

# **Human Rights Defenders World Summit 2018**

## **Action Plan**





## PREAMBLE

**We, the participants at the Human Rights Defenders World Summit 2018, held in Paris on the twentieth anniversary of the adoption of the UN Declaration on Human Rights Defenders (hereinafter “HRD Declaration”), assert that this Action Plan we have adopted must be urgently implemented by States, businesses, financial institutions, donors and intergovernmental institutions.**

The first Human Rights Defenders World Summit was held in December 1998, at the time of the adoption of the HRD Declaration, which recognised for the first time that everyone – individually and collectively – has the right to defend human rights. The 1998 Summit adopted an Action Plan which over the years has guided the efforts of many human rights defenders.

The global context today is undoubtedly different and the universality of human rights is increasingly challenged. Democratic values are under threat and authoritarianism, unaccountable governments and businesses, systemic corruption, inequality and discrimination, overexploitation of natural resources, religious and political extremism are all on the rise. We see a concerted ideological effort to undermine human rights, systemic repression, discrediting of human rights defenders, and a reduction of the space for critical and independent voices in civil society. These attacks have broadened in scope and have reached alarming levels. Political leaders have unashamedly peddled a toxic rhetoric blaming whole groups of people for social or economic grievances. At the root of this rhetoric lies a dangerous presumption that some people are less human than others. This “politics of demonization” has witnessed countries long committed to human rights, increasingly turning their backs on the very idea of human rights.

Yet we can only attain peace, security, dignity and sustainable development if we advance justice, freedom, and equality for all – and these are the ultimate goals of the Universal Declaration of Human Rights. Those who take a stand to defend human rights are essential actors in bringing these goals about. But to do so, human rights defenders must be respected, protected and able to act in an environment in which it is truly possible and safe to claim rights.

## The Human Rights Defenders World Summit 2018 Action Plan

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It is everyone's responsibility to create such an environment. Those of us present at the Summit acknowledge the role that the global human rights movement has in this regard. We commit to continue to fight the patriarchal system, inequality and discrimination of all kinds, and to denounce and stamp out behaviours and language that exclude, harass and oppress, wherever they happen. We commit to strengthen networks of solidarity and support, and to increase our focus on collective and preventive strategies for the protection and promotion of human rights. We consider it is crucial we build a more inclusive movement reflective of our diversity. Thus, we will continue to integrate a gender and intersectional approach, communicate more effectively with public opinion, work closely with grassroots groups and people-led movements, and encourage all individuals and groups in society to be involved in the human rights struggle.

However, those with power, state and non-state actors, must take the lead in creating a safe and enabling environment for those who defend human rights. The UN Special Rapporteur on the situation of human rights defenders has identified key elements of a safe and enabling environment, namely: a conducive legal, institutional and administrative framework; access to justice and an end to impunity for violations against human rights defenders; strong and independent national human rights institutions; effective protection policies and mechanisms paying attention to groups at risk; specific attention given to women human rights defenders; non-state actors that respect and support the action of human rights defenders; safe and open access to international human rights bodies; and a strong and dynamic community of human rights defenders.<sup>1</sup>

This Action Plan outlines what we believe should be the leading priorities for states, businesses, financial institutions, donors and intergovernmental organisations in bringing about a safe and enabling environment for the defence of human rights, as well as stronger and more effective protection of human rights defenders at risk, their communities, organisations and movements. Building on the achievements, developments and challenges that have emerged over the last two decades, these recommendations provide a common basis for all actors who believe that the action of those who defend human rights is essential for achieving peace, justice, equality, dignity, good governance, and sustainable development.

1 [A/HRC/25/55](#)

## **I. ACTION BY STATES**

States have the primary obligation to respect, protect and promote human rights and to implement the HRD Declaration. Given the levels of social, physical, technological, gender-based, and legal attacks on human rights defenders, states must take urgent action to recognise their essential role, protect those at risk, and take concrete measures to foster a safe and enabling environment for the defence of human rights without discrimination.

