

**Human Rights Council****Fifty-second session**

27 February–31 March 2023

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development****Success through perseverance and solidarity: 25 years of
achievements by human rights defenders****Report of the Special Rapporteur on the situation of human rights
defenders***Summary*

In the present report, the Special Rapporteur on the situation of human rights defenders, Mary Lawlor, takes stock of the 25 years that have passed since the adoption of 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), and highlights examples of achievements and success stories that human rights defenders have shared with her. The report includes examples of accessing justice, changing laws, protecting the vulnerable and holding businesses to account. The report offers a change in focus from the violations committed against human rights defenders to their often uncredited successes.



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I. Introduction

1. In Bangladesh, the National Children's Task Force focuses on child rights. It is an organization run by children, and the local branch of the Task Force in Rajbari reports that, working with a local district commissioner, it has prevented 13 child marriages, notwithstanding the fact that its members often work at great personal risk, including receiving death threats.¹
2. Human rights defenders all over the world, in democracies and dictatorships, in cities, in forests and in deserts, are achieving huge success, often in the face of terrible danger. The story of the National Children's Task Force also confirms the importance of working with allies to advance human rights.
3. People have for years acted to improve the situation of their fellow human beings. For decades, for centuries, from those fighting to end the slave trade to those pushing for the right to vote, people have been peacefully and successfully defending the rights of others. Almost 25 years ago, this work was recognized more formally when States 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 (Declaration on Human Rights Defenders).
4. Since then, this human rights work has been better recognized, but it is still not recognized enough. The Special Rapporteur on the situation of human rights defenders notes that the great advances secured for people by human rights defenders are seldom properly celebrated by States and human rights defenders alike.
5. Too often the vital work of human rights defenders goes uncredited and unacknowledged. The Special Rapporteur believes that, while it is important to highlight the difficulties faced by human rights defenders and the human rights violations committed against them, it is also important to celebrate their successes by highlighting the important contributions that they have been making to their societies all over the world. Such a change in focus is also important in countering an agenda from anti-right movements and Governments who want to portray human rights defenders as being unpatriotic, anti-development, or even as traitors, criminals and terrorists.
6. Since she took up the mandate, the Special Rapporteur has heard directly from more than a thousand human rights defenders. They have told her how they have turned to protecting the vulnerable during the coronavirus disease (COVID-19) pandemic, saved lives by rescuing people from the sea, advanced the rights of women to bodily autonomy, secured the release of those wrongly imprisoned, brought perpetrators of State violence to justice, exposed the adverse impact of business in the context of land, environment and indigenous peoples' rights and made many other vital contributions helping others.
7. There are far too many success stories achieved by those peacefully working for the rights of others to include in this report, but those successes are evident in communities all over the world, albeit often downplayed or ignored.
8. Successes have been won on small and large scales, at local and international levels.
9. The Special Rapporteur acknowledges that there is no magic formula for campaigning or advocacy that guarantees success, but common elements include dogged perseverance, sometimes over years or decades, solidarity and networking with others, an enduring sense of hope and the involvement of allies.
10. The Special Rapporteur also notes that, even when achievements have been secured, work must continue to defend these victories against attack and rollback. Human rights successes need to be constantly protected and developed.
11. Many human rights defenders have cited the passage of legislation as a major success. This includes laws outlawing discrimination, providing access to health care and preventing corruption. Other human rights defenders cite their successes in advocating for the creation

¹ Submission by the National Children's Task Force (Bangladesh).

of protection mechanisms for defenders themselves and for legal judgments stopping the destruction of the environment.

12. These are real successes to be recognized and celebrated. They must also be safeguarded and implemented. The Special Rapporteur notes that all too often laws supporting and protecting the work of human rights defenders are not properly enforced and that, for example, those who murder defenders are unlikely to be brought to account.

13. The Special Rapporteur notes that the existence of international and national laws and policies in themselves are never enough to enable the work of human rights defenders, and that legal provisions without the political will to enforce them can give a false impression of progress.

14. For some human rights defenders, the continuation of their work, the simple survival of their peaceful efforts for others, is in itself success. The Special Rapporteur understands that, in many dangerous contexts, simply existing as a human rights defender is a considerable achievement, as with women defenders in various contexts, including in Afghanistan and the Islamic Republic of Iran, and with lesbian, gay, bisexual and transgender (LGBT) defenders in too many countries around the world.²

15. Many achievements have typically been secured after years of struggle. In advocating for systemic change, the Special Rapporteur notes that there is no such thing as overnight success. The Special Rapporteur also pays tribute to the long-term commitment of defenders, often working at great risk to continue their work, especially at times when the prospect of success seems remote or impossible.

16. The Special Rapporteur fully recognizes that many human rights defenders are working under extreme pressure or danger, as detailed in her previous reports. Many are jailed, often for long terms, for their work. Others are harassed, physically assaulted and even murdered for being human rights defenders. Some, including women human rights defenders and LGBT defenders, are attacked not only for what they do but for who they are.

17. But while these dangers are real, it is the success of human rights defenders that should define and frame their work. The Special Rapporteur suggests it is now time, almost 25 years after the adoption of the Declaration on Human Rights Defenders, for States and others to present the work of defenders more accurately and more fully, emphasizing their contributions and achievements.

18. Among other things, the Declaration on Human Rights Defenders requires States to recognize the value and important contribution of human rights defenders to peace, sustainable development and human rights. This recognition should be more frequent and more public.

19. In 2001, in her report to the General Assembly, the first holder of the mandate, Hina Jilani, told Member States that she was greatly impressed by the resilience of human rights defenders who continued to strive for the promotion and protection of rights despite adverse circumstances and that the international community must give due respect to the struggle through which human rights defenders and other civil society partners had been able to achieve some significant gains.³

20. More than 20 years later, the Special Rapporteur echoes those same sentiments and stands ready to engage with States on how to better present and celebrate the work of human rights defenders and their successes.

21. The twenty-fifth anniversary of the Declaration on Human Rights Defenders can be used to salute and honour the work of defenders over the last quarter of a century and to promote and celebrate the work being done by defenders today.

² According to the International Lesbian and Gay Association, by the end of 2020, 69 States had laws criminalizing homosexuality. See https://ilga.org/downloads/ILGA_World_State_Sponsored_Homophobia_report_global_legislation_overview_update_December_2020.pdf.

³ A/56/341, para. 54.

II. Data and methodology

22. Since she took up her mandate in May 2020, the Special Rapporteur has met directly with more than a thousand human rights defenders, a majority of whom were women human rights defenders, and spoken to many thousands more.

23. During these meetings, the Special Rapporteur encourages them to share their success stories with her and with each other, and these contributions have provided inputs for the present report.

24. A formal request for submissions for this report was also sent to States, national human rights institutions, businesses, non-governmental organizations (NGOs) and human rights defenders. Some 107 responses were received from 47 countries.⁴

25. The Special Rapporteur regrets that, despite the clearly supportive position of many States vis-à-vis human rights defenders, not a single State responded to her request to share positive stories for the present report.

26. A consultation with NGOs and others was also conducted through the Vuka platform.⁵ The Special Rapporteur wishes to thank all those who provided information for the present report.

27. The present report does not aim to be exhaustive and relies mainly on inputs received during various consultations. The Special Rapporteur notes that the cases highlighted in the report only represent a fraction of human rights defenders' successes over the past 25 years and wishes to express her gratitude to NGOs, grass-roots movements, academics, artists and many more, who have been striving to promote and protect human rights.

