

ACTIVIST GUIDE TO THE DECLARATION +25

A guide to using, building on, and amplifying the standards
in the Declaration +25 to protect the right to defend rights



CREDITS

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HOW TO READ THIS GUIDE

- Throughout the guide we have used the following pictogrammes:
- : Indicates important documents related to the Declaration +25, that will give further insight and context to the Declaration +25 and the process to develop it.
 - : Provides tips and examples.
 - : References additional resources that might be useful to you.
 - : The importance of each tactic discussed.
 - : How each tactic could concretely be applied

IS THIS GUIDE FOR YOU?

This guide provides an introduction to the Declaration +25. It seeks to facilitate a deeper understanding of the Declaration +25 and encourage its use and promotion. We hope it will encourage further exploration and implementation of the Declaration +25 and the international human rights law upon which it is based, and that it will be a resource in building on and amplifying those standards.

This guide is intended for all human rights defenders (for the purposes of this Guide, 'defenders' or 'HRDs'), activists, civil society representatives, community leaders, human rights organisations, lawyers, jurists, policy makers and public officials, national equality bodies, service providers, academics, family and friends of defenders and human rights institutions. It is intended for anyone who is promoting or protecting the rights of HRDs, anyone who is exercising the right to defend human rights, anyone who is seeking justice and accountability, or working towards a more free, fair, just, peaceful, and sustainable world.

Our aim is that the Declaration +25 becomes a key advocacy resource we all use and refer to, thus making it increasingly influential - much like the Yogyakarta Principles.



THE YOGYAKARTA PRINCIPLES: AN INSPIRATION

The Yogyakarta Principles were developed by civil society and adopted by a group of experts. They articulate international human rights law as it applies to issues of sexual orientation and gender identity. Since their adoption, they have been referred to and applied by activists and civil society globally to enhance equality and justice for LGBTIQ+ communities in all regions, including in UN submissions, legal submissions at international, regional, and national levels, and in resources and guides. Their application has, in turn, strengthened their standing, for example by being referenced by UN bodies and mechanisms, in national, regional and international court decisions, in national parliaments, and in national laws and policies.

PART 1

BACKGROUND AND DEVELOPMENT OF THE DECLARATION +25

In 2023 it had been 25 years since the United Nations General Assembly adopted the Declaration on human rights defenders (the Declaration or the UN Declaration) in 1998.

The adoption of the Declaration was a turning point. It recognised the importance and legitimacy of human rights activity, and the need to protect the right to defend human rights. The Declaration enshrines the fundamental right to defend human rights and articulates how existing human rights contained in major instruments – including the rights to freedom of expression, association and assembly – apply to human rights defenders.



THE 1998 UN DECLARATION

For more information on the Declaration on HRDs, visit [the ISHR Academy's dedicated page](#).

Over the last 25 years, these fundamental principles have guided national, regional, and international efforts to support and safeguard those who advocate for human rights. Twenty years after the adoption of the Declaration, defenders globally met in Paris for the 2018 Human Rights Defenders World Summit. The Summit reaffirmed the principles of the Declaration and the essential role of HRDs. The Summit's outcome document was a call for action, including to: 'Take stock of the developments in normative frameworks related to the protection of defenders since 1998 and further develop and deepen the norms contained in the Declaration with the view to afford enhanced protection.' The development of the Declaration +25 sought to do just that, putting civil society at the centre of a conversation fundamental to them and their work - the right to defend rights.

In the last twenty five years, the human rights movement has grown and become more vibrant and diverse than ever, reaching unprecedented achievements. However, new challenges have emerged, reshaping the threats and obstacles faced by HRDs. These include digital threats, transnational repression, and attacks against

defenders' families and communities. As a result, the human rights movement is today confronted with an unprecedented scale of persecution and repression. These threats and attacks have been accompanied by a pervasive narrative depicting HRDs as criminals, undesirables, terrorists, or as opposing development.