We demand that all states urgently adopt national action plans ensuring a safe and enabling environment for human rights defenders, with their full and effective participation. Such plans should, as a matter of priority:

1. Explicitly recognize the right of everyone to protect and promote human rights and publicly support the important action of defenders, acknowledging their contribution to the advancement of peace, justice, equality, dignity, good governance and sustainable development. Including:
  - a) Develop and implement human rights education programmes that reach children and adults, as well as public awareness campaigns about the right of everyone to protect and promote human rights, the important action of human rights defenders and the HRD Declaration.
  - b) Acknowledge the challenges faced by defenders who are affected by inequality, exclusion, and intersecting forms of discrimination including on grounds of ethnicity and race, language, religion or belief, gender, gender identity, gender expression, sex, sexual orientation, sex characteristics, disability, age, location, occupation, nationality, statelessness, migratory status and class, or any other grounds, and ensure they are able to act in an environment free from violence and discrimination;
  - c) In particular, counter discrimination against and social stigma of women and defenders with diverse sexual orientations, gender identities, gender expressions, and sex characteristics (SOGIESC) such as LGBTIQ defenders as well as of those who defend the rights to sexual and reproductive rights, including services such as safe and legal abortion and the human rights of sex workers, and the rights of those with disabilities, the rights of migrants and refugees, the rights

of Indigenous peoples and ethnic minorities by recognizing the vital contributions these defenders make to promoting human rights, social inclusion, sustainable development, and participatory democracy.

- d) Publicly and unequivocally condemn attacks, threats and intimidation against all human rights defenders without discrimination and refrain from using language that stigmatizes, abuses, disparages or discriminates against defenders including by characterizing them as criminals, “foreign agents”, terrorists or extremists, undesirables or of being morally corrupt, threats to security, development or so-called traditional values;
  - e) States that have expressed support to all human rights defenders without discrimination in third countries should continue to do so, and states in all world regions should be encouraged to speak out in support of defenders.
2. Ensure a safe and enabling environment in which human rights defenders are effectively protected and where it is possible to defend and promote human rights without fear of punishment, reprisal or intimidation. In particular:
- a) Adopt necessary measures to address the root causes of threats and attacks against defenders, including lack of human rights and environmental protections, lack of respect for collective rights to lands, territories and resources, marginalization and discrimination, lack of access to justice, corruption, lack of transparency and democratic accountability, and impunity.
  - b) Stop all threats, harassment, intimidation, surveillance, physical attacks and criminalization of human rights defenders, including attacks against women defenders and defenders with diverse SOGIESC such as LGBTIQ defenders, and those who defend the rights of sex workers, of persons with disabilities, of the rights of Indigenous peoples, ethnic minorities, and migrants.
  - c) End impunity for such attacks by thoroughly, promptly and independently investigating them and bringing the perpetrators to justice and providing effective remedies and adequate reparation.

- d) Ensure that domestic laws on the rights to freedom of association, peaceful assembly and expression are in full compliance with international human rights standards and facilitate rather than hinder the exercise of these rights, including:
  - I. allowing and facilitating access to domestic and international sources of funding, ensuring administrative requirements are not burdensome, repealing requirements to register as foreign agents if in receipt of international funding, and allowing informal groups to operate.
  - II. decriminalizing defamation, including laws shielding public officials, avoiding broad definitions in counter-terrorism and incitement laws, and laws restricting whistle-blowers;
  - III. stopping the use of criminal and administrative law in such a way as to dissuade people from taking part in demonstrations as a means of expressing their views, or otherwise to stifle criticism of those in power.
- e) Repeal or amend any other legislation that may hinder the legitimate activities of human rights defenders and civil society, including laws infringing privacy, in particular those governing surveillance and interception of communication, laws on national security and terrorism, as well as laws criminalising same-sex relations, sex work, reproductive rights and union organizing, and restrictive laws targeting and criminalising transgender defenders.
- f) Establish effective mechanisms for access to publicly held information, and effective and equal public participation, including the development of national laws, public policy and government initiatives and decisions, and facilitate and support the participation of human rights defenders and civil society, in particular for individuals and groups affected by decisions being made.
- g) Strengthen independent national human rights institutions and provide them with the necessary human and financial resources to carry out their duties effectively, including having a specific mandate covering the protection of human rights defenders and the promotion of the right to defend human rights.