III. Legal framework

28. In the present report, the Special Rapporteur seeks to focus attention on the achievements of human rights defenders accomplished during the past 25 years. The framework and timeline for the report has been chosen to enable reflection on the time period since the adoption of the Declaration on Human Rights Defenders on 9 December 1998. The Declaration is based on and incorporates human rights enshrined in legally binding instruments.

29. The Declaration on Human Rights Defenders states in article 1 that 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. Additionally, in article 12 (1), it states that everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms. In article 12 (2), it states that 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 Declaration. Finally, in article 12 (3), it states that everyone is entitled, individually and in association with others, to be protected effectively under national law in 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.

⁴ Some 76 country-specific submissions, 15 regional submissions and 16 global submissions were received, including 97 from human rights defenders and NGOs and 6 from national human rights institutions.

⁵ See www.vukacoalition.org.

30. The Declaration on Human Rights Defenders also reiterates the right to solicit, receive and utilize resources for promoting and protecting human rights;⁶ and the right of unhindered access to and communication with international bodies.⁷

31. The faithful implementation of the existing human rights law framework in domestic jurisdictions would provide for a fully enabling and supportive civic space in which human rights defenders could carry out their legitimate and peaceful work without fear of threats, harassment, attacks, criminalization or reprisals of any kind.

IV. Examples of success

A. Accessing justice

32. Human rights defenders around the world report achieving success in securing accountability, justice and access to remedy. In Honduras, the NGOs Red Lésbica Cattrachas and the Robert F. Kennedy Center for Justice and Human Rights struggled for years to hold the State responsible for the murder of transgender woman human rights defender Vicky Hernández in 2009. She was killed as she walked home in the hours following a coup d'état in the country. The NGOs brought Ms. Hernández's case to the Inter-American Court of Human Rights, which, on 28 June 2021, ruled that the State should be held accountable for her death and ordered reparations, including financial support to be paid to Ms. Hernandez's family. In May 2022, the Government of Honduras recognized the State's responsibility for the murder and the country's President issued a public apology to Ms. Hernandez's mother on behalf of the State.⁸

33. In June 2022, a member organization of the Border Violence Monitoring Network, a network monitoring human rights violations at the external borders of the European Union, secured a ruling from the Supreme Court of Austria that recognized that pushbacks were, to some extent, methodically applied in Austria. The case was brought after incidents at the border between Austria and Slovenia in which persons seeking asylum were physically pushed into Slovenia by the Austrian police. A regional court found that the police officers had violated the right to human dignity and the right to documentation. An appeal judgment in the Supreme Administrative Court of Austria confirmed the judgment and ordered that compensation be paid to those who had been pushed into Slovenia.⁹

34. Human rights defenders in Kenya achieved a significant victory in reproductive rights in 2013 when the Government introduced free maternal health care for expectant mothers. This followed a case brought to the Constitutional Court of Kenya by the Kamukunji Paralegal Trust after six women were detained in a public maternity hospital in Nairobi after giving birth because they could not afford to pay the medical fees. The Court ruled that the rights of the six women to be free from torture and inhuman or degrading treatment had been violated and that they should be paid compensation.¹⁰ In a study published in the *Lancet* in 2019, it was found that, following the introduction of free maternal health care, there was an increase in antenatal care visits, health facility deliveries and livebirths of 98 per cent, 97 per cent and 89 per cent, respectively.¹¹

35. Human rights lawyer Hejaaz Hizbullah has for years worked to combat Islamophobia and hate speech in Sri Lanka. As a result, he has been subjected to harassment, threats and detention, and was detained from April 2020 to February 2022 under the Prevention of Terrorism (Temporary Provisions) Act. Despite these risks, he has persisted in seeking accountability for hate speech directed at the Muslim minority in the country.

⁶ Declaration on Human Rights Defenders, art. 13.

⁷ Declaration on Human Rights Defenders, art. 9 (4).

⁸ Vuka input by the Robert F. Kennedy Center for Justice and Human Rights.

⁹ Submission by the Border Violence Monitoring Network.

¹⁰ Submission by the Kamukunji Paralegal Trust.

¹¹ See [www.thelancet.com/journals/langlo/article/PIIS2214-109X\(19\)30106-8/fulltext#:~:text=In%20June%2C%202013%2C%20the%20Government,reduce%20maternal%20and%20perinatal%20deaths.](http://www.thelancet.com/journals/langlo/article/PIIS2214-109X(19)30106-8/fulltext#:~:text=In%20June%2C%202013%2C%20the%20Government,reduce%20maternal%20and%20perinatal%20deaths.)

36. In October 2022, following years of campaigning, an arrest warrant was issued by the Magistrate's Court of Colombo against a prominent Buddhist monk for propagating hate speech. Mr. Hizbullah sees this as a significant message that, even in an overwhelmingly Buddhist country such as Sri Lanka, there can still be consequences for the targeting of a non-Buddhist minority.¹²

37. Since its establishment in 2008, the Southern Peasants' Federation of Thailand has been campaigning for the reform of land laws and for granting land titles to local communities. Members of the Federation have been killed, arrested, jailed and forced off their land because of their attempts to obtain community titles and ownership of land. Land titles had routinely been offered to investors with minimal due diligence or consideration given to the communities living on the land. In a judgment handed down in March 2021, after a 13-year process, the Administrative Court of Thailand ruled that the Department of Land must revoke title deeds in 23 plots that had been unlawfully issued to oil palm plantations. According to Protection International, an international NGO that partners with the Federation, this victory serves as "a motivation for other communities to learn from [the Federation's] standard-setting struggle and victory".¹³

38. The excessive use of police force against human rights defenders has been commonplace in Zimbabwe in recent years. Lawyers have successfully used the courts to seek accountability and remedy on behalf of the victims. Zimbabwe Lawyers for Human Rights have won damages in a series of cases over the past four years to hold the Government accountable for police brutality.¹⁴

39. In 2021 in the Gambia, Gambia Participates and the Centre for Research and Policy Development brought a civil case against the National Assembly for allocating a loan of 54.4 million dalasis (approximately \$879,000 (United States dollars)) to Members of Parliament and staff in a budget bill amendment in 2021. The Supreme Court found that that act was unconstitutional and ordered that the budget line be struck off and the money be returned to government accounts. According to Marr Nyang, Director of Gambia Participates, this was "the first time since independence in 1965 that a parliamentary decision was overturned by the court in the Gambia, which demonstrates the rule of law and separation of powers".¹⁵

B. Changing laws

40. Women and LGBT defenders have been at the forefront of efforts to secure legislative change to protect and advance rights on a global scale and have achieved a series of significant victories in recent years.

41. Women human rights defenders in Indonesia played a vital role in the passing of the Sexual Violence Bill, in 2022, which criminalizes physical sexual abuse, including in marriage, sexual exploitation, forced marriage, including of children, and the circulation of non-consensual sexual content. Women human rights defenders engaged in a lengthy advocacy campaign that included legislative lobbying, social media activism, street protests and corporate partnership. The passing of the Bill came a decade after such an act was first proposed by the National Commission on Violence against Women.¹⁶

42. In 2022, Payzee Mahmood, a woman human rights defender and survivor of child marriage, together with the Iranian and Kurdish Women's Rights Organization, was successful in securing a ban on child marriage in England and Wales, raising the minimum age from 16 to 18. By sharing her experience of being forced into a marriage and collecting a petition of 250,000 signatures, Ms. Mahmood succeeded in winning government backing for a private members' bill on the issue, which was voted through by both houses of Parliament.¹⁷

¹² Submission by Hejaaz Hizbullah.

