



**HUMAN
RIGHTS
HOUSE**
FOUNDATION

**References
and sources**

RIGHTS OF DEFENDERS

PRINCIPLES AND STANDARDS
PROTECTING AND EMPOWERING
HUMAN RIGHTS WORK

REFERENCES AND SOURCES

Publicly support human rights defenders

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013 Human Rights Council resolution” in the booklet; OP 5.

OP 5. “Urges States to acknowledge publicly the important and legitimate role of human rights defenders in the promotion of human rights, democracy and the rule of law as an essential component of ensuring their protection, including by respecting the independence of their organizations and by avoiding the stigmatization of their work;”

UN Doc: A/HRC/RES/22/6 , Available here: <https://documents-dds-ny.un.org/doc/RESOLUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• United Nations General Assembly, resolution 70/161, 17 December 2015 commonly called “December 2015 United Nations General Assembly resolution” in the booklet, OP 4 and OP 21.

OP 4. “Urges States to acknowledge through public statements, policies or laws the important and legitimate role of individuals, groups and organs of society, including human rights defenders, in the promotion of human rights, democracy and the rule of law, as essential components of ensuring their recognition and protection, including by condemning publicly all cases of violence and discrimination against human rights defenders, including women human rights defenders, underlining that such practices can never be justified;”

OP 21. “Encourages leaders in all sectors of society and in their respective communities, including political, military, social and religious leaders and leaders in business and the media, to express public support for the important and legitimate role of human rights defenders in society, including women human rights defenders, and in any cases of violence and discrimination against them to take a clear stance in rejection of such practices;”

UN Doc: A/RES/70/161

Available here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/161

• Commentary to 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; commonly called “Commentary on the Declaration of Human Rights Defenders” produced in July 2011 by the United Nations Special rapporteur on the situation of human rights defenders.

“Recognition of the status and role of human rights defenders and the legitimacy of their activities in public statements is the first step to preventing or at least reducing threats and risks against them”
Page 20

Available here : <http://www.ohchr.org/Documents/Issues/Defenders/CommentarytoDeclarationondefendersJuly2011.pdf>

Don't criminalise defending human rights

• Declaration on Human Rights Defenders, 9 December 1998.

Article 12 -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.”

UN doc: A/RES/53/144 Available here: <http://www.ohchr.org/Documents/Issues/Defenders/Declaration/declaration.pdf>

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013 Human Rights Council resolution” in the booklet; OP 4, 9, 11, 11 (a), and 11 (d).

OP 4. Calls upon States to ensure that legislation designed to guarantee public safety and public order contains clearly defined provisions consistent with international human rights law, including the principle of non-discrimination, and that such legislation is not used to impede or restrict the exercise of any human right, including freedom of expression, association and peaceful assembly, which are essential for the promotion and protection of other rights;

OP 9. Also calls upon States i) to ensure that reporting requirements placed on individuals, groups and organs of society do not inhibit functional autonomy, and furthermore ii) to ensure that they do not discriminatorily impose restrictions on potential sources of funding aimed at supporting the work of human rights defenders in accordance with the Declaration referred to

in paragraph 3 above, other than those ordinarily laid down for any other activity unrelated to human rights within the country to ensure transparency and accountability, and that no law should criminalize or delegitimize activities in defence of human rights on account of the origin of funding thereto

OP 11. Further calls upon States to ensure that all legal provisions and their application affecting human rights defenders are clearly defined, determinable and non-retroactive in order to avoid potential abuse to the detriment of fundamental freedoms and human rights, and specifically to ensure that:

(a) The promotion and the protection of human rights are not criminalized, and that human rights defenders are not prevented from enjoying universal human rights owing to their work, whether they operate individually or in association with others, while emphasizing that everyone shall respect the human rights of others;

(d) Any provision or decision that may interfere with the enjoyment of human rights must respect fundamental principles enshrined in international law so that they are lawful, proportionate, non-discriminatory and necessary in a democratic society;

UN Doc: A/HRC/RES/22/6 , Available here: <https://documents-dds-ny.un.org/doc/RESOLUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• Report of the Inter-American Commission on Human Rights: Criminalisation of Human Rights Defenders. Available here: <http://www.oas.org/en/iachr/reports/pdfs/criminalization2016.pdf>

• “Breaking Point in Azerbaijan” report produced by Human Rights House Network and Freedom Now, in May 2015. Available here : <http://humanrightshouse.org/Articles/20947.html>

End restrictions on NGO funding

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013 Human Rights Council resolution” in the booklet; OP 9