Notwithstanding the Declaration's impact, its full potential remains unrealised due to insufficient implementation and enforcement by States. Since the Declaration was negotiated by States and adopted by consensus, it was never comprehensive. Additionally, since the Declaration's adoption, international law on the recognition and protection of the right to defend human rights has evolved. Even new rights, such as the right to a clean, healthy and sustainable environment, have been recognised. There have also been developments as to the obligations of non-State actors including business enterprises, defenders in conflict and post-conflict situations, and the relationship between HRDs and technology, as well as a better understanding of the effects of stigmatisation, criminalisation, and the unique and intersectional risks faced by defenders because of their identities and activities. The commitment and advocacy by HRDs globally have been central to those developments.

Recognising these challenges and developments, a group of international and regional civil society organisations held consultations to identify the key issues faced in the defence of human rights that are not, or are only insufficiently, addressed by the Declaration. This process involved HRDs, legal and human rights experts, and civil society. Over the course of a year, more than 700 defenders from all regions and working on diverse issues and with diverse identities provided inputs through in-person or online consultations. Informed by these consultations, as well as by comprehensive legal research and analysis, leading international law firm Freshfields Bruckhaus Deringer was engaged on a pro bono basis to develop a first draft of the Declaration +25. This was then reviewed, revised, finalised and adopted in a meeting in Bangkok in April 2024 and endorsed by 37 experts from diverse regions and backgrounds.

THE DECLARATION +25 SECRETARIAT

The Declaration +25 was developed by a group of 18 human rights organisations and coalitions: Amnesty International, Asia Pacific Forum on Women, Law and Development (APWLD), Asian Forum for Human Rights and Development (FORUM-ASIA), CIVICUS, Defend Defenders, Front Line Defenders, the Gulf Centre for Human Rights, ILGA World, the International Center for Not-for-Profit Law (ICNL), the International Federation for Human Rights (FIDH), the International Service for Human Rights (ISHR), the Mesoamerican Initiative of Women Human Rights Defenders (IM-Defensoras), Peace Brigades International, ProtectDefenders.eu, Protection International, the Regional Coalition for Women Human Rights Defenders in Southwest Asia and North Africa (WHRDMENA), Robert F. Kennedy Human Rights and the World Organisation Against Torture (OMCT).

WHAT'S NEXT?

We want human rights defenders, legal scholars, civil society organisations, NGOs, international and regional human rights mechanisms experts and staff, and State authorities to use the Declaration +25 as an authoritative document providing the best standards when it comes to defenders' protection and recognition. To achieve that, we must ensure that these audiences are aware of the existence of the Declaration +25 and that they refer to it, disseminate, cite, and use it to help strengthen legal arguments, advocacy and capacity building. In the end, this should result in decisions, judgements, laws or policies citing the Declaration +25. In a nutshell, our aim is for it to become a point of reference, authority and acknowledged soft law instrument.

The strategy for achieving this will depend on where each of us works and on our specific context. It is now our responsibility and our role to develop this strategy. The present guide suggests elements that could form part of it.

The Declaration +25 is just starting its journey. We will monitor it and evaluate it on the [#Right2DefendRights website](#). If you need support with the Declaration +25 or if you want to report any progress on its dissemination or implementation, contact us here: declaration25@ishr.ch.



PART 2

WHAT IS IN THE DECLARATION +25?

The Declaration +25 is grounded in and compiles international law in relation to defenders. It takes into account international jurisprudence over the last 25 years, the evolution of movements and activism, as well as defenders' lived experiences. It updates, expands on, and supplements the 1998 Declaration and is meant to be read alongside it. Together, they articulate the standards to protect the right to defend rights and those who exercise it.

THE JURISPRUDENTIAL ANNOTATIONS

Every provision of the Declaration +25 is grounded in and elaborates international law. In addition to the main version of the Declaration +25 that includes the broad principles, a version that sets out the detailed jurisprudential annotations was launched alongside it. This second version (currently only available in English) provides additional information and the references to legal resources about the international standards and instruments upon which each principle in the Declaration +25 is based. Although not explicitly forming part of the text of the Declaration +25, the annotations (set out in footnotes) serve as a guide to the legal framework underpinning each principle.