¹³ Submission by Protection International.

¹⁴ Submission by Zimbabwe Lawyers for Human Rights.

¹⁵ Special Rapporteur's survey of human rights defenders: Gambian human rights defenders in advance of online hearing.

¹⁶ Submission by Kontras.

¹⁷ Submission by Global Citizen.

43. Women human rights defenders also won significant victories in the Sudan following the political transition in the country. Prior to their leading roles in the protests of 2019, women had for years engaged in sometimes quiet and always risky campaigning in the country, which bore fruit in 2019 when the Public Order Law was revoked.

44. The Public Order Law allowed for the arrest, flogging and/or fining of women for dancing, wearing trousers or mixing with men who were not their relatives. Women human rights defenders maintained the pressure on the Sovereign Council and, the following year, female genital mutilation was outlawed, women were permitted to travel with their children without consent from a male guardian and the crime of apostasy was also abolished.

45. Hard-won victories have also been achieved by women human rights defenders in Saudi Arabia, most notably in the lifting of the driving ban on women in June 2018 and an end to the male guardianship system.¹⁸ Woman human rights defender Loujain al-Hathloul¹⁹ was one of a dozen women arrested for their roles in pushing for an end to the driving ban. She was detained for nearly three years before being conditionally released in 2021.

46. In Latin America, women human rights defenders involved in the Causa Justa movement in Colombia, made up of more than 150 NGOs and human rights defenders, succeeded in obtaining the decriminalization of abortion up to 24 weeks. In a case taken to the Constitutional Court by five organizations that focus on the defence of sexual health and reproductive rights, the Court recognized the criminalization of abortion as a form of gender-based violence affecting the most vulnerable women. This follows the success of the “green wave” women’s movement in Argentina, which led to the decriminalization of abortion in December 2020.²⁰

47. LGBT defenders have secured a host of legislative victories over the past decade, which have resulted in millions of LGBT persons being able to live safer, more dignified lives and to endure less discrimination and violations of their human rights.

48. Human rights defenders in Taiwan Province of China helped push through legalisation on same-sex marriage in 2020, following a campaign that saw them develop relationships with legislators from different political groupings, holding press conferences, organizing protests and engaging in public outreach.²¹

49. In Belize in 2016, human rights defenders successfully challenged the constitutional validity of section 53 of its Criminal Code, which criminalized “carnal intercourse against the order of nature”. In 2018, human rights defenders in Guyana were also successful in challenging the constitutionality of an 1893 law that criminalized cross-dressing. The Caribbean Court of Justice, the final appellate court for Guyana, determined that the law violated a transgender person’s right to equality and non-discrimination and freedom of expression. The litigation was coordinated by human rights defenders at the Faculty of Law at the University of the West Indies and its Rights Advocacy Project.²²

50. Activists in Saint Lucia led efforts, in 2022, to ensure that persons in same-sex relationships were afforded protection by domestic violence laws, from which they had traditionally been excluded. The Domestic Violence Act, 2022, offers this protection and also prohibits discriminatory treatment in the provision of services on grounds that include sexual orientation and gender identity.²³

51. In Botswana a human rights defender and student at the University of Botswana, Letsweletse Motshidiemang, challenged the constitutionality of sections 164 (a) and 167 of the Penal Code, namely “unnatural offences” and “indecent practices between persons”, on the grounds that they violate the fundamental rights of liberty and privacy. The organization Lesbians, Gays and Bisexuals of Botswana joined the case as *amicus curiae*. In 2019, the

¹⁸ Vuka input by the Gulf Centre for Human Rights.

¹⁹ Joint urgent appeal SAU 15/2014.

²⁰ Vuka input by Women’s Link Worldwide.

²¹ Submission by OutRight Action International.

²² *Ibid.*

²³ *Ibid.*

High Court of Botswana ruled that the criminalization of same-sex relations was unconstitutional and that the provisions should be struck down.²⁴

52. In other jurisdictions, LGBT defenders have been successful in defeating discriminatory draft legislation. In 2019 in Indonesia, a coalition of LGBT defenders and NGOs led a campaign against a proposal to pass legislation criminalizing consensual sex between adults outside marriage. It would also have led to bans on abortion and contraception. The human rights defenders mobilized thousands of university students to peacefully demonstrate outside parliament to show their opposition to the bill. The bill was subsequently shelved.²⁵

53. The Legal Resources Centre from Moldova was one of a number of organizations involved in successful advocacy to adopt a new NGO law in the Republic of Moldova in 2020. The new law protects freedom of association, limits the ways in which the authorities can put pressure on NGOs and simplifies the registration procedure. This law demonstrated an about-turn by the Moldovan authorities, which, three years previously, had been considering imposing limits on the receipt of foreign funding by NGOs and on freedom of expression.²⁶ Human rights defenders and NGOs mobilized to ensure that enough pressure was put on the authorities to abandon those limitations.²⁷

54. Following years of advocacy by human rights defenders, civil society organizations, the National Human Rights Commission of Mongolia and international actors, the first law in Asia to protect human rights defenders was adopted in Mongolia in April 2021.²⁸

55. Later that same year, after much advocacy by human rights defenders, including the Ivorian Coalition of Human Rights Defenders, the Government of Côte d'Ivoire issued a ministerial order creating a mechanism for the protection of defenders to give substance to the law that was adopted in 2014. In West Africa, other such laws have been adopted in Burkina Faso and Mali. In Burkina Faso, the NGO Coordination nationale de la coalition burkinabé des défenseurs des droits humains played a vital role in successfully pushing the Government to address defenders' concerns with the bill prior to its adoption.²⁹ The Democratic Republic of the Congo has adopted provisional policies protecting human rights defenders, the first in South Kivu in 2016 and the second in North Kivu in 2019. A 2017 draft proposal for a national protection law was to be voted on by the National Assembly towards the end of 2022.³⁰

56. In April 2021, after years of work by human rights defenders in the country, an intersectoral mechanism for the protection of human rights defenders was created in Peru.

57. As highlighted in the submission by the International Service for Human Rights, it is essential that any human rights defenders protection law aligns with the relevant international norms and standards and is not used as a means to restrict the rights of defenders.³¹ New laws will be judged on how successful they are in protecting human rights defenders.

58. In Kazakhstan, the NGO Kadir-kashiet has been making progress in the creation of a national mechanism for the protection of human rights defenders since 2014. In October 2021, the President of Kazakhstan raised concerns about the safety of human rights defenders in his annual message to Parliament and, in 2022, the Human Rights Ombudsman in Kazakhstan created a working group on the protection of human rights defenders, while civil society develops a draft law.³²

59. The Organización de Mujeres Salvadoreñas por la Paz (Ormusa), among others, in El Salvador has been pushing for the approval of a proposed law for the recognition and integral

²⁴ Ibid.

²⁵ Ibid.

²⁶ See www.amnesty.org/en/wp-content/uploads/2021/05/EUR5969202017ENGLISH.pdf.

²⁷ Submission by the Legal Resources Centre from Moldova.

²⁸ Vuka input by the Asian Forum for Human Rights and Development.

²⁹ Submission by Coordination nationale de la coalition burkinabé des défenseurs des droits humains.

³⁰ Submission by Protection International.

³¹ Submission by the International Service for Human Rights.