- h) Ensure that the justice system is not misused to target or harass HRDs and refrain from bringing criminal charges, civil proceedings or administrative measures against them for engaging in the defence of human rights.
- i) Ensure the full and immediate implementation of the judgements of the international and regional courts as well as other internationally recognised judicial and quasi-judicial bodies on violations of fundamental rights and freedoms.
- j) Sensitise law enforcement agencies on human rights and the importance and rights of human rights defenders such as training on how to investigate attacks against defenders thoroughly and sensitively, and on how to police assemblies in accordance with human rights standards and best practice.
- k) Adopt and implement legislation to give full force and effect to the HRD Declaration, ensuring defenders, in all of their diversity, are recognized and protected. This should include a national focal point to champion the right of civil society. States that have adopted laws on the recognition and protection of human rights defenders should share their example, offer technical assistance and encourage other states to adopt similar pieces of legislation. They should also ensure periodic reviews of the implementation of the law and the situation of defenders.
- l) Establish, with the participation of HRDs and civil society organizations, national protection mechanisms for defenders at risk. Such mechanisms should incorporate preventative, collective, gender-sensitive and intersectional approaches, should be adequately resourced and should be equipped to address the root causes behind the targeting of defenders.
- m) If a pattern of extreme violence and killings of defenders emerges, develop specific national action plans to address violence in connection with the implementation of commitments under Sustainable Development Goal 16,

- n) Ensure that national development finance institutions and investment plans adopt or include effective requirements for the protection of human rights, respect and protect the right to free, prior and informed consent for Indigenous Peoples, the facilitation of an enabling environment for public participation, due diligence in the assessment, prevention, and mitigation of reprisals against defenders, as well as remedy for harms linked to development activities.
3. Take concrete actions in the context of their foreign policy, both at bilateral and multilateral level, to protect human rights defenders and civil society space. Including:
- a) Fully co-operate with the different UN and regional human rights mechanisms, including by extending an open invitation to the UN Special Rapporteur on the situation of human rights defenders, and other thematic and regional experts, to conduct visits without restrictions on duration or scope and ensure they are allowed to meet with HRDs without hindrance, including in detention.
  - b) Take all necessary measures to prevent and deter acts of intimidation and reprisals against human rights defenders in relation to their communications and interactions with international and regional organizations.
  - c) Ensure the effective access and participation of civil society organisations to the works of intergovernmental human rights organisations.
  - d) Support international initiatives which would greatly reduce risk for environmental and land defenders, such as the draft treaty on business and human rights and the Escazú Agreement (“Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in LAC”).
  - e) Include the protection of defenders as a priority in foreign policy, ensure policy coherence and adopt national guidelines instructing diplomatic representatives to support human rights defenders in third countries, following the examples of those already adopted by several countries.

- f) States that have adopted such guidelines should ensure adequate training for diplomatic representatives and regular review of implementation. Such states should also initiate awareness raising campaigns of these guidelines in third countries, with the participation of human rights defenders and civil society.
  - g) Ensure the rapid issuance of visas to human rights defenders who are forced to temporarily leave their habitual place of residence. States should consider establishing a specific facilitated visa procedure for human rights defenders, issue long term multiple-entry visas and encourage the establishment of support schemes by local authorities. States should also ensure the free movement of defenders within and beyond their borders and meet their commitments under the Refugee conventions.
  - h) Adopt or amend laws to exercise universal jurisdiction over perpetrators of attacks against human rights defenders.
  - i) Establish the legal basis for and apply sanctions to those responsible for imposing arbitrary restrictions on human rights defenders.
  - j) Ensure that business enterprises domiciled in country or subject to its jurisdiction are held fully accountable for human rights violations they commit in their operations overseas.
4. Put in place regulations to ensure that technological advancements foster respect for human rights and are not used as a tool to silence human rights defenders and civil society. Including:
- a) Regulate the sale, supply, transfer and export of dual-use items, including surveillance and cyber-surveillance equipment, technology or software, restricting the trade of those goods to countries or situations where their use may lead to human rights violations, and specifically to spy on, inhibit and control the legitimate activities of defenders and civil society.
  - b) Ensure secure communications by protecting the right to privacy online and by providing strong protections for encryption and anonymity, and refrain from interfering with their use, including through hacking.