THE REPORT OF CONSULTATIONS

During the development of the Declaration +25, we consulted over 700 human rights defenders from around the world who talked about their lived experiences. We identified some trends and patterns that you can discover in the compilation report of the consultations.

HOW CAN THE DECLARATION +25 BE ADAPTED TO DIFFERENT IDENTITIES AND STRUGGLES?

The Declaration +25 was drafted in a way that intended for it to be as inclusive and protective as possible for all HRDs, including those working on specific issues, with specific identities or facing specific challenges. For this reason, Article 6 is broadly framed and refers to HRDs at risk, instead of focusing on specific groups of HRDs, and the Declaration +25 itself encourages an intersectional and contextualised approach to HRD risk and protection. The entire document is intended to articulate standards that apply to all HRDs.

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The Declaration +25 is a powerful new tool and reminder of the existing standards and principles that States, corporations and society at large must implement to protect and enable human rights defenders across the world for the years to come.

.....

WHAT IS IN THE DECLARATION +25?

THESE TWO PAGES MAP OUT THE RIGHTS AND OBLIGATIONS IN THE DECLARATION +25. PLEASE REFER TO THE DECLARATION +25 FOR DETAILED PROVISIONS.

☆ Signifies that along with the main principle, the Declaration +25 also steps out elements or means to achieve the right or obligation in the relevant principle.



ARTICLE 1: Definition of a human rights defender.

ARTICLE 2: Reaffirmation of the right to **promote, defend and protect human rights** and the State obligation to recognise, protect, respect and fulfill it.

ARTICLE 3: States should **recognise and acknowledge** the right to defend rights and the legitimacy and importance of the activities of defenders. ☆

ARTICLE 4: States shall foster a **safe and enabling environment** where people can defend human rights. ☆

ARTICLE 5: States shall enable human rights defenders to conduct their activities free from **stigmatisation and criminalisation**. ☆

ARTICLE 6: **Human rights defenders at risk** shall enjoy protection that adopts a collective, intersectional and preventive approach, targets the root causes of insecurity, and achieves sustainable and structural changes so everyone can exercise the right to defend rights.