Op 9 “Also calls upon States i) to ensure that reporting requirements placed on individuals, groups and organs of society do not inhibit functional autonomy, and furthermore ii) to ensure that they do not discriminatorily impose restrictions on potential sources of funding aimed at supporting the work of human rights defenders in accordance with the Declaration referred to in paragraph 3 above, other than those ordinarily laid down for any other activity unrelated to human rights within the country to ensure transparency and accountability, and that no law should criminalize or delegitimize activities in defence of human rights on account of the origin of funding thereto;” UN Doc: A/HRC/RES/22/6 Available here: <https://documents-dds-ny.un.org/doc/RESOLUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• United Nations General Assembly, resolution 70/161, 17 December 2015 commonly called “December 2015 United Nations General Assembly resolution” in the booklet; OP 10 (d)

OP 10 (d) “Where legislation and procedures governing the registration and funding of civil society organizations exist, they are transparent, non-discriminatory, expeditious inexpensive, allow for the possibility to appeal and avoid requiring re-registration, with national legislation in compliance with international human rights law;” UN Doc: A/RES/70/161, Available here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/161

• Report of the Special Rapporteur

on the rights to freedom of peaceful assembly and of association, 24 April 2013 (A/HRC/23/39) Available here: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/133/84/PDF/G1313384.pdf?OpenElement>

• Council of Europe Venice Commission Opinions on the law of NGOs of the Republic of Azerbaijan Opinion 787/2014. Available here: <https://rm.coe.int/1680306ff8>

• “Funding civil society report” produced by Human Rights House Foundation Available here: <http://humanrightshouse.org/Articles/22879.html>

• “Resisting Ill Democracies in Europe” produced by Human Rights House Foundation Foreword by Miklós Haraszti “See the new Berlin Wall erected: the “foreign agent” type anti-NGO regulations.” Available here: <http://humanrightshouse.org/Articles/22898.html>

Respect NGO independence

• United Nations General Assembly, resolution 72/247, 24 December 2017 commonly called “December 2017 United Nations General Assembly resolution” in the booklet OP 5.

5. Encourages partnerships and collaboration between States, national human rights institutions, civil society and other stakeholders in promoting, protecting and realizing all human rights and fundamental freedoms, including through consultative bodies, focal points within the public administration, national human rights mechanisms for reporting or follow-up, or measures aimed at enhancing the recognition in society of the valuable role played by human rights defenders, while fully recognizing the importance of the independent voice of human rights defenders and other civil society actors; UN Doc: A/RES/72/247 Available here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/72/247

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013

Human Rights Council resolution” in the booklet OP 5, 8, 9.

OP 5 “Urges States to acknowledge publicly the important and legitimate role of human rights defenders in the promotion of human rights, democracy and the rule of law as an essential component of ensuring their protection, including by respecting the independence of their organizations and by avoiding the stigmatization of their work;”

OP 8 “Calls upon States to respect, protect and ensure the right to freedom of association of human rights defenders and, in this regard, to ensure, where procedures governing the registration of civil society organizations exist, that these are transparent, accessible, non-discriminatory, expeditious and inexpensive, allow for the possibility to appeal and avoid requiring re-registration, in accordance with national legislation, and are in conformity with international human rights law;”

OP 9. “Also calls upon States i) to ensure that reporting requirements placed on individuals, groups and organs of society do not inhibit functional autonomy, and furthermore” UN Doc: A/HRC/RES/22/6) Available here: <https://documents-dds-ny.un.org/doc/RESOLUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• Report of the Special rapporteur on freedom of association and assembly A/70/266, paragraph 3, Page 4. presented to the UN General Assembly during its 70th session on October 27, 2015. 3. “Despite those similarities, the Special Rapporteur has found that States and others often impose more burdensome regulation upon associations, both in law and in practice, with businesses receiving more favourable treatment.” UN Doc A/70/266: Available here: http://freeassembly.net/wp-content/uploads/2015/09/A_70_266_ENG.pdf

Avoid registration and legal restrictions

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013

Human Rights Council resolution” in the booklet OP 8

OP 8: “ Calls upon States to respect, protect and ensure the right to freedom of association of human rights defenders and, in this regard, to ensure, where procedures governing the registration of civil society organizations exist, that these are transparent, accessible, non-discriminatory, expeditious and inexpensive, allow for the possibility to appeal and avoid requiring re-registration, in accordance with national legislation, and are in conformity with international human rights law;” UN Doc: A/HRC/RES/22/6; Available here: <https://documents-dds-ny.un.org/doc/RESOLUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• United Nations General Assembly, resolution 70/161, 17 December 2015 commonly called “December 2015 United Nations General Assembly resolution” in the booklet OP 10 (d).