³² Submission by Kadir-kashiet.

protection of human rights defenders and for the guarantee of the right to defend human rights. Although their proposed law has been archived by members of the legislature, human rights defenders see some progress in developing the space to voice such calls.³³

C. Protecting the vulnerable

60. In a speech at the Front Line Defenders Dublin Platform in October 2022, César Siva, who worked with others in bringing military personnel and civilians to justice for abductions, disappearances, torture and killings in Argentina, said: “They tried to make the horrors invisible, they all kept silent and with it they tried to cover up the magnitude of what they had done. Little by little, we put words to those events.” With this statement, César Siva shows the important work human rights defenders carry out to protect and empower victims of human rights violations.

61. Issmat Abdul-Hafidh al-Basri is a teacher in Iraq who lost his sight in 1997 after completing primary education. By holding lectures for scores of students on university campuses, he has raised awareness of the challenges faced by blind people and challenged stereotypes.

62. Among colleagues, Mr. Al-Basri was a prominent advocate for the Blind Care Act (No. 38), which was enacted in 2013 but only entered into force in 2019, when 20 blind persons were employed by the Ministry of Education in Basrah, in accordance with the law. After being gifted a printer in 2019, Mr. Al-Basri began printing books using Braille so that teachers and blind students could access the same material as sighted students. He eventually succeeded in transcribing the entire syllabus of primary education into Braille and has now started to prepare books for the secondary education syllabus. Before he started this work, the Ministry of Education of Iraq had not printed a single textbook in Braille; Iraq is one of the only countries in the world in which there are no government or private institutions publishing books in Braille.³⁴

63. In 2020, the Southern Africa Litigation Centre helped bring a case to the High Court of Malawi on banning Rastafarian children from wearing dreadlocks to government schools. The 15,000 Rastafarians in Malawi had long suffered discrimination due to their hairstyles.

64. The High Court granted an injunction compelling the Minister for Education to allow all Rastafarian children to be admitted to State schools. In October 2020, the Ministry of Education directed State schools to enrol children who had dreadlocks, wore hijabs or expressed their religion in any other way.³⁵

65. In recent years, anti-corruption defenders in Ukraine have successfully campaigned for a drastic reduction in the price of medicines. In 2015, Ukraine handed over its medicines procurement to international organizations, reducing prices by 40 per cent. According to reports, the price of Imanitib, a blood cancer drug, fell from \$90 to \$2 a tablet.³⁶

66. Following the outbreak of COVID-19 in Wuhan, 18 human rights lawyers in China and overseas created a COVID-19 claims legal advisory group to provide free legal advice and support to the families of those who died from the disease in Wuhan and Shanghai. The lawyers have been successful in obtaining more than RMB900,000 (approximately, \$125,000) in compensation, and their actions have been widely reported on in the media. This move is especially significant given the widespread crackdown on human rights lawyers in China and the extremely limited space that they have to do their work.³⁷

67. Following an increase in new arrivals of migrants, asylum-seekers and refugees to the Canary Islands in 2020, the Office of the Ombudsman (the national human rights institution of Spain) conducted two inspections of a temporary reception facility in Gran Canaria.

³³ Submission by Organización de Mujeres Salvadoreñas por la Paz.

³⁴ Report of the Gulf Centre for Human Rights that was submitted in place of a submission.

³⁵ Submission by the Southern Africa Litigation Centre.

³⁶ See www.open-contracting.org/2021/02/22/fight-for-life-how-ukraine-is-fixing-medical-procurement-and-serving-patients-better.

³⁷ Submission by Human Rights in China.

During the visits, the Office of the Ombudsman noted serious concerns about the living conditions, including overcrowding, extreme heat and a lack of drinking water. The Office of the Ombudsman urged the authorities to swiftly evacuate the camp; four days later those recommendations were acted upon, the camp was dismantled and everyone was transferred to more suitable premises.³⁸

68. In November 2020, Roma women human rights defenders and NGOs finally secured a formal apology from the Government of Slovakia for the victims of forced sterilizations and other human rights violations of mostly Roma women between 1966 and 1989 and 1990 and 2004. Roma women human rights defenders and NGOs were instrumental in pushing for recognition and remedy, while the Slovak Centre for Human Rights supported them in litigation before the courts in Slovakia and at the European Court of Human Rights. A combined advocacy campaign involving national institutions, domestic and international courts, international human rights bodies, civil society and networks in the general public ensured that pressure was maintained on the Slovak authorities.³⁹

D. Success through survival

69. Al-Haq is one of a number of human rights organizations in the Occupied Palestinian Territories that has shown remarkable resilience in the face of multiple and frequent attempts by the Israeli authorities to stop its work. Staff have faced threats,⁴⁰ smear campaigns,⁴¹ surveillance⁴² and office raids.⁴³ In October 2021, the Israeli authorities designated Al-Haq and five other civil society organizations as “terrorist organizations”, although they did not provide any credible evidence to support the allegations.⁴⁴ A number of European Union Governments investigated and subsequently resumed their funding of the NGOs, which they had suspended following the unfounded claims of the Government of Israel.⁴⁵ The tenacity of these organizations in continuing to document human rights violations in the Occupied Palestinian Territories demonstrates success in the face of severe challenges.

70. Before and after the 2020 elections in Belarus, human rights defenders and organizations faced an unprecedented crackdown. Dozens of NGOs were dissolved but human rights defenders continued to provide support to victims of violations, document cases of ill-treatment and torture, monitor cases of excessive use of force by the police and maintain a steady flow of information to international organizations, including the special procedures of the Human Rights Council. This information has enabled attention to be focused on the human rights situation in Belarus and has assisted special procedures in issuing 10 communications to the Government of Belarus since 2020.⁴⁶

71. In Myanmar, the targeting of human rights defenders and NGOs since the coup d’état has been constant, yet human rights defenders continue to organize and provide information to the outside world. In the words of an anonymous submission for this report, “I could not continuously ... improve human rights much in our country. I can only prevent the human rights that are achieved before the military coup from being completely destroyed.”⁴⁷

72. Following the coup, a legal aid group, the Volunteer Lawyer Network, was established in 2021 to offer pro bono legal services to people under 25. The Network has represented more than 300 people and secured the release of a number of them from military custody.

³⁸ Submission by the European Network of National Human Rights Institutions.

³⁹ Submission by the Slovak Centre for Human Rights.

⁴⁰ Joint letter of allegation ISR 8/2016.

⁴¹ Joint letter of allegation ISR 12/2019.

⁴² Joint letter of allegation ISR 11/2021.

⁴³ See www.ohchr.org/en/press-releases/2022/08/un-experts-condemn-israeli-suppression-palestinian-human-rights.

⁴⁴ See www.ohchr.org/en/press-releases/2022/04/israelpalestine-un-experts-call-governments-resume-funding-six-palestinian.

⁴⁵ See www.dfa.ie/news-and-media/press-releases/press-release-archive/2022/july/joint-statement-on-six-palestinian-civil-society-organisations.php.

⁴⁶ Submission by the Belarus Helsinki Monitor.

⁴⁷ Submission on file with the Special Rapporteur.