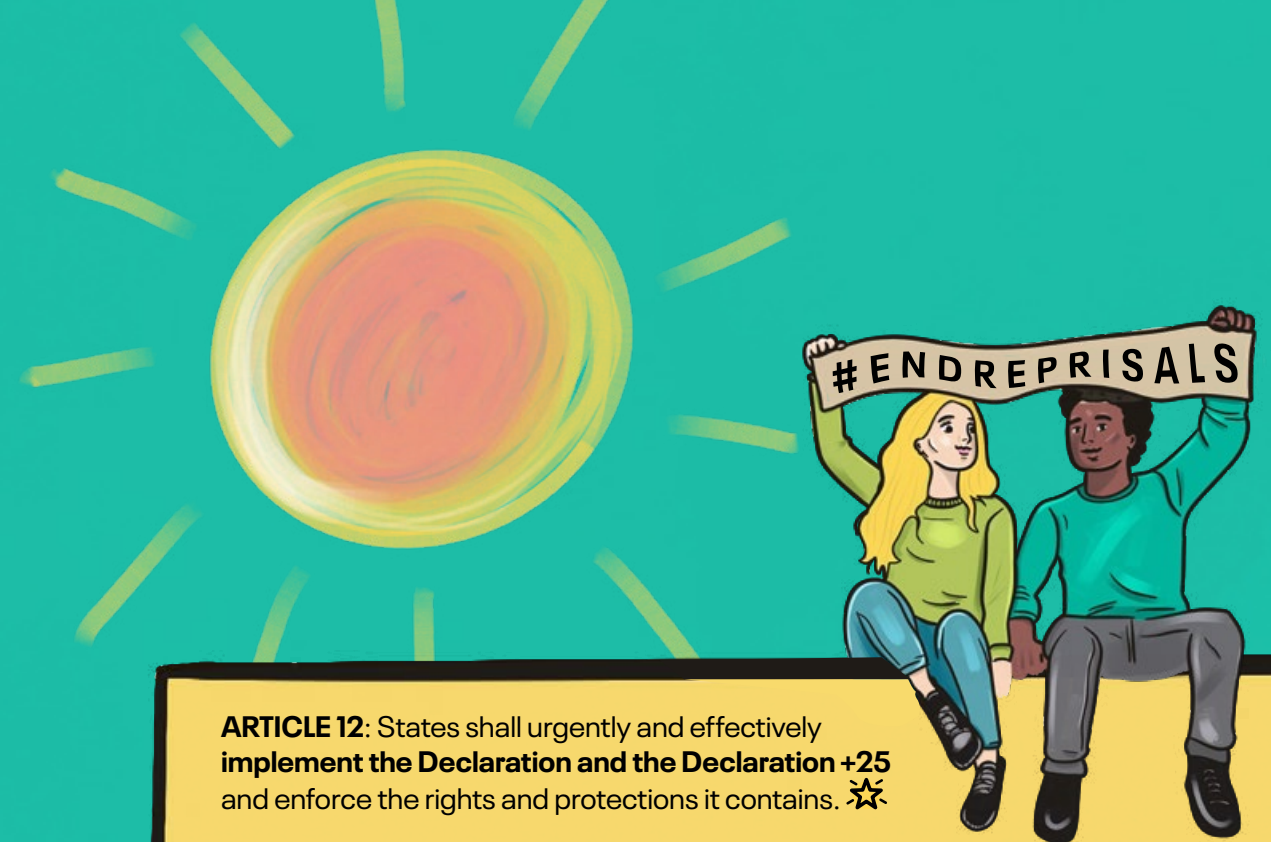
ARTICLE 7: States shall ensure the **comprehensive protection** of human rights defenders at risk, including their physical, psychological and digital safety and security. ☆

ARTICLE 8: States should ensure that the protection of human rights defenders extends to their **families, relatives, associates, representatives and communities**.

ARTICLE 9: States should ensure human rights defenders **access to information and communication technologies** in the context of their activities without facing risks, and enable defenders' right of access to information and to open, secure and affordable communication technologies. ☆

ARTICLE 10: States should not hinder the flow of **financial resources to defenders**. ☆

ARTICLE 11: States shall protect human rights defenders during **conflict, post-conflict and crisis-affected settings** and the obligations of States in such times. ☆



ARTICLE 12: States shall urgently and effectively **implement the Declaration and the Declaration +25** and enforce the rights and protections it contains. ☆

ARTICLE 13: States should regularly **monitor and report on the implementation** of the Declaration and the Declaration +25. ☆

ARTICLE 14: States should provide enhanced diplomatic protection and **support to human rights defenders** at risk outside of their territory. ☆

ARTICLE 15: States shall facilitate the right to freedom of movement and take all necessary measures to **support human rights defenders on the move, displaced, or in exile**, ensuring they are safe and can continue their activities. ☆

ARTICLE 16: States shall protect, support and **promote accountability** for grave violations against human rights defenders, even if they happen in another State or are perpetrated by another State. ☆

ARTICLE 17: States shall ensure that **non-State actors**, including business enterprises, respect human rights defenders and do not violate or restrict their rights. ☆

ARTICLE 18: **Business enterprises** shall ensure their activities do not impede the activities of human rights defenders. ☆

ARTICLE 19: **International and regional bodies** (such as the UN, World Trade Organization or other financial institutions) should recognise the right to defend human rights and facilitate its exercise, particularly the **right to communicate** with those bodies. ☆

PART 3 HOW CAN YOU USE THE DECLARATION +25 ?