OP 10 (d) “Where legislation and procedures governing the registration and funding of civil society organizations exist, they are transparent, non-discriminatory, expeditious, inexpensive, allow for the possibility to appeal and avoid requiring re-registration, with national legislation being in compliance with international human rights law;” UN Doc: A/RES/70/161; Available here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/161

• Report of the Special Rapporteur on freedom of association and assembly A/70/266 Paragraph 28, page 9. “In Belarus, registration applications filed by associations are considered within one month, extendable for another month. Businesses’ registration, on the other hand, is considered complete the moment the application is filed.” UN Doc A/70/266 : Available here: http://freeassembly.net/wp-content/uploads/2015/09/A_70_266_ENG.pdf

End all forms of reprisals

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013 Human Rights Council resolution” in the booklet OP 14.

OP 14. Strongly calls upon all States: (a) To refrain from, and ensure adequate protection from, any act of intimidation or reprisals against those who cooperate, have cooperated or seek to cooperate with international institutions, including their family members and associates; UN Doc: A/HRC/RES/22/6; Available here: <https://documents-dds-ny.un.org/doc/RESOLUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• United Nations General Assembly, resolution 70/161, 17 December 2015 commonly called “December 2015 United Nations General Assembly resolution” in the booklet; OP 6.

OP 6. Condemns all acts of intimidation and reprisal by State and non-State actors against individuals, groups and organs of society, including against human rights defenders and their legal representatives, associates and family members, who seek to cooperate, are cooperating or have cooperated with subregional, regional and international bodies, including the United Nations, its representatives and mechanisms, in the field of human rights; UN Doc: A/RES/70/161, Available here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/161

• United Nations Human Rights Council, resolution 31/32, 23 March 2016 commonly called “March 2016 Human Rights Council resolution” in the booklet; OP 5.

OP 5. Strongly condemns the reprisals and violence against and the targeting, criminalization, intimidation, arbitrary detention, torture, disappearance and killing of any individual, including human rights defenders, for their advocacy of human rights, for reporting and seeking information on human rights violations and abuses or for cooperating with national, regional and international

mechanisms, including in relation to economic, social and cultural rights; UN Doc: A/HRC/RES/31/32 Available here: <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G16/062/57/PDF/G1606257.pdf?OpenElement>

• United Nations General Assembly, resolution 72/247, 24 December 2017 commonly called “December 2017 United Nations General Assembly resolution” in the booklet; OP 8.

OP 8 UNGA 2017 “Condemns all acts of intimidation and reprisal by State and non-State actors against individuals, groups and organs of society, including against human rights defenders and their legal representatives, associates and family members, who seek to cooperate, are cooperating or have cooperated with subregional, regional and international bodies, including the United Nations, its representatives and mechanisms, in the field of human rights, and urges all States to give effect to the right to such cooperation, including, inter alia, in the framework of the Universal Periodic Review mechanism of the Human Rights Council;” UN Doc: A/RES/72/247 Available here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/72/247

• Parliamentary Assembly of the council of Europe, resolution 2095, 28 January 2016, Strengthening the protection and role of human rights defenders in Council of Europe member States commonly called “Resolution 2095, PACE” in the booklet; OP 6.1

6.1. refrain from any acts of intimidation of and reprisals against human rights defenders, and in particular from physical attacks, arbitrary arrests and judicial or administrative harassment; Available here: <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTM-ML-EN.asp?fileid=22500&lang=en>

• Annual Report of the Secretary General of the Council of Europe “State of democracy, human rights and the rule of law, 2016, page 5 “We will strengthen protection for human rights defenders against reprisals which owe from their

interaction with our Organisation.” Available here: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680646af8>

End arbitrary detention and arrest

• Universal Declaration of Human Rights, United Nations General Assembly, 10 December 1948; article 9.

Article 9: “No one shall be subjected to arbitrary arrest, detention or exile.”

UN doc: A/RES/3/217 Available here: <http://www.un.org/en/universal-declaration-human-rights/>

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013 Human Rights Council resolution” in the booklet; OP 10 (c).

10 (c) Prohibit and do not provide for, or have the effect of, subjecting persons to arbitrary detention, such as detention without due process guarantees, the deprivation of liberty that amounts to placing a detained person outside the protection of the law, or the illegal deprivation of liberty and transfer of individuals suspected of terrorist activities, nor the unlawful deprivation of the right to life or the trial of suspects without fundamental judicial guarantees; UN Doc: A/HRC/RES/22/6; Available here: <https://documents-dds-ny.un.org/doc/RESOLUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• United Nations General Assembly, resolution 70/161, 17 December 2015 commonly called “December 2015 United Nations General Assembly resolution” in the booklet; OP 8.