Some of the lawyers are themselves at high risk, including at least one who has been charged under the Counter-Terrorism Law.⁴⁸

73. With most journalists forced into hiding, local human rights defenders have become key in documenting and communicating what is happening in the country to the media in exile and the international media. Human rights defenders have also been crucial to building a broad-based coalition with a range of stakeholders to twice resist the military's attempts to adopt a draconian cybersecurity law, which would have had a drastic impact on digital rights in the country.⁴⁹

74. In Yemen, the Abductees' Mothers Association has done extraordinary work since it was created in 2016. Staffed by women who have had relatives abducted, they have gradually found effective ways of working despite multiple security risks. As they explain in their submission, "at the beginning of our struggle, our protests were often assaulted by the authorities. However, we endured it with persistence and patience. We have developed basic, yet essential, safety and security measures. We covered our faces, used aliases, and hid our rallies' time and duration." The Association's efforts have contributed to the release of abductees by a Houthi group and of persons arbitrarily detained by the security forces in Ma'rib. Its advocacy has also improved the detention conditions of dozens of civilians in Hunnish Prison in Hudaydah and the Security and Intelligence Reformatory in Sana'a.⁵⁰ The Association noted, in its submission, that: "When we first started holding our protesting rallies [in Yemen], people repeatedly abused us verbally, as they considered our rallies a moral crime, telling us to stay at home like other women. Nevertheless, during our latest rallies in 2022, passers-by always expressed their warmest wishes for us and urged us to continue until our relatives are released."

75. After being kidnapped and tortured in 2016 and 2018 as a result of his human rights work, a young human rights defender in the Syrian Arab Republic was driven to do more to protect others working to defend human rights. In 2021, he founded the first Syrian LGBT organization to protect and promote the rights of that community in the Syrian Arab Republic. The Guardians of Equality Movement engages in capacity-building, provides urgent financial support and conducts international advocacy on behalf of LGBT persons in the Syrian Arab Republic. Although he had to leave the Syrian Arab Republic for his own safety, the organization continues to provide essential assistance to a community that endures some of the highest levels of discrimination and violence in the country.⁵¹

76. In Libya, the World Organisation against Torture assisted in the creation of the Libyan Anti-Torture Network, composed of Libyan NGOs with presences around the country to document and monitor instances of torture. The Network has created an internal referral system for displaced victims of torture and for greater advocacy to access victims of torture in official and unofficial detention centres.⁵² Between 2020 and 2022, the Network collected testimony from hundreds of torture survivors and witnesses to extrajudicial killings and, in September 2022, along with the World Organisation against Torture, published a report documenting the killing of at least 581 civilians by Libyan law enforcement agencies and militias between January 2020 and March 2022.⁵³

77. The Association for the Reintegration of Crimea is one of a number of NGOs working to document human rights violations as a result of the Russian invasion of Ukraine. It has been collecting evidence of war crimes committed by Russian soldiers and has been sending this information to the United Nations human rights mechanisms and other international accountability mechanisms.⁵⁴ Elsewhere in Ukraine, human rights defenders have turned to

⁴⁸ Anonymous submission from Myanmar.

⁴⁹ Vuka input by Free Expression Myanmar.

⁵⁰ Input by the Abductees' Mothers Association.

⁵¹ Confidential submission from Front Line Defenders.

⁵² Vuka input by the World Organisation against Torture.

⁵³ See www.omct.org/en/resources/reports/libya-a-new-report-documents-hundreds-of-civilians-killed-including-under-torture.

⁵⁴ Submission by the Association for the Reintegration of Crimea.

providing medical support, humanitarian aid and assistance to internally displaced persons and many others affected by the conflict.

78. Women human rights defenders have been organizing and leading protests for women's rights in Afghanistan and the Islamic Republic of Iran, despite the extreme risks that they face. Women human rights defenders in Kabul, Mazar-e Sharif, Herat, Bamyan, Ghazni, Nangarhar and Panjshir organized demonstrations following the bomb attack on mostly female ethnic Hazara students at a school in Kabul in September 2022. The Taliban responded by attacking the protesters and firing live rounds to disperse the demonstrations. These protests were the latest in a series of rallies held by women in Afghanistan demanding the right to education and participation in the social fabric of the country, following the Taliban takeover in August 2021.⁵⁵

79. In the Islamic Republic of Iran, women human rights defenders have shown remarkable resilience in sustaining widespread protests for women's rights that began after the death of 22-year-old Mahsa Amini in custody in September 2022. She had been arrested by the morality police for wearing an "improper" hijab and reportedly severely beaten.⁵⁶ In response, women human rights defenders organized protests in Amini's hometown of Saqqez, where women removed their headscarves in a show of solidarity. The protests soon spread to other cities around the country. Women have continued to gather en masse, waving, removing and burning their headscarves or cutting their hair while calling for greater freedoms. The response by the authorities has been brutal, with reports of scores killed, including at least 27 children.⁵⁷

80. The Urgent Action Fund reports that: "Movements led by women and other structurally marginalized human rights defenders have been especially successful, in part because their structural marginalization has meant that they have more experience bearing the brunt of injustices and a sharper analysis of systemic issues."

E. Holding businesses accountable

81. Human rights defenders have secured striking victories for their communities in the face of environmental degradation, attempts to remove them from their land and the exploitation of natural resources without the consent of those affected. Indigenous human rights defenders are often most at risk of being killed; although they only represent 6 per cent of the global population,⁵⁸ according to Front Line Defenders, in 2020, they represented 26 per cent of defenders killed globally.⁵⁹

82. Yet, in academic research carried out on the issue of indigenous communities achieving positive change in corporate behaviour, Nancy Tapias found that one of the interlinked factors leading to success was the effective leadership of indigenous women.⁶⁰

83. The role of human rights defenders in blowing the whistle on corporate abuse, as evidenced in the submissions received for this report, underscore why it is vital that defenders are included in any meaningful mandatory human rights and environmental due diligence process.

⁵⁵ See www.hrw.org/news/2022/10/12/afghanistan-resistance-means-women.

⁵⁶ Joint urgent appeal IRN 23/2022.

⁵⁷ See www.ohchr.org/en/press-releases/2022/10/iran-special-rapporteur-calls-effective-accountability-deaths-recent.

⁵⁸ See www.worldbank.org/en/topic/indigenouspeoples#:~:text=There%20are%20an%20estimated%20476,of%20non%20indigenous%20people%20worldwide.

⁵⁹ Front Line Defenders, *Front Line Defenders Global Analysis 2021* (Dublin, 2022), p. 5.

⁶⁰ Nancy Tapias found that "in a minimally favourable context" there were four interlinked ("braided") factors that contributed to a positive change in corporate behaviour. Those were the ability to mobilize effectively in indigenous territories, indigenous women's effective leadership; framing the struggle in human rights terms and reacting to grave violations that had an overt link to corporations. Nancy R. Tapias Torrado, "Indigenous women leading the defence of human rights from the abuses by mega-projects in Latin America, in the face of extreme violence", DPhil thesis, University of Oxford, 2020. See <https://ora.ox.ac.uk/objects/uuid:3a1393b3-1a8b-4341-bb6e-7a33897db5c7>.

84. In September 2022, activists from the Xolobeni community and the Dwesa-Cwebe community in the Eastern Cape of South Africa secured a judgment from the Makhanda High Court stopping Shell's plans to conduct seismic blasting as part of offshore oil and gas exploration in the coastal waters of the Wild Coast, an area of pristine beauty and significant ecological value.

85. The High Court found that inadequate consultation with local communities invalidated the decision by the Department of Mineral Resources and Energy in 2014 allowing Shell and its partner, Impact Africa, to carry out seismic surveys. It ruled that only consulting with traditional chiefs did not amount to meaningful consultation. The Supreme Court of Appeal of South Africa had previously recognized that the Dwesa-Cwebe communities are holders of customary fishing rights.⁶¹ The South Africa Legal Resource Centre noted, in its submission, that:

The struggles of Wild Coast communities [in South Africa] highlight the interconnectedness of people and the planet. From these communities we learn how to be better advocates for the planet, how to speak about inter-generational equity, and also live it, how to fight for justice by not separating ourselves from the environment. They practice the essence of participatory democracy by advocating for community-driven development, for bottom-up development. We owe them our endless support because they have illustrated what resilience, bravery and hope looks like in the face of despair.