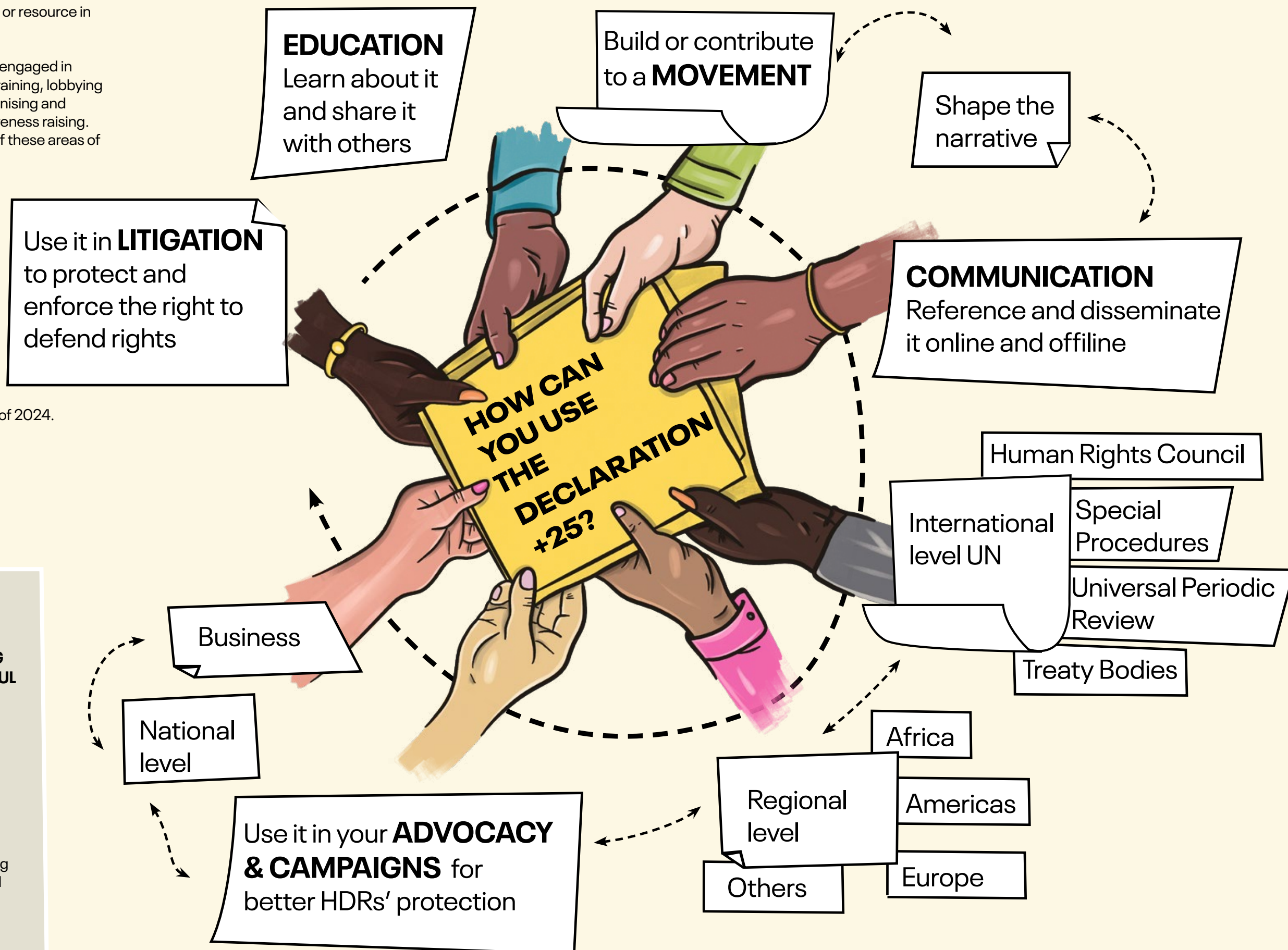
This section aims to identify ways in which the Declaration +25 can be used as a tool or resource in your activities.