OP 8. Calls upon States to take concrete steps to prevent and put an end to the arbitrary arrest and detention of human rights defenders, and in this regard strongly urges the release of persons detained or imprisoned, in violation of the obligations and commitments of States under international human rights law, for exercising their human rights

and fundamental freedoms, such as the rights to freedom of expression, peaceful assembly and association, including in relation to cooperation with the United Nations or other international mechanisms in the area of human rights; UN Doc: A/RES/70/161, Available here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/161

• Report of the working group on Arbitrary detention A/HRC/36/37, paragraph 49 page 19 49. In its opinion No. 45/2016, the Working Group found that five individuals had been arbitrarily deprived of their liberty based on their status as human rights defenders, constituting a violation of their rights to equality before the law and to equal protection of the law under article 26 of the Covenant. Notably, the opinion included human rights defenders as a protected group that is entitled to equal protection of the law under article 26. The Working Group has identified the deprivation of liberty on discriminatory grounds as an emerging trend and will continue to refine its jurisprudence in that area, including by conducting further analysis to clarify the distinction between the arbitrary deprivation of liberty under categories II and V of its methods of work. UN doc : A/HRC/36/37, available here: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/216/49/PDF/G1721649.pdf?OpenElement>

• Opinion of the working group on arbitrary detention, 14-23 November 2012, Paragraph 39 Page 9, no. 62/2012 (Ethiopia) 39. The Working Group subjects interventions against individuals who may qualify as human rights defenders to particularly intense review. See for instance opinion No. 21/2011 (Iran (Islamic Republic of)), opinion No. 54/2012 (Iran (Islamic Republic of)) and opinion No. 48/2012 (Iran, Islamic Republic of)). Mr. Nega's role as a human rights defender and his own role in human rights work, as a publicist and blogger, require the Working Group to undertake this kind of intense review.

UN doc: A/HRC/WGAD/2012/62, available here: <https://docu-ments-dds-ny.un.org/doc/UNDOC/GEN/G13/162/88/PDF/G1316288.pdf?OpenElement>

• “Breaking Point in Azerbaijan” report produced by Human Rights House Network and Freedom Now, in May 2015. Available here: <http://humanrightshouse.org/Articles/20947.html>

• Working Group on Arbitrary Detention Statement upon the conclusion of its visit to Azerbaijan (16-25 May 2016) Available here: <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20021&LangID=E>

Accept dissenting views

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013 Human Rights Council resolution” in the booklet; OP 11, 11 (f) and last paragraph from the introductory remarks

“Welcoming the steps taken by some States towards adopting policies or legislation for the protection of individuals, groups and organs of society engaged in promoting and defending human rights, including the decriminalization of defamation, that serve to protect human rights defenders from being prosecuted for peaceful activities, and against threats, harassment, intimidation, duress, arbitrary detention or arrest, violence and attacks by State and non-State actors;”

OP 11 “Further calls upon States to ensure that all legal provisions and their application affecting human rights defenders are clearly defined, determinable and non-retroactive in order to avoid potential abuse to the detriment of fundamental freedoms and human rights, and specifically to ensure that: (l) Dissenting views may be expressed peacefully;” OP 11 :“(f) That provisions do not prevent public officials from being held accountable, and that penalties for defamation are limited in order to ensure proportionality and reparation commensurate to the harm done;” UN Doc: A/HRC/RES/22/6;

Available here: <https://docu-ments-dds-ny.un.org/doc/RESOLUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• Report of the Special Rapporteur on human rights in Belarus, A/HRC/26/44, Paragraph 128, page 22

“The new features, such as a one-round system replacing the previous two rounds, restrictive permission procedures for election-time public activities and the criminalization of calls for boycott, further restrict the democratic space and diminish the chances of the political opposition, thus strengthening the atmosphere of control and pressure against alternative political thoughts.” Available here: <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Pages/ListReports.aspx>

Ensure free access and choice of media

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013 Human Rights Council resolution” in the booklet; OP 7.

OP 7 “Underlines that the access to and use of information technologies and the media of one’s choice, including radio, television and the Internet, should be promoted and facilitated at the national level, between States and at the international level as an integral part of the enjoyment of the fundamental rights to freedom of opinion and expression, and also encourages international cooperation aimed at the development of media and information and communications technologies in all countries”

UN Doc: A/HRC/RES/22/6; Available here: <https://docu-ments-dds-ny.un.org/doc/RESOLUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression A/HRC/35/22, paragraph 76, page 20. 76. “Individuals depend on digital access to exercise fundamental rights, including freedom of opinion and expression, the right to life

and a range of economic, social and cultural rights.”

UN doc A/HRC/35/22: Available here: <https://daccess-ods.un.org/TMP/5661599.04003143.html>

Facilitate peaceful protests

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013 Human Rights Council resolution” in the booklet; OP 4 and 6.