86. For more than 25 years, woman human rights defender Lottie Cunningham Wren has been defending the rights of indigenous communities in Nicaragua. In 2001, she served as an expert witness in *Mayagna (Sumo) Awas Tingni Community v. Nicaragua*, a case brought before the Inter-American Court of Human Rights, which concluded that Nicaragua had violated the rights of the Mayagna community by granting a concession for the exploitation of forest resources in their territory without their free, prior and informed consent. As legal representative for the Awas Tingni community, Ms. Cunningham Wren negotiated with the State on the implementation of the ruling. The Government of Nicaragua was compelled to create a law for the demarcation and titling of indigenous territories, which resulted in 304 communities of indigenous peoples and persons of African descent belonging to 23 territories having their communal land titled.⁶²

87. Rani Yan Yan is an indigenous woman human rights defender from the Chittagong Hill Tracts in Bangladesh who has long worked for the empowerment of indigenous women and against military abuse. During the COVID-19 pandemic, the military illegally acquired land from the Mro indigenous people, tribes who live in the border regions between Bangladesh, Myanmar and India. During the previous five decades, the Mro have lost much of their land to rubber plantations, non-indigenous settlers and tourist developments built by the Bangladesh Army.

88. The Army was seeking to construct a five star hotel and dam a stream to create a water reservoir and recreational lake in Bandarban district, threatening the displacement of 10,000 Mro persons who relied on the stream as their only water source. Ms. Yan Yan helped organize young persons to go to the potentially affected villages to consult with locals in the middle of the night, in order to minimize the risk of surveillance.

89. She and other colleagues submitted information to United Nations mechanisms⁶³ to raise the alarm and collaborated with international human rights organizations to raise the issue with the Government, the Army and the hotel chain, in particular around lack of meaningful consultation, free, prior and informed consent and adequate due diligence. The indigenous defenders also extensively engaged diplomatic missions in Bangladesh to alert them to the risks posed by the project.

⁶¹ Submission by the South Africa Legal Resource Centre.

⁶² Submission by Right Livelihood.

⁶³ See www.ohchr.org/en/press-releases/2021/02/un-experts-call-halt-contentious-tourism-resort-bangladesh?LangID=E&NewsID=26733.

90. Faced with such well-organized resistance, by early 2022 it appeared that the Army had backed down from the project. According to Ms. Yan Yan, “this was an unprecedented victory for our people and I know many more will come in the future”.⁶⁴

91. However, the fight for respect for human rights can come at enormous and unnecessary cost to human rights defenders and communities. In 2010 and 2011, Mary Acosta Pinilla, together with the communities in the semi-autonomous territory of Comarca Ngobe Buglé, organized roadblocks and demonstrations in Panama that successfully led to the prohibition of mining in their territory. During those protests, two community members were killed, tens were injured, many more detained and allegations emerged of sexual violence perpetrated against women and girls in police custody.⁶⁵

F. Securing the release of unjustly detained prisoners

92. The detention of human rights defenders is the most commonly documented violation by organizations that collect data on trends affecting defenders.⁶⁶ In her report to the General Assembly in 2021, the Special Rapporteur further highlighted the scores of human rights defenders who had been sentenced to or who are at risk of being sentenced to 10 years or more in prison as a result of their human rights work. The day-to-day advocacy and building of alliances of human rights defenders to secure the freedom of their colleagues and others remain an essential part of defenders’ work.

93. Amnesty International outlined how collective pressure by a range of local, regional and international human rights defenders and organizations had contributed to the release of numerous defenders and individuals over the past two years, including Mohammed Hassan Jawad and Nabeel Rajab in Bahrain; Germain Rukuki in Burundi; Shafqat and Shagufta Emmanuel and Asia Bibi in Pakistan; Maura Martínez in the United States of America; Oumar Sylla in Guinea; the “Guapinol eight” (José Daniel Márquez, Kelvin Alejandro Romero, José Abelino Cedillo, Porfirio Sorto Cedillo, Ewer Alexander Cedillo, Orbin Nahún Hernández, Arnol Javier Alemán and Jeremías Martínez Díaz) in Honduras; Bernardo Caal Xol in Guatemala; and Sanaa Seif and Mohamed Salah in Egypt.⁶⁷

94. In the Bolivarian Republic of Venezuela, a woman human rights defender who assisted a 13-year-old survivor of rape to obtain an abortion was arrested in 2020 by the Criminal Investigation Police. Vanesa Rosales was charged with “forcing a third party to abort” and “association to commit a crime”. Following advocacy by a number of local and international women’s and human rights organizations, including Asociación Venezolana para una Educación Sexual Alternativa, 100% Estrogeno and Women’s Link Worldwide, her case was dismissed and closed during the preliminary hearing held on 21 July 2021, and she was released from house arrest.⁶⁸

V. Allies

95. Success is a collective effort. The Special Rapporteur notes that the victories in this report, and others achieved by human rights defenders, are never the product of one individual’s campaign. Even defenders who have apparently achieved things on their own have drawn on the experience, learning and support of others. As Tara Houska Zhaabowekwe said recently in a speech at the Front Line Defenders Dublin Platform, in October 2022, success is generations in the making:

I think of the beauty I’ve witnessed in struggle. The moments when I’ve seen new land defenders called to the rivers and forest connect to what’s real ... I think of us continuing on with our work, building warriors steeped in values passed through generations. I think of the in-between moments facing a riot

⁶⁴ Rani Yan Yan, speech at the Front Line Defenders Dublin Platform, October 2022.

⁶⁵ Mary Acosta Pinilla, speech at the Front Line Defenders Dublin Platform, October 2022.

⁶⁶ Front Line Defenders, *Front Line Defenders Global Analysis 2020* (Dublin, 2021).

⁶⁷ Submission by Amnesty International.

⁶⁸ Vuka consultation with Women’s Link Worldwide.

line, facing oppressors, facing boot heels, when we know the next step will mean serious danger, but we step forward anyways, fierce as the fires burning in our eyes and hearts. Sometimes it is in those moments that I feel closest to liberation, to freedom, to my ancestors, to all life. Carrying the mantle of survival, of love for one another.

96. In meetings with the Special Rapporteur, defenders regularly stress the necessity of allies, support networks and those who provide them with resources, inspiration and protection. Some allies are short term, and support a specific aim, others support defenders and their work over many years, even decades. Good practice concerning allies includes regular engagement with defenders to understand and support their changing needs and priorities.

97. Allies range from family members to powerful Governments, and include other defenders, NGOs, local and foreign politicians and Governments, international mechanisms and bodies, offices of ombudspersons and national human rights institutions, international bodies and businesses. The Special Rapporteur recognizes the contribution of individual cities, donors, organizations that give awards, and artists, judges and many others who enable the work of defenders.

