

GOAL AND IMPACT PROTECTING RIGHTS AND PROMOTING ACCOUNTABILITY





OUR 2021 GOAL :

States, businesses and other non-State actors respect and protect human rights defenders

WHAT WE ACHIEVED:

We worked to ensure that States and businesses respect and protect human rights defenders and fulfil their human rights obligations at the international, regional and national levels, including through legislative and policy action.

Our unparalleled experience at the UN and with regional bodies allowed us to rapidly and strategically use those mechanisms to prevent violations and attacks against human rights defenders and pursue justice and accountability where they occurred.

We worked with local partners to advocate for national implementation of international and regional human rights standards on the protection of defenders and an enabling environment for their work. Our deep partnerships with grassroots defenders, and our reputation and track record of cooperation with governments and human rights institutions, uniquely positioned us to advise on and support national-level implementation.

Through our values- and hope-based communications and narratives, we positively influenced public and political attitudes, behaviours, laws and policies in relation to defenders and countered stigmatisation and smears against them.

SELECTED HIGHLIGHTS

NUMBER OF LARGE BUSINESSES AND ASSOCIATIONS THAT HAVE ADOPTED PUBLIC POLICIES OR STATEMENTS IN SUPPORT OF HUMAN RIGHTS DEFENDERS

30



Following sustained advocacy from civil society, in March 2021 Finland delivered **a joint statement on behalf of 32 governments condemning the deteriorating human rights situation in Egypt** – the first such statement in seven years. The statement called on the Egyptian authorities to release arbitrarily detained defenders, end the use of torture, and respect the rights to freedom of expression, assembly and association. ISHR worked with countries including Belgium, Ireland, Luxembourg and the Netherlands to follow up and pursue accountability for reprisals against human rights defenders from Egypt and other countries.



Together with Race & Equality, ISHR coordinated 'Colectivo 46/2' – a network of 21 Nicaraguan and regional and international civil society organisations – to **monitor and report on the Nicaraguan government's compliance with the Human Rights Council's recommendations** and hold the government accountable for its violations of its international human rights obligations. We are now **campaigning for the establishment of an international accountability mechanism on Nicaragua**.

According to Race & Equality, 'ISHR has played a vital role in drawing the attention of the international community to Nicaragua's human rights situation. ISHR has worked hand in hand with Nicaraguan civil society organisations to involve them in the process of renewing and strengthening the Human Rights Council's resolution on Nicaragua. Their expertise and technical capacity have helped Nicaraguan civil society to engage effectively with the Council.'



Throughout 2021, we remained at the **cutting edge of strategic human rights litigation**. Among others, we obtained a **landmark decision from the UN Human Rights Committee** recognising that the right to communicate with international bodies is integral to the right to freedom of expression, a **judgment from the Inter-American Court of Human Rights** holding Honduras responsible for violating the rights of murdered LGBT rights activist Vicky Hernández, and a **judgment from the European Court of Justice** declaring as invalid laws in Hungary restricting the work of migrant rights defenders. We also submitted innovative communications to UN treaty bodies regarding the harassment of a health rights defender in Venezuela and a minority rights defender in Burkina Faso. We are indebted to the pro bono lawyers who substantially assist ISHR in this work.





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The protection of HRDS is not rocket science! says @MaryLawlorhds

- You need to embed it in legislation, policy and practice
- Tackle impunity
- Educate the public about defending human rights #HRC46



Together with the Business & Human Rights Resource Centre and the B-Team, ISHR continued to **promote and support corporate action to respect and protect human rights defenders and corporate accountability for abuses against them**. ISHR was instrumental in developing the **new United Nations Guidelines on Business and Human Rights Defenders** and there are now more than 30 major companies and business associations that have adopted public policies or statements in support of defenders.

In December 2021, the **Business Network on Civic Freedoms and Human Rights Defenders** launched its website, enhancing transparency and providing additional information on the 30+ multinational companies the Network engages with on the protection of civic space. We also worked with responsible business and investors to speak out against threats and restrictions against human rights defenders, such as in Myanmar.

As an aspect of our role connecting human rights defenders and business with a view to better protecting the **shared civic space**, ISHR and Access Now convened a dialogue between major technology companies, United Nations experts and civil society activists to identify and strategise on key human rights risks and challenges. Over the last year we convened more than **10 events and briefings** on some of the most pressing issues for human rights defenders in relation to business and human rights.

ISHR also continues to work at the international and regional levels to ensure companies are effectively regulated with respect to human rights, including through the **development of a binding treaty** at the international level, as well as **mandatory human rights due diligence legislation** at the level of the European Union. Where appropriate, we engage constructively with companies to pursue this agenda. According to ABN AMRO, a member of the Business Network on Civic Freedoms and Human Rights Defenders, *'while some companies, including ABN AMRO, have been working to implement human rights due diligence for years, we believe that voluntary measures are no longer enough... mandatory legislation in the EU would help us be more effective in our advocacy for human rights toward our business relationships.'*

With the COVID-19 pandemic being associated in many jurisdictions with laws and measures restricting civic freedoms, ISHR conducted research and consultations, and produced a **report**, on the impact of pandemic restrictions on the work of human rights defenders. The report also identified good practices and made recommendations to ensure both that the pandemic is not used as a subterfuge to restrict and criminalise defenders, and to ensure that their vital work supporting people and communities made vulnerable is safeguarded and enabled.