OP 6 : “Calls upon States to ensure that human rights defenders can perform their important role in the context of peaceful protests, in accordance with national legislation consistent with the Charter of the United Nations and international human rights law and, in this regard, to ensure that no one is subject to excessive or indiscriminate use of force, arbitrary arrest or detention, torture or other cruel, inhuman or degrading treatment or punishment, enforced disappearance, abuse of criminal and civil proceedings or threats of such acts;”

OP 4: “Calls upon States to ensure that legislation designed to guarantee public safety and public order contains clearly defined provisions consistent with international human rights law, including the principle of non-discrimination, and that such legislation is not used to impede or restrict the exercise of any human right, including freedom of expression, association and peaceful assembly, which are essential for the promotion and protection of other rights;

UN Doc: A/HRC/RES/22/6; Available here: <https://docu-ments-dds-ny.un.org/doc/RESOLUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• Human Rights Council, resolution on the promotion and protection of human rights in the context of peaceful protests, 11 April 2014, OP 4 and 19.

4. Urges States to facilitate peaceful protests by providing protestors with access to public space and protecting them, without discrimination, where necessary, against any form of threat and harassment, and underlines the role

of local authorities in this regard; 19. Urges States to ensure accountability for human rights violations and abuses through judicial or other national mechanisms, based on law in conformity with their international human rights obligations and commitments, and to provide victims with access to a remedy and redress, including in the context of peaceful protests; UN Doc: A/HRC/RES/25/38 Available here: <http://www.ohchr.org/Documents/Issues/Executions/A-HRC-RES-25-38.pdf>

• Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association in the context of elections, A/68/299 paragraph 19, page 9 19. Apart from using excessive force against peaceful protesters, in some instances, States have criminalized the participation in and organization of peaceful assemblies during election time, with a view to sanctioning or deterring those willing or intending to do so. UN doc: A/68/299, available here: <http://freeassembly.net/wp-content/uploads/2013/09/UNSR-elections-report-to-UNGA-Aug.-20131.pdf>

Fight against impunity, show accountability

• United Nations General Assembly, resolution 72/247, 24 December 2017 commonly called “December 2017 United Nations General Assembly resolution” in the booklet; OP 7.

OP 7 “Strongly condemns the violence against and the targeting, criminalization, intimidation, torture, disappearance and killing of any individuals, including human rights defenders, for reporting and seeking information on human rights violations and abuses, and stresses the need to combat impunity by ensuring that those responsible for violations and abuses against human rights defenders, including against their legal representatives, associates and family members, are promptly brought to justice through impartial investigations;” UN Doc: A/RES/72/247 Available here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/72/247

• United Nations Human Rights Council resolution 31/32, 23 March 2016 commonly called “March 2016 Human Rights Council resolution” in the booklet; OP 6.

OP 6 “Calls upon all States to combat impunity by investigating and pursuing accountability for all attacks and threats by State and non-State actors against any individual, group or organ of society that is defending human rights, including against family members, associates and legal representatives, and by condemning publically all cases of violence, discrimination, intimidation and reprisals against them;”
UN Doc: A/HRC/RES/31/32
Available here: <https://docu-ments-dds-ny.un.org/doc/UNDOC/LTD/G16/062/57/PDF/G1606257.pdf?OpenElement>

• 28 January 2016 Parliamentary Assembly of the Council of Europe resolution 2095, OP 6.2 and OP 3.

6.2 “ensure an enabling environment for the work of human rights defenders and effective protection against acts of intimidation and reprisals against them, and conduct effective investigations into any such acts in order to effectively fight against impunity;”

3. The Assembly stresses that the responsibility for protecting human rights defenders lies first and foremost with States and that in some circumstances States may also be held responsible for the action of non-State actors aimed at intimidating human rights defenders and for failing to carry out effective investigations into such action

Available here: <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HT-ML-EN.asp?fileid=22500&lang=en>

Uphold responsibility of business

• United Nations General Assembly, resolution 72/247, 24 December 2017 commonly called “December 2017 United Nations General Assembly resolution” in the booklet; OP 12.

OP 12 “Urges non-State actors, including transnational corporations and other business enterprises, to respect, promote and strive to protect the human rights and fundamental freedoms of all

persons, including human rights defenders, and underlines the need to ensure human rights due diligence by and the accountability of, and the provision of adequate remedies by, transnational corporations and other business enterprises, while also urging States to adopt relevant policies and laws in this regard, including to hold all companies to account for involvement in threats or attacks against human rights defenders;”

UN Doc: A/RES/72/247 Available here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/72/247

• United Nations Human Rights Council, resolution 31/32, 23 March 2016 commonly called “March 2016 Human Rights Council resolution” in the booklet; OP 18 and 19.