A. States

98. Human rights defenders regularly report that State officials – either from their own State or from other States – have been important allies in their work. The Special Rapporteur applauds the work of those representing States, including from the legislative, executive and judicial branches, who help human rights defenders, and in previous reports has cited examples of situations in which State bodies and officials have helped protect and support the work of defenders.⁶⁹

99. In conversations with the Special Rapporteur, and in submissions for this report and elsewhere, defenders have cited States and State officials as allies. For example, Human Rights House Crimea, in its submission, cited the Government of Ukraine as an ally and other defenders mention the importance of individual Members of Parliament.⁷⁰

100. The Special Rapporteur notes the support of individual Members of Parliament in advocating for laws to protect defenders in the Philippines and elsewhere.

101. The NGO Fundación de Estudios para la Aplicación del Derecho works with indigenous communities in the west of El Salvador on advocacy around hydroelectric projects in Sensunapan-Banderas. The foundation says that it is an area sacred to indigenous people. Following its advocacy, the highest court in El Salvador ordered an end to permits allowing the construction of hydroelectric projects, citing irreparable harm to the natural ecosystem and cultural heritage.⁷¹

102. The foundation says that judges were allies as they were sensitive to and consistent in their application of environmental precautionary measures, but it now reports that those judges have been removed.

103. The Children's Parliament in Scotland works on climate crisis issues, and succeeded in securing a commitment from the Scottish Government to introduce a ban on the use of single-use plastic. It cites Scottish Government officials as allies in funding its participation at a series of events.⁷²

104. In Argentina, Asociación Civil Doncel reports success in helping to formulate a law on supporting adolescents and young persons moving on from care institutions with the support of senators and Members of Parliaments.⁷³

⁶⁹ See [A/77/178](#).

⁷⁰ Submission by Human Rights House Crimea.

⁷¹ Submission by Fundación de Estudios para la Aplicación del Derecho.

⁷² Submission by the Children's Parliament.

⁷³ Submission by Asociación Civil Doncel.

105. The National Children’s Task Force of Bangladesh credits the Head of a District Child Affairs Department as playing an important role in their successes in combating child marriages, an achievement noted earlier in this report.⁷⁴

106. In addition to offering practical support, the Office of the Ombudsman (Ecuador) (Defensor del Pueblo de Ecuador) chooses a handful of human rights and environmental defenders who have made outstanding contributions to the defence of human rights and nature in Ecuador to feature in its Time for Rights campaign.⁷⁵

107. Human rights defenders also regularly cite important support from other States, including the allyship of embassies based in their country. Human rights defenders working for the NGO Organic Farming for Gorillas Cameroon have been threatened and physically attacked⁷⁶ and report that some of the diplomatic community have provided important support.⁷⁷

108. Other NGOs, including the Asian Forum for Human Rights and Development, OutRight Action International and Protection International Thailand, and Sri Lankan human rights defender Hejaaz Hizbullah also note the support provided by specific embassies.⁷⁸

109. The Special Rapporteur notes and welcomes an increasing number of States having guidelines on how their diplomats should engage with human rights defenders. As of November 2022, Canada, the European Union, Finland, Ireland, Norway, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America had adopted guidelines on engaging with human rights defenders.⁷⁹ The development of such guidelines are themselves a success of defenders’ advocacy since the adoption of the Declaration on Human Rights Defenders.

110. As outlined in the Special Rapporteur’s report to the Human Rights Council in 2021, mechanisms for the protection of human rights defenders have also been established in a number of States, including Brazil, Colombia, Guatemala, Honduras, Mexico and Peru.⁸⁰ Human rights defenders played a fundamental role in advocating for the adoption of such mechanisms and, while they have doubtless saved lives, defenders report that the mechanisms vary greatly in their effectiveness.

B. Civil societies

111. Many human rights defenders report that their success depends on support from local and regional networks and national or regional civil societies. Organizational and individual allies enable human rights defenders to do their work. The Thai Community Development Centre says churches have helped it achieve success and other NGOs elsewhere are drawing on relationships with other parts of civil society.⁸¹

112. In Central America, Iniciativa Mesoamericana de Mujeres Defensoras de Derechos Humanos (IM-Defensoras)⁸² is creating Protección Integral Feminista, a project still under development, which is designed to contribute to the protection of women human rights defenders through a feminist lens. It cites women human rights defender networks in helping to create secure spaces for women, creating an environment of trust and confidence that allows for quicker responses to emergency situations with mobilization of pooled resources.

113. The Center for Justice and International Law has litigated at the Inter-American Court of Human Rights on behalf of human rights defenders and has succeeded in obtaining

⁷⁴ Submission by the National Children’s Task Force of Bangladesh.

⁷⁵ Submission by the Office of the Ombudsman (Ecuador).

⁷⁶ Joint letters of allegations CMR 4/2022, CMR 3/2019 and OTH 22/2019.

⁷⁷ Submission by Organic Farming for Gorillas Cameroon.

⁷⁸ Submissions by the Asian Forum for Human Rights and Development, OutRight Action International, Protection International Thailand and Hejaaz Hizbullah.

⁷⁹ See <https://ishr.ch/defenders-toolbox/national-protection>.

⁸⁰ [A/HRC/46/35](https://www.ohchr.org/en/instruments-mechanisms/instruments/A/HRC/46/35).

⁸¹ Submission by the Thai Community Development Centre.

⁸² Submission by IM-Defensoras.

immediate protection measures for defenders. It reports that some of its cases as having resulted in reparations, training for officials on impunity, public apologies and the creation of remembrance spaces. It cited a range of allies in its work, including local organizations, artists and international organizations, such as the United Nations.⁸³ It was also the lead organization in developing the Esperanza Protocol in 2021, a tool to promote the effective response to threats against human rights defenders.

114. Individual human rights defenders, NGOs and international organizations, including the United Nations, have been active in developing national and regional human rights defender networks that offer protection, support and solidarity. The Special Rapporteur notes that these networks are flourishing, in particular, in Africa, where the Portuguese-speaking Human Rights Platform was the latest to be created, in 2021.⁸⁴

115. Many human rights defenders also refer to the work of international NGOs as allies. Zimbabwe Lawyers for Human Rights has a long history of successfully challenging police brutality in the courts, and cites as important visits to the country, in 2019, by the International Bar Association and the Southern African Development Community Lawyers Association “to engage authorities when we are under attack”.⁸⁵

116. The Special Rapporteur has noted in previous reports the important contributions made to the work of human rights defenders by the offices of national ombudspersons and by national human rights institutions. In the preparation of this report, human rights defenders from across the world noted the important work of these bodies in sustaining their work. Instituto del Bien Común in Peru cites the help of the country’s national human rights institution in successfully relocating the leaders of indigenous peoples who at risk.⁸⁶

117. The Special Rapporteur also thanks those national human rights institutions and ombudspersons’ offices that sent submissions for the present report. Many of these emphasized their roles as allies of defenders. The European Network of National Human Rights Institutions highlighted a case in which the Office of the Public Defender (Ombudsman) (Georgia) came under attack following a breach of confidentiality by the national authorities regarding the Office’s visits to prisons. The leadership and staff of the Office of the Public Defender faced verbal threats and attacks by prominent politicians. In speaking out to support the Office of the Public Defender, the European Network of National Human Rights Institutions and partners contributed to ensuring an enabling environment for the Office to carry out its mandate.⁸⁷

C. International bodies

118. Defenders constantly cite the contribution of regional and international bodies to the success of their work. For example, Gentium in Spain has worked with various other organizations to prevent the pushbacks of children to Morocco and the displacement of Roma persons. They cite international mechanisms, including the Council of Europe, as contributing to their success.⁸⁸

119. Amnesty International reports that, in 2021, the Court of Justice of the Economic Community of West African States ordered the Government of Nigeria to refrain from prosecuting Twitter users in the country. Numerous civil society organizations, including Amnesty International, had brought the case to the Court. Social media was key in organizing protests against police abuses, such as the #EndSARS campaign.⁸⁹

120. Other human rights defenders stress the importance of United Nations mechanisms in their successes, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the special procedures of the Human Rights Council. While the Special

⁸³ Submission by the Center for Justice and International Law.

