

LEGAL PROTECTION OF HUMAN RIGHTS DEFENDERS

Maryam Al-Khawaja, Co-director of the Gulf Center for Human Rights and ISHR Board member, at the launch of ISHR's new legal report 'From Restriction to Protection'. Ms Al-Khawaja shared her recent experience of arbitrary detention and ill-treatment in Bahrain.

IMPACT 2014

- Worked with civil society partners and government officials in Côte d'Ivoire to draft and secure the enactment of a law on the protection of human rights defenders, the first such law in Africa
- Launched a major report on the legal environment for human rights defenders in over 40 jurisdictions from all regions, with 25 concrete recommendations to States as to the law reforms necessary to ensure a safe and enabling environment for defenders' work
- Conducted regional consultations on the legal situation and protection needs of human rights defenders in Asia, the Middle East and North Africa, and Eastern Europe and Central Asia
- Participated in an international civil society mission to Mexico to examine and make recommendations to improve the effectiveness of the Mexican law on the protection of human rights defenders and journalists
- Contributed to a substantial increase in the making and acceptance of Universal Periodic Review (UPR) recommendations regarding the need to strengthen laws and policies for the protection of human rights defenders and to review and repeal laws and policies which criminalise or unduly restrict their work



Room IX at the Palais des Nations was full to capacity for the launch of ISHR's major comparative research report on the recognition and protection of human rights defenders under national law.

The national-level legal recognition and protection of human rights defenders is key to ensuring a safe and enabling environment for their work. Recognising this, in 2014 ISHR worked with the West African Human Rights Defenders Network and the Côte d'Ivoire Coalition of Human Rights Defenders towards the successful enactment of a 'Law on the Promotion and Protection of Human Rights Defenders' in that country.

While the enactment of specific human rights defender laws is a positive step, the impact of such laws depends on their effective implementation and adequate resourcing of the protection mechanisms they mandate. In this vein, ISHR was pleased to take part in an international civil society mission to Mexico to examine and make recommendations to improve the effectiveness of the Mexican law on the protection of human rights defenders and journalists, adopted in 2012.

An enabling environment for human rights defenders also requires the removal of legal restrictions on their work, with ISHR's landmark report, 'From restriction to protection', providing a roadmap for national level law reform in areas from penal codes to tax laws.

Our international advocacy at the Human Rights Council increases pressure on States to repeal or not proceed with the enactment of restrictive laws. Meanwhile, our reports to treaty bodies and the Universal Periodic Review in 2014 were strongly correlated with a 70 per cent increase in recommendations to States to adopt laws and policies to protect defenders and to repeal laws that hinder or criminalise their work. Over 85 per cent of recommendations proposed by ISHR in the context of the UPR were subsequently made by States, including in relation to the need to investigate and ensure accountability for threats and attacks against journalists, to facilitate peaceful protest and strictly regulate the use of force against demonstrators, to review and repeal laws and policies which criminalise or unduly restrict the activities of defenders, and to cooperate fully with international and regional human rights mechanisms.



“The existing legal framework for human rights defenders and NGOs in India is deeply problematic. What we need is domestic legislation that is based on the provisions contained in the UN Declaration on Human Rights Defenders.”

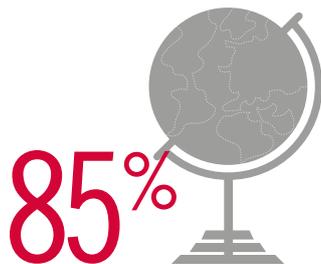
Henri Tiphagne
*Executive Director of
People's Watch India and
Chairperson of FORUM-
ASIA*

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“Côte d'Ivoire should swiftly adopt the law on the protection of human rights defenders and ensure its immediate and effective implementation.”

**Recommendation proposed
by ISHR**
*and made by the Czech
Republic to Côte d'Ivoire
at the Universal Periodic
Review of April 2014.
Côte d'Ivoire subsequently
adopted such a law, the
first in Africa, in June 2014*



ISHR recommendations picked up by States in the context of the Universal Periodic Review



Increase in UPR recommendations on human rights defender issues correlated with ISHR advocacy

VISION 2015

With your support we will:

- Work closely with civil society partners and government officials in States including Burkina Faso, Côte d'Ivoire, Honduras, Mexico and Sierra Leone to promote the enactment, enhancement and effective implementation of national human rights defender laws and protection mechanisms
- Work with grassroots activists and international legal experts to draft a model national law on the protection of defenders
- Advocate for the implementation of recommendations from our landmark report on the legal environment for human rights defenders
- Partner with leading international law firms on a pro bono basis to conduct and intervene in strategic litigation that strengthens the legal protection of defenders and challenges restrictions to their work



ISHR's Eleanor Openshaw (right), and Angelita Baeyens of the Robert F. Kennedy Center for Justice and Human Rights (left), during an international civil society monitoring mission to Mexico.

Comisión Mexicana de Defensa y Promoción de los Derechos Humanos