- c) Prohibit the intentional prevention or disruption of access to information online, including measures such as Internet “kill switches”, or measures to block or take down websites, in particular those relating to human rights, including through denial of service attacks.
- d) Adopt clear ethical principles and adequate regulations that ensure transparency, monitoring and accountability in the development and application of emerging technologies such as facial recognition, personal data collection systems, and artificial intelligence so that its use fully respects the rights enshrined in the Universal Declaration on Human Rights.

## **II. ACTION BY BUSINESSES**

Business enterprises have a significant role to play in ensuring that human rights defenders, community leaders and those they represent are protected from harm, particularly when business interests clash with the enjoyment of the fundamental rights of communities affected by projects, such as the right to a healthy and clean environment, labour and housing rights and the right of Indigenous peoples to free, prior and informed consent.

We demand that business enterprises:

1. Implement and support robust, transparent and effective human rights due diligence processes, including as set out in the UN Guiding Principles on Business and Human Rights, to ensure that the human rights of individuals and communities, including human rights defenders, affected by activities of companies, their subsidiaries, subcontractors, suppliers or business partners, are respected. Gendered human rights impact assessments should specifically cover the potential risks for human rights defenders who may oppose their business activity, paying special attention to the impacts to women defenders who are generally disproportionately affected.
2. Adopt a policy of zero-tolerance towards acts of violence, threats or intimidation committed against defenders opposing or expressing their views about the company's projects, whether committed by company employees, private security companies, contractors or any other person or entity affiliated with the company, or law enforcement forces acting to protect business interests. Should such incidents take place, press state authorities to take effective action to investigate and protect defenders; if incidents continue, suspend implementation of the project until a safe environment for defenders is guaranteed.
3. Make public statements on the important role of human rights defenders and civil society, publicly condemn attacks, threats and intimidation against them and refrain from making statements or expressing views that discredit, denigrate, discriminate against or stigmatize them.
4. Comply with the principle of free, prior and informed consent of affected communities, in particular Indigenous peoples and conduct meaningful consultations and meetings with human rights defenders and local

communities at critical phases of project planning and implementation and disclose at the onset all relevant information about business projects, including potential impacts on human rights, in formats and languages which are accessible to human rights defenders. Publicly report on how input from consultations with affected communities is acted on.

5. Fully cooperate with the state authorities in the investigation of any attack, threat or intimidation perpetrated against HRDs because of their work in supporting communities affected by business activities.
6. Information and communication technology companies whose products perform the function of community forums, social media networks and similar spaces, should review their policies to ensure that the freedom of expression and other rights of human rights defenders as enshrined in international human rights law are fully protected, including by allowing users access to transparent and effective complaints and remedy mechanisms for incidents of harassment, privacy violations, defamation, and threats.

### **III. ACTION BY FINANCIAL INSTITUTIONS**

Recent tragic killings of human rights defenders in the context of investment projects have brought to the fore the responsibility of the financial institutions that fund such projects as well as how many such institutions are ill-equipped to deal with social conflicts arising out of their projects.