⁸⁴ See <https://ishr.ch/latest-updates/ngo-forum-launching-of-the-lusophone-platform-for-human-rights>.

⁸⁵ Submission by Zimbabwe Lawyers for Human Rights.

⁸⁶ Submission by Instituto del Bien Común.

⁸⁷ Submission by the European Network of National Human Rights Institutions.

⁸⁸ Submission by Gentium.

⁸⁹ Submission by Amnesty International.

Rapporteur is gratified to note that some human rights defenders mention the mandate as supporting their work, others also refer to the support received from other Special Rapporteurs. For example, Fortify Rights works on a range of issues in Myanmar, including on establishing mechanisms for holding officials accountable and trafficking in persons. It identifies the Special Rapporteur on the situation of human rights in Myanmar as a key ally.⁹⁰

121. Human rights defenders also highlighted the supportive roles played by OHCHR field offices in a number of countries. This included Cambodia in which OHCHR staff monitored peaceful protests and reported on violations against human rights defenders, with a spokesperson for the OHCHR stating in a press briefing that the field office had “witnessed the unnecessary and excessive use of force by security forces against women demonstrators on at least five separate occasions”.⁹¹ OHCHR field offices, including in Peru and the Philippines, also prove themselves to be vital allies of human rights defenders by sending cases on their behalf to special procedures.

D. Businesses

122. A number of businesses have spoken out in favour of including human rights defenders as named stakeholders in a European Union directive on corporate sustainability due diligence, which has the potential to improve the safety of human rights defenders working in the context of business. More than 40 companies published a joint statement in November 2021, highlighting that “meaningful engagement with rights holders and civil society, including human rights defenders” was “critical to a due diligence process that effectively identifies human rights impacts and responds to their concerns”.⁹²

123. The Special Rapporteur is encouraged too that some businesses and international financial institutions are now also specifically mentioning in their human rights policies the need to engage with and protect human rights defenders. The Business and Human Rights Resource Centre has compiled a list of more than 30 business and international financial institutions that explicitly do so. As the Centre notes, however, “corporate practice in this area often lags behind policy commitments”.⁹³

124. The Community Transformation Foundation Network in Uganda works on land rights and other issues and reports that its offices were ransacked and its staff attacked. It is among several NGOs that cite the importance of media partners as allies in helping protect them and their work through greater media visibility.⁹⁴

VI. Conclusions and recommendations

125. Human rights defenders all over the world are achieving extraordinary successes in multiple fields, benefiting countless populations on every continent. Through imagination and perseverance, with hope and solidarity, human rights defenders continue to succeed against intimidating odds and often despite threats and attacks. These victories are usually the result of long-term struggles and are typically achieved in collaboration with other human rights defenders, and with a broad range of allies.

126. These successes too often go unrecognized and uncelebrated. In many places, State officials vilify and target human rights defenders and their work. The Special Rapporteur believes that States should routinely and publicly promote the positive work of human rights defenders, making clear this work is valued and applauded. Ignoring or underplaying the vital contribution of human rights defenders increases the risks to them and their work.

⁹⁰ Submission by Fortify Rights.

⁹¹ See www.ohchr.org/en/press-briefing-notes/2020/09/press-briefing-notes-cambodia.

⁹² See [https://media.business-](https://media.business-humanrights.org/media/documents/Business_Statement_Engagement_MHREDD_finalv3_1011.pdf)

[humanrights.org/media/documents/Business_Statement_Engagement_MHREDD_finalv3_1011.pdf](https://media.business-humanrights.org/media/documents/Business_Statement_Engagement_MHREDD_finalv3_1011.pdf).

⁹³ See www.business-humanrights.org/documents/35149/Policies_on_HRDs_BHRRRC_8.docx.

⁹⁴ Submission by the Community Transformation Foundation Network.

127. **The Special Rapporteur recommends that States:**

- (a) **Regularly and publicly pay tribute to the great work of human rights defenders;**
- (b) **Direct senior officials to celebrate and publicize the achievements of human rights defenders with specific examples of defenders and their successes;**
- (c) **Regularly and publicly recognize that some human rights defenders are particularly vulnerable to attack, including women human rights defenders, LGBT defenders, land, environmental and indigenous peoples' defenders and others;**
- (d) **Regularly and explicitly recognize the right to defend rights and publicly praise those who do;**
- (e) **Immediately and forcefully counter negative narratives against human rights defenders; emphasize the role of defenders as leaders of positive change, persons who are working towards a more just, fair and sustainable future;**
- (f) **Establish and regularly present awards to human rights defenders in recognition of their contributions to society;**
- (g) **Ensure that defenders have the necessary space to provide inputs to public policies without fear of reprisal;**
- (h) **Foster a public culture of defending human rights from school age onwards;**
- (i) **Implement public training and awareness-raising processes to better enable understanding and respect for the work of human rights defenders;**
- (j) **Prominently include human rights defenders in national days of celebration and similar events;**
- (k) **Explicitly recognize children who are working peacefully for the rights of others as human rights defenders and promote the rights of children to be defenders. States should address negative attitudes towards children who are human rights defenders, and build the capacity of State actors to engage meaningfully with children;**
- (l) **Bring the voices of young human rights defenders to the fore as they chart the way forward for the human rights movement over the next 25 years;**
- (m) **Move towards supporting the adoption of a binding United Nations treaty on business and human rights;**

128. **The Special Rapporteur recommends that businesses and investors:**

- (a) **Ensure that human rights defenders are included in human rights policies and are consulted on a periodic basis, especially in the high-risk sectors for defenders, including the mining, agribusiness, logging and hydropower sectors;**
- (b) **Adopt a zero-tolerance policy for reprisals against human rights defenders throughout their operations, supply chains and business relationships;**
- (c) **Ensure that human rights defenders are consulted as part of any meaningful human rights and environmental due diligence process;**
- (d) **Recognize that human rights defenders are essential allies in assisting businesses to adhere to their responsibilities under the Guiding Principles on Business and Human Rights and will be crucial to businesses under any binding legislation on mandatory human rights due diligence;**
- (e) **Publicly and frequently assert the right of human rights defenders to engage in their work and publicly condemn any threats or attacks against them that take place in the context of a company's operations.**

VII. Update on the Special Rapporteur's report to the Human Rights Council on corruption

129. In her report to the Human Rights Council at its forty-ninth session,⁹⁵ the Special Rapporteur highlighted the cases of anti-corruption human rights defenders targeted because of their work. She welcomes positive developments in two of those cases: Svitlana Blahodeteleva-Vovk, a woman human rights defender in Ukraine, defeated a libel action against her in October 2022; and, in December 2021, a Zimbabwean court nullified the charges of “incitement to commit public violence” brought against Hopewell Chin’ono in relation to online posts that he had made encouraging Zimbabweans to participate in anti-corruption demonstrations planned for 31 July 2020.

130. The Special Rapporteur regrets that, as far as she is aware, there have been no prosecutions brought in the cases of any of the four murders of anti-corruption defenders noted in the report in Afghanistan, Greece, Iraq or Yemen.

⁹⁵ [A/HRC/49/49](#).