OP 18 “Encourages business enterprises of all categories to avoid, identify, assess and address any adverse human rights impact related to their activities through meaningful consultation with potentially affected groups and other relevant stakeholders in a manner consistent with the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework,4 and underlines the importance of accountability, including of all business enterprises, both transnational and others, including their provision of or cooperation in remedial action, and also encourages all business enterprises to share and exchange best practices, and to communicate externally in an accessible form on how they address their adverse human rights impacts, including with information that is sufficient to evaluate the effectiveness and adequacy of the response to the particular human rights impact involved, particularly when concerns are raised by or on behalf of affected stakeholders, including by human rights defenders;”
OP 19 “Encourages all States to engage in initiatives to promote effective prevention, accountability, remedy and reparations with a view to protecting the human rights of everyone, including human rights defenders, including from human rights abuses by business enterprises;”

UN Doc: A/HRC/RES/31/32
Available here: <https://docu-ments-dds-ny.un.org/doc/UNDOC/LTD/G16/062/57/PDF/G1606257.pdf?OpenElement>

• Commentary to 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; commonly called “Commentary on the Declaration of Human Rights Defenders” produced in July 2011 by the United Nations Special Rapporteur on the situation of human rights defenders. Page 12

“This implies that companies should identify and prevent human rights violations against defenders that may result from their activities and operations. Companies should engage with human rights defenders while implementing the four components of the human rights due diligence standard, as elaborated by the Special Representative of the Secretary-General on business and human rights”.

Available here: <http://www.ohchr.org/Documents/Issues/Defenders/CommentarytoDeclarationonde-fendersjuly2011.pdf>

• Report of the Special Rapporteur on the situation of human rights defenders, focusing on the situation of environmental human rights defenders A/71/281, paragraph 25, page 8/ paragraph 40, page 12

“25. To many, they are heroes defending our planet and our rights. They are not only environmentalists or land activists, but also human rights defenders. However, they are demonized by their opponents as “anti-development” or “unpatriotic.”

“The Special Rapporteur therefore calls on the international community, regional communities, States, international financial institutions, business enterprises and other actors to urgently and publicly adopt a zero-tolerance approach to the killing of and violent acts against environmental human rights defenders, and immediately launch policies and mechanisms to empower and protect them.”
Available here: <https://docu->

[ments-dds-ny.un.org/doc/UNDOC/GEN/N16/247/09/PDF/N1624709.pdf?OpenElement](https://docu-ments-dds-ny.un.org/doc/UNDOC/GEN/N16/247/09/PDF/N1624709.pdf?OpenElement)

Protect women human rights defenders

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013 Human Rights Council resolution” in the booklet; OP 12.

OP 12 “Expresses particular concern about systemic and structural discrimination and violence faced by women human rights defenders, and calls upon States to integrate a gender perspective in their efforts to create a safe and enabling environment for the defence of human rights;”
UN Doc: A/HRC/RES/22/6; Available here: <https://docu-ments-dds-ny.un.org/doc/RESO-LUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• United Nations General Assembly, resolution 68/181, 18 December 2013 (women) (UN Doc: A/RES/68/181), OP 3 and 5.

OP 3, “Stresses that respect and support for the activities of human rights defenders, including women human rights defenders, is essential to the overall enjoyment of human rights, and condemns all human rights violations and abuses committed against persons engaged in promoting and defending human rights and fundamental freedoms;”

OP 5 : “Expresses particular concern about systemic and structural discrimination and violence faced by women human rights defenders of all ages, and calls upon States to take all measures necessary to ensure their protection and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights;”
Available here: <https://undocs.org/A/RES/68/181>

• United Nations General Assembly resolution 70/161, 17 December 2015 commonly called “December 2015 United Nations General Assembly resolution” in the booklet; OP 14.

OP 14 UNGA 2015 “Continues

to express particular concern about systemic and structural discrimination and violence faced by women human rights defenders of all ages, and reiterates its strong call upon States to take appropriate, robust and practical steps to protect them and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights, as called for by the General Assembly in its resolution 68/181;

• Report of the United Nations Special Rapporteur on the situation of human rights defenders, dedicated to women human rights defenders and those working on women's rights or gender issues. A/HRC/16/44, paragraph 23, page 6.

"In this regard, the mandate holders have reiterated on several occasions that women defenders are more at risk of suffering certain forms of violence and other violations, prejudice, exclusion, and repudiation than their male counterparts."