We demand that all financial institutions, governmental, intergovernmental or non-governmental:

1. Adopt a policy commitment on human rights, including zero tolerance of reprisals and requiring human rights due diligence to identify and mitigate human rights and reprisal-related risks. This should include an assessment of the enabling environment for human rights defenders and for public participation, and specifically the potential risks for individuals, groups and communities due to their participation in, scrutiny or criticism of, or actual or perceived opinions related to a development activity.
2. Screen portfolios for human rights defenders-related risks and establish early warning systems to detect potential conflicts related to projects at an early stage and put in place effective mitigating measures.
3. Independently verify that projects have secured and maintained the free prior and informed consent of indigenous peoples and good faith broad community support of other communities. Independently verify that consultation processes are meaningful and free of intimidation or coercion. Identify human rights defenders as a key stakeholder for consultation.
4. Adopt a protocol for responding to threats and attacks against human rights defenders in the context of development activities, including consulting with the target of the threats and attacks and any reference organization to develop an assessment of ongoing risk and a plan of response acceptable to the defender. Possible response measures should include issuing directives to the client that it takes all necessary measures to prevent and mitigate further harm, pressing state authorities to take effective action to investigate harm and protect defenders, issuing public statements in defence of the defender, utilizing influence with other lenders, sanctions and compliance measures, and suspension of funding until a safe environment for defenders is guaranteed.

5. Include contractual provisions in all project contracts requiring respect for human rights, and requiring reprisal prevention measures, as well as investigation and prosecution of reprisals in the case of public sector loans. Violation of the covenant should result in an immediate investigation and potential invalidation of the contract, debarment or other sanctions.
6. Systematically monitor projects for reprisal risks and ensure that communities have access, without fear of reprisal, to project level grievance mechanisms as well as independent accountability mechanisms within financing institutions that meet the UN Guiding Principles' effectiveness criteria for non-judicial grievance mechanisms.
7. In research, lending policy, public statements, and technical assistance, reiterate the importance of an enabling environment for safe and meaningful public participation in development activities and the positive role that human rights and human rights defenders play in sustainable development, especially lifting up the most marginalized and vulnerable.

#### **IV. ACTION BY DONORS (GOVERNMENT AND PRIVATE)**

We demand that donors, both government and private:

1. Substantially increase funding for HRD protection, the protection of civic space and the creation of an enabling environment, in correspondence with the significant resources allocated by those who try to silence defenders and close civil society space, without undermining the funding provided to strengthen the work and organizations of the HRD.
2. Consider the intersecting identities and contexts of defenders requiring support, including their ethnicity and race, language, religion or belief, gender, gender identity, gender expression, sexual orientation, sex, sex characteristics, disability, age location occupation nationality statelessness, migratory status and class in their funding proposals;
3. Given the increasing number of restrictions in several countries on access to funding from international sources, explore alternative and flexible strategies to ensure the delivery of financial support to human rights defenders, including particularly marginalised sections of civil society whose voices are increasingly being silenced, and oppose governments' attempts to make funding only available through their channels.
4. Provide support to existing civil society-led protection initiatives and networks, especially those led by communities at risk and vulnerable groups and encourage the establishment of new protection initiatives in particular in countries where such initiatives do not exist. While funding should be made available for all protection activities including relocation, systems that ensure in-country support should be prioritised.
5. Ensure that support for protection initiatives covers both immediate and emergency security needs, with a gender perspective, as well as longer term support aimed to building resilience, including after-crisis support, organizational strengthening, support for dependants and the return of relocated defenders.
6. Simplify calls for proposals and reporting requirements so as to minimise the administrative burden imposed on grantees and broaden the pool of defenders who may be able to apply. Ensure that entities that are not

legally registered, including grassroots groups and movements, are able to access funding, either directly or through intermediaries.

7. Provide multi-year general support to grantees, including core operating costs, sufficient staffing levels and investment in training and upskilling, to strengthen the sustainability and resilience of the organisation, groups and movements committed to advancing human rights.
8. Encourage grantees to consider the security implications of projects applied for and include budget lines dedicated to protection support to minimise those risks.
9. Ensure that staff members communicating with defender are trained in digital security, and encourage defenders to adopt secure methods of communication.
10. Encourage grantees to consider psychosocial implications of their work context and activities and include budget lines dedicated to ensuring the availability of psychosocial support, self-care and collective wellbeing measures for staff, volunteers, collaborators and family members.
11. Given the context of closing civic space, provide support for networking and convening to create spaces of exchange, discussion and mutual support between defenders as a strategy to counteract the fragmentation of civil society.
12. Hold regular consultations with human rights defenders on the changing political and social realities, and their implications on human rights priorities.

