

AG/RES. 2658 (XLI-O/11)

HUMAN RIGHTS DEFENDERS:
SUPPORT FOR INDIVIDUALS, GROUPS, AND ORGANIZATIONS OF CIVIL SOCIETY
WORKING TO PROMOTE AND PROTECT HUMAN RIGHTS IN THE AMERICAS

(Adopted at the fourth plenary session, held on June 7, 2011)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc.5217/11 add. 1), as it pertains to this topic, and resolution AG/RES. 2579 (XL-O/10), “Human Rights Defenders: Support for Individuals, Groups, and Organizations of Civil Society Working to Promote and Protect Human Rights in the Americas”;

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

RECOGNIZING the substantial role that human rights defenders can play in supporting efforts to strengthen peace and development, through dialogue, openness, participation, and justice;

REITERATING that “everyone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means” in accordance with domestic law consistent with the Charter of the United Nations and other international obligations of the state in the field of human rights and fundamental freedoms;

CONCERNED that situations persist in the Americas that directly or indirectly prevent or hinder the work of individuals, groups, or organizations working to promote and protect human rights and fundamental freedoms;

GRAVELY CONCERNED that, in some instances, national security and counterterrorism legislation and other measures have been misused to incriminate human rights defenders or to hinder their work and safety in a manner contrary to international law;

TAKING INTO ACCOUNT resolution 2005/67 of the former Commission on Human Rights of the United Nations, as well as United Nations General Assembly resolution 64/163, in which the member states noted “with deep concern that in many countries persons and organizations engaged in promoting and defending human rights and fundamental freedoms frequently face threats and harassment and suffer insecurity as a result of those activities, including through restrictions on freedom of association or expression or the right to peaceful assembly, or abuse of civil or criminal proceedings”;

CONSIDERING that the member states of the Organization of American States (OAS) have demonstrated their full willingness to support the work carried out by human rights defenders and recognize their valuable contribution to the promotion, observance, and protection of human rights and fundamental freedoms in the Americas, and to the representation and defense of individuals, minorities, people with disabilities, and other groups of persons whose rights are threatened or violated;

NOTING that the decisions of the Inter-American Court of Human Rights granting provisional measures, and the Report on the Situation of Human Rights Defenders in the Americas, prepared by the erstwhile Unit for Human Rights Defenders of the Inter-American Commission on

Human Rights (IACHR) in 2006, have highlighted the importance of the work of human rights defenders to the development of democracies in the Americas;

NOTING the decision of the IACHR to prepare a follow-up report on its Report on the Situation of Human Rights Defenders in the Americas of 2006, which will enable it to identify progress and challenges in this area;

EXPRESSING GRATITUDE for the information provided to the IACHR by states and by civil society on the current situation faced by human rights defenders and the measures adopted to implement the recommendations set out in the Report on the Situation of Human Rights Defenders in the Americas;

URGING the IACHR Rapporteurship on Human Rights Defenders to continue its work;

EMPHASIZING that everyone has duties toward and within the community, in which alone the free and full development of his or her personality is possible;

EMPHASIZING ALSO that the promotion and protection of human rights is legitimate work and that human rights defenders, in the exercise of their functions, contribute decisively to strengthening democratic institutions and improving national human rights systems; and

EMPHASIZING FURTHER the importance of the role of human rights defenders in promoting dialogue, openness, participation, and justice to contribute to the prevention of violence and promote sustainable peace and security; and the affirmation that, to be effective, international strategies in this area must pay special attention to protecting human rights defenders,

RESOLVES:

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

2. To recognize that, in view of their gender-specific role and needs, women human rights defenders should be accorded special attention to ensure that they are fully empowered in order to be effective in carrying out their important activities.

3. To condemn actions intended to prevent or hinder, whether directly or indirectly, the work of human rights defenders in the Americas.

4. To encourage human rights defenders to continue their selfless work and to contribute to the enhancement of national human rights systems and to the strengthening of democracy, in accordance with the principles contained in the United Nations Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

5. To encourage member states to continue or initiate, as the case may be, activities to educate and disseminate information to government officials, society at large, and the media, both public and private, so as to make them aware of the importance and validity of the work of human rights defenders and their organizations.

6. To urge member states to continue stepping up their efforts to adopt necessary measures to safeguard the lives, freedom, and personal safety of human rights defenders and their families, including effective emergency protection measures in the case of imminent threat or danger, and to ensure that thorough and impartial investigations and proceedings continue to be carried out,

and appropriate punishments are applied, in all cases of human rights violations against human rights defenders.

7. To urge states to take appropriate measures, in accordance with their domestic laws and their international obligations, or to continue to adopt them, as applicable, to address the question of impunity for attacks, threats, and acts of intimidation, including cases of gender-based violence, against human rights defenders and their families, including by ensuring that complaints are promptly investigated and addressed in a transparent, independent, and accountable manner.

8. To request the Inter-American Commission on Human Rights (IACHR) to:

- a. Continue to give due consideration to this matter;
- b. Continue intensifying its dialogue and cooperation with the United Nations Special Rapporteur on the situation of human rights defenders; and
- c. Include in its annual report a section on the work of its Rapporteurship on Human Rights Defenders.

9. To encourage member states to ensure that applicable national law—including registration where applicable under national law—concerning human rights defenders and their organizations allows their work to be carried out in a free, transparent, and open political environment and in a manner consistent with applicable international human rights and humanitarian law.

10. To invite member states to promote the dissemination and implementation of the treaty and non-treaty instruments of the inter-American system and the decisions of its bodies on human rights matters, as well as the United Nations Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

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

12. To invite those member states that have not yet done so to inform the IACHR of measures adopted to follow up on the recommendations contained in the Report on the Situation of Human Rights Defenders in the Americas, with a view to preparing a follow-up report.

13. To request the Permanent Council to report to the General Assembly at its forty- second regular session on the implementation of this resolution. Execution of the activities envisaged in this resolution will be subject to the availability of financial resources in the program-budget of the Organization and other resources.