“ States have the obligation to respect defenders, to provide them with security, to heed their calls and to consider that we are people who support the most vulnerable sectors of society, and recognise that this is a vital contribution to democratic life. ”

DR MARIA LUISA ACOSTA, COORDINATOR OF THE CENTRO DE ASISTENCIA LEGAL A PUEBLOS INDÍGENAS (CALPI), NICARAGUA

IN DEPTH:

HOLDING CHINA ACCOUNTABLE FOR WIDESPREAD AND SYSTEMATIC VIOLATIONS

In 2021, in an independent expert evaluation ISHR was described by a UN representative as ‘the go-to organisation when it comes to human rights in China’ and ‘one of the key organisations at the forefront in Geneva when it comes to explaining the human rights situation in China. The work that they are doing is very valuable and very much needed’.

Throughout the year, we continued and strengthened our work to support Chinese human rights defenders and to monitor and hold China accountable for its human rights obligations. We provided Chinese defenders with extensive training, strategic advocacy advice, and access to a wide range of **Chinese-language resources and materials**. Where safe to do so, we supported human rights lawyers and defenders like **Teng Biao**, victims like Gülbahar Jalilova, or family members of detained activists like **Zhang Haitao**, to address the UN Human Rights Council directly.

Reflecting our efforts to mobilise the Human Rights Council and States, UN Special Procedures ensured sustained attention on China, including through strong statements and communications regarding arbitrary detention, forced labour, sexual and gender-based violence and torture in the Uyghur region, as well as the use and abuse of national security legislation to curtail freedoms and imprison journalists and defenders, among other violations.

At the Human Rights Council in Geneva and the UN General Assembly in New York, Canada and France both led **cross-regional statements** supported by over 40 governments regarding widespread and systematic human rights violations in China. These joint statements represent significant steps towards building a coalition of support to establish an international human rights monitoring and reporting mechanism on the country; a key priority for ISHR and partners in the year ahead.

In line with calls from ISHR and partners, together with overwhelming evidence of crimes against humanity and other grave human rights violations in Xinjiang and the Uyghur region, the UN High Commissioner for Human Rights finally committed

to finalise and publish a report on ‘allegations of serious human rights violations in that region’. Taken together with China’s withdrawal at the September session of the Human Rights Council of a draft resolution which could have undermined universal human rights norms due to a lack of support from other States, it’s a small signal of positive change and an awakening to the need to address **the impact of China’s initiatives on universal human rights standards and the independence of the UN human rights system** as documented by ISHR.

“ Put simply, **Chinese policy on international relations** has been essentially about building barriers to block criticism of its rights record. ”

ISHR PROGRAMME DIRECTOR SARAH BROOKS
QUOTED IN *THE DIPLOMAT*, 16 MARCH 2021

IN DEPTH:

STRENGTHENING LEGAL RECOGNITION AND PROTECTION OF DEFENDERS AT THE NATIONAL LEVEL IN AFRICA AND ASIA

With the legal recognition and protection of human rights defenders being an essential element of holistic security and a safe and enabling environment for their work, we continued to advise and support national level partners on the development of national human rights defender laws and the repeal or amendment of restrictive legislation.

In **Mongolia**, **ISHR supported national partners over several years** to finally secure the adoption of a Law on the Legal Status of Human Rights Defenders in April 2021, the first such law in Asia. While the Mongolian law does not fully align with the provisions of **ISHR's Model National Law** and is deficient in some ways, UN High Commissioner for Human Rights Michelle Bachelet said:

'The law is a welcome and critical move to create a safe and enabling environment for human rights defenders. It will serve to acknowledge their crucial work, to bring the perpetrators of attacks against them to account, and to end impunity. As the first country in Asia to enact such important legislation, the law will resonate within and beyond Mongolia's borders.'

Within Central Asia, ISHR is supporting a civil society coalition in **Kazakhstan** to develop and implement a strategy for a human rights defender protection law, while in South East Asia, ISHR continued to work closely with national partner Karapatan to push for the adoption of a **Philippines** law on human rights defenders. With the **Philippines House of Representatives having passed a Human Rights Defenders Protection Act** on 17 January 2022, we are now pushing for final approval of the law by the Senate.

Continuing our decades-long work with national partners in **Africa**, ISHR conducted consultations and workshops, and provided advocacy advice and support, to ensure the effective implementation of human rights defender laws, and the effective functioning of protection mechanisms, in **Burkina Faso, Côte d'Ivoire** and **Mali**. We are also working with civil society partners and national coalitions in **Benin, the DRC, Guinea, Niger, Senegal, Sierra Leone, Togo** and **Zambia** to support efforts towards the adoption of national human rights defender laws, as well as to engage and leverage regional and international human rights mechanisms to positively influence those processes.

“ Human rights defenders have been killed, arrested, detained, red-tagged, and threatened for so long – especially for the past six years under the murderous regime of **President Rodrigo Duterte** – and a law to criminalise these acts and recognise the State's duty to protect defenders is long overdue. ”

CRISTINA PALABAY, SECRETARY GENERAL, KARAPATAN (PHILIPPINES)