Available here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/HRC/16/44

• Resolution on the Elimination of discrimination against women and girls, 19 June 2017, A/HRC/35/L.2919

Available here: <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G17/166/24/PDF/G1716624.pdf?OpenElement>

• Portrait of women human rights defenders, exhibition launched by Human Rights House Foundation

Available online here: http://humanrightshouse.org/Projects/Women_Human_Rights_Defenders_Exhibition/index.html

Lara Aharonian's interview: available here <http://humanrightshouse.org/Articles/22060.html>

Protect human rights lawyers

• United Nations Human Rights Council resolution 35/12, 19 June 2017 Commonly called "June 2017 Human Rights Council resolution on Independence and impartiality of the judiciary, jurors and assessors, and the independence of

lawyers" in the booklet; OP 1, 7, and 15.

OP 1. Calls upon all States to guarantee the independence of judges and lawyers and the objectivity and impartiality of prosecutors, and their ability to perform their functions accordingly, including by taking effective legislative, law enforcement and other appropriate measures that will enable them to carry out their professional functions without interference, harassment, threats or intimidation of any kind;

OP 7. Emphasizes that lawyers should be enabled to discharge their functions freely, independently and without any fear of reprisal;

15. Invites States to take measures, including by adopting domestic legislation, to provide for independent and self-governing professional associations of lawyers and to recognize the vital role played by lawyers in upholding the rule of law and promoting and protecting human rights; UN Doc: A/HRC/RES/35/12 Available here: <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G17/167/15/PDF/G1716715.pdf?OpenElement>

• Report produced by Human Rights House "human rights lawyers at risk". Available here: <http://humanrightshouse.org/Articles/21175.html>

Protect defenders of minorities

• United Nations General Assembly, resolution 70/161, 17 December 2015 commonly called "December 2015 United Nations General Assembly resolution" in the booklet; OP 15.

OP 15. "Expresses concern about stigmatization and discrimination that target or affect individuals and associations defending the rights of persons belonging to minorities or espousing minority beliefs or views, or other groups vulnerable to discrimination, and calls upon States to ensure that legislation does not target the activities of individuals and associations defending the rights of persons belonging to minorities or espousing minority beliefs;" UN Doc: A/RES/70/161, Available

here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/161

• Human Rights Council resolution on Civil Society Space, 1 July 2016 (UN Doc: A/HRC/RES/32/31), OP 5

OP 5. Emphasizes the importance of civil society space for empowering persons belonging to minorities and vulnerable groups, as well as persons espousing minority or dissenting views or beliefs, and in that regard calls upon States to ensure that legislation, policies and practices do not undermine the enjoyment by such persons of their human rights or the activities of civil society in defending their rights; 9

Available here: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/160/85/PDF/G1616085.pdf?OpenElement>

• Report of the Special Rapporteur on the Situation of human rights defenders, A/HRC/31/55, paragraph 27, Page 6.

"Defenders who challenge social and cultural norms, do not fit stereotypes and prescribed roles, or who challenge power structures in society – such as defenders of sexual orientation and gender identity rights, women defenders, and defenders working on the rights of minorities and indigenous people – are often stigmatized and subjected to threats and attacks from members of society because of who they are or what they do." UN doc: A/HRC/31/55 Available here: <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/Pages/ListReports.aspx>

• Commentary to 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; commonly called "Commentary on the Declaration of Human Rights Defenders" produced in July 2011 by the United Nations Special Rapporteur on the situation of human rights defenders. Page 20 "States should make more efforts to recognize and protect women human rights defenders and defenders working to promote economic, social and cultural

rights, as well as those working to uphold the rights of minorities, indigenous peoples and lesbian, gay, bisexual and transgender people. Those defenders need specific and enhanced protection, as well as targeted and deliberate efforts to make the environment in which they operate a safer, more enabling and more accepting one (A/63/288 Annex, para. 8)." Available here: <http://www.ohchr.org/Documents/Issues/Defenders/CommentarytoDeclarationondefendersJuly2011.pdf>

• Report of the Special Rapporteur on the situation of human rights defenders, 30 July 2015, A/70/217, paragraph 58, page 12 / Paragraph 60, page 12 / Paragraph 65, Page 13

"58. To start with, one can discern an increase in the lack of legal protection for the most at-risk groups, the absence of specific legislation regarding them and sometimes even the effects of discriminatory laws. The defenders pointed out the high level of impunity for perpetrators of the attacks carried out, which is an insidious way of legitimizing acts of violence against them."

"60. The exchanges of views with defenders threw light on the structural, system causes of the violations committed against these groups, be they the persistence of male-female stereotypes, social and economic inequalities, or the culture of impunity and corruption pervading certain countries. Protecting these groups will therefore only be effective if a holistic and crosscutting approach is taken to their situation."

