend and promote human rights using their specialized knowledge (profession).

Why have I used so much information and many definitions at the beginning? Because the goal was to show the meaning of human rights defender in general, what they do. Who can be a human rights defender? Do we gain this status by gaining diploma or not?

To get to my point, defending human rights is a combination of profession and mission. To sum up, for me, it clearly happens that defending human rights comes automatically without realizing it. As Yolanda Moran says: “The examples given of the activities of human rights defenders are not an exhaustive list.”⁵

It is unbelievable to fulfill the tasks and do your job, defend human rights, without having a profession, which is an actual weapon – the knowledge needed for completion of your mission. As for me, profession and mission are inseparable, especially in the case of human rights defenders. I believe that a combination is necessary to fight against the injustice Game.

⁵ Retrieved from <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx#ftn1>, last visited on 24 July 2017;