## **V. ACTION BY INTERGOVERNMENTAL ORGANISATIONS**

Protection, respect and promotion of human rights are among the core principles of the United Nations, and of regional intergovernmental organizations such as the Organization of American States, African Union, Council of Europe, the Organisation for Security and Co-operation in Europe, the Arab League, Association of Southeast Asian Nations and their bodies, and of other intergovernmental initiatives such as the Community of Democracies, Open Government Partnership and the Extractive Industries Transparency Initiative. As such they play an important role in enabling progress towards the realisation of human rights and offer a key forum and platform for human rights defenders to relay their concerns to the international community, be heard at national and international levels and demand accountability.

We demand that intergovernmental organisations, whether through their political, technical or expert bodies:

1. Reaffirm the right of every person, individually or in association with others, to defend and promote human rights in accordance with the HRD Declaration, including women human rights defenders, and defenders with diverse SOGIESC such as LGBTIQ defenders, indigenous rights defenders, migrants' rights defenders and other marginalized human rights defenders.
2. Continue to make repeated public statements about the crucial role and legitimacy of the activities carried out by human rights defenders and improve the speed and efficiency of the systems designed to protect them both at headquarters and country level.
3. Take stock of the developments in normative frameworks related to the protection of defenders since 1998 and further develop and deepen the norms contained in the HRD Declaration with the view to afford enhanced protection.
4. Monitor the implementation of states' obligations regarding the protection of human rights defenders, paying particular attention to those defenders who are affected by inequality and intersecting forms of discrimination including those based on ethnicity and race, language, religion or belief, gender, gender identity, gender expression, sexual orientation, sex, sex characteristics, disability, age, location,

occupation, nationality, statelessness, migratory status and class or on any other grounds;

5. Formulate policies and strengthen mechanisms to prevent and address acts of intimidation or reprisals against human rights defenders who communicate and interact with international and regional mechanisms and ensure that the crucial information received from them does not place them at risk.
6. Prioritise the situation of human rights defenders, in particular, indigenous rights defenders, women human rights defenders, defenders with diverse SOGIESC such as LGBTIQ defenders, and other marginalised defenders, in their work, create a standing agenda item on human rights defenders in their formal sessions, and mainstream this issue including in fora that may be not explicitly human rights related.
7. Devise a system to sanction those members who do not cooperate with its human rights mechanisms and ensure that states with patterns of extreme violence against defenders are not eligible for membership of human rights bodies.
8. Ensure human rights defenders are enabled to access and have a voice in international fora on human rights and development without any reprisals. To this end, ensure that defenders and their organisations may formally contribute to official sessions with adequate speaking time allocated to them; ensure the issuance of observer status (or its equivalent) to allow for their formal participation, without discrimination of any kind as to the issues they work on.
9. Ensure the inclusion of HRDs and civil society representatives in relevant governance and advisory boards to help ensure better protection of HRDs and to promote enabling environments for them to carry out their activities.
10. Systematically and regularly engage in proactive and meaningful consultations with diverse groups, including women human rights defenders, defenders with diverse SOGIESC such as LGBTIQ defenders, indigenous rights defenders, migrants' rights defenders, and other defenders facing discrimination and exclusion across all relevant

mandates, and integrate their experiences, challenges, strategies, and recommendations into thematic reports and statements.

11. Ensure that the protection of human rights defenders and the promotion of the essential nature of their work are prioritized at the highest level of the organization and not only through concerned bodies and experts.



This action plan has been adopted by the participants of the Human Rights Defenders World Summit 2018, held in Paris on 29, 30, 31 October, 2018. It was drafted by a coalition of eight international human rights organisations, in consultation with more than 150 human rights defenders, as well as more than 30 human rights organisations and networks from all over the world.

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