65. "These defenders are likewise the subject of numerous attempts at homophobic blackmail, extortion, or defamatory campaigns, especially on the Internet and in social media. In addition, they have to contend with the pressure exerted by certain religious groups which depict these defenders as a threat to traditional values and as people who

promote immoral and decadent Western values." UN doc : A/70/217 ; Available here: <https://undocs.org/A/70/217>

• End of mission statement by Special Rapporteur on the situation of human rights defenders, Visit to Hungary 8 - 16 February 2016

“Human rights defenders and grass-roots activists working on the rights of asylum-seekers are those who are facing acute risks of threats to their person and their families due to the increased politicization and criminalization of their work. I have received several reports of direct threats, anonymous phone calls and text messages, hacking of personal social media and trolling on the social media.”

Available here: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17048&LangID=E>

Protect family members of human rights defenders

• United Nations Human Rights Council, resolution 22/6, 12 April 2013 commonly called “April 2013 Human Rights Council resolution” in the booklet; OP 14.

OP 14 Strongly calls upon all States: (a) “To refrain from, and ensure adequate protection from, any act of intimidation or reprisals against those who cooperate, have cooperated or seek to cooperate with international institutions, including their family members and associates;”

UN Doc: A/HRC/RES/22/6 , Available here: <https://documents-dds-ny.un.org/doc/RESOLUTION/LTD/G13/120/26/PDF/G1312026.pdf?OpenElement>

• United Nations General Assembly resolution 70/161, 17 December 2015 commonly called “December 2015 United Nations General Assembly resolution” in the booklet; OP 5 and 9 (b).

OP 5 Strongly condemns the violence against and the targeting, criminalization, intimidation, torture, disappearance, and killing of any individuals, including human rights defenders, for reporting and seeking information on human rights violations and abuses, and stresses the need to combat impunity by ensuring that those responsible for violations and abuses against human rights

defenders, including against their legal representatives, associates and family members, are promptly brought to justice through impartial investigations;

OP 9 (b) “Human rights defenders, their family members, associates and legal representatives are not prevented from enjoying universal human rights owing to their work, including by ensuring that all legal provisions, administrative measures and policies affecting them, including those aimed at preserving public safety, public order and public morals, are minimally restrictive, clearly defined, determinable, non - retroactive and compatible with the obligations and commitments of States under international human rights law;” UN Doc: A/RES/70/161, Available here: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/161

• United Nations Human Rights Council resolution 31/32, 23 March 2016 commonly called “March 2016 Human Rights Council resolution” in the booklet; OP 6.

OP 6 “Calls upon all States to combat impunity by investigating and pursuing accountability for all attacks and threats by State and non-State actors against any individual, group or organ of society that is defending human rights, including against family members, associates and legal representatives, and by condemning publically all cases of violence, discrimination, intimidation and reprisals against them;”

UN Doc: A/HRC/RES/31/32 Available here: <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G16/062/57/PDF/G1606257.pdf?OpenElement>

• End of mission statement by Special Rapporteur on the situation of human rights defenders, Visit to Azerbaijan 22 September 2016.

“I have shared with the Government my preliminary conclusion that, over the last two-three years, the civil society in Azerbaijan has faced the worst situation since the independence of the country. Dozens of NGOs, their leaders, employees and their families have been subject to administrative and legal persecution, including the

seizure of their assets and bank accounts, travel bans, enormous tax penalties and even imprisonment.”

Available here: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20544&LangID=E>

• Report of the Special Rapporteur on the situation of human rights defenders, 3 August 2016, A/71/281, paragraph 39, page 12. “In other cases, critics or their family members were threatened with the loss of their jobs or livelihoods.”

UN doc: A/71/281 Available here: <https://undocs.org/A/71/281>

Since its establishment more than 20 years ago, Human Rights House Foundation (HRHF) has been striving toward its vision for a world where individuals and organisations can freely and openly work to protect and advance human rights at home and abroad.

HRHF protects, empowers and supports human rights defenders and their organisations. To accomplish this, HRHF brings organisations together in Human Rights Houses, and unites the Houses in an international network.

HRHF advocates with partner organisations to promote the freedoms of assembly, association, and expression, and the right to be a human rights defender at home and abroad, utilising its consultative status at the United Nations (UN) and participatory status at the Council of Europe (CoE).

Today, independent human rights organisations work together in 16 Human Rights Houses in 11 countries. The Houses are located in Eastern & Western Europe, the Caucasus and the Balkans.

HRHF is based in Oslo, with an office in Geneva and representation in Brussels and Tbilisi.



Human Rights House Foundation
Org. no. 976 055 365

Oslo (headquarters)
Kirkegata 5
0153 Oslo, Norway
hrh@humanrightshouse.org

Geneva
Rue de Varembé 1, PO Box 35
1211 Geneva 20, Switzerland
geneva@humanrightshouse.org



[humanrightshouse.org](https://www.humanrightshouse.org)