Many HRDs or HRD organisations are engaged in various areas of work, such as legal, training, lobbying and advocacy, service provision, organising and mobilising, public education and awareness raising. The Declaration +25 is relevant to all of these areas of work.

There are also many ways to work with the Declaration +25. The promotion of the Declaration +25 does not require working within the human rights system, being a lawyer, knowing international treaties, their functions or processes, the standards in the Jurisprudential Annotations, or any other technical detail. It is enough to know that the Declaration +25 is an articulation of international law as it applies to human rights defenders as of 2024.

IN DETERMINING HOW THE DECLARATION +25 CAN SUPPORT YOUR WORK OR ACTIVITIES, THE FOLLOWING QUESTIONS MIGHT BE USEFUL

- ✓ How can integrating the Declaration +25 enhance your activities to protect human rights defenders?
- ✓ How can the Declaration +25 be used as an advocacy or accountability tool?
- ✓ Can the Declaration +25 play a role in strengthening or developing coalitions, leveraging funding and deepening partnerships?
- ✓ Does working with the Declaration +25 present any new opportunities?



1. EDUCATION: KNOW YOUR RIGHTS AND KNOW THE DECLARATION +25

As a compilation of legal standards on HRDs, simply understanding the Declaration +25 can help you understand your rights as HRDs, or the rights of HRDs generally, as well as the duties and obligations for which State and non-State actors are accountable.

Some questions this guide seeks to answer when thinking about educating yourself and others:

What is the Declaration +25 and how does it relate to HRDs?

↳ See [Part 1](#) and [2](#) of this guide

How and when was the Declaration +25 developed? Why was it needed now?

↳ See [Part 1](#) of this guide, the [#Right2DefendRights website](#) and the [report of consultations](#).

What is the jurisprudence and international human rights law the Declaration +25 is based on?

↳ The [Jurisprudential Annotations to the Declaration +25](#) were developed as a resource to outline the international standards and jurisprudence to which each principle in the Declaration +25 relates. A comprehensive understanding of those underlying standards themselves is not needed, but awareness that each principle is based on existing standards and where to find them is useful.

What are some of the ways in which the Declaration +25 has been used since its adoption?

↳ As the Declaration +25 was launched in 2024, this will happen over time. The [#Right2DefendRights website](#) will collate examples of the ways in which the Declaration +25 has been used going forward.

How does the Declaration +25 relate to international human rights law?

↳ See [Part 1](#) of this guide, the [Declaration +25](#) and the [Jurisprudential Annotations](#).

How does the Declaration +25 relate to the specific community of HRDs I am a part of or work with?

↳ See [Part 2](#) of this guide.

👉 This awareness and knowledge will assist in:

- ✓ building capacity and power for yourself, your organisations, and your communities
- ✓ encouraging consideration of how to work with other groups and NGOs in developing awareness around the Declaration +25
- ✓ learning how activism and advocacy has influenced progress in international law relating to the protection of HRDs and the normative standards collated in the Declaration +25. Indeed, HRDs and activism have been critical in identifying developments, gaps, and opportunities in existing and future legal standards in relation to HRDs.

👉 In supporting the sharing of knowledge on the Declaration +25, you might want to consider:

- ✓ taking the online module on the Declaration on HRDs and the Declaration +25 on the ISHR Academy
- ✓ having a look at the [#Right2DefendRights website](#)
- ✓ focusing on a few specific areas of the Declaration +25, perhaps those most relevant to your work
- ✓ planning information sessions, perhaps involving academics or members of the Secretariat of organisations that developed the Declaration +25 (see [Part 1](#))
- ✓ translating the Declaration +25 into national or local languages and sharing those translations with [declaration25@ishr.ch](#) so they are added to the [#Right2DefendRights website](#)
- ✓ developing educational materials based on the Declaration +25 to make it more accessible to your community
- ✓ taking into account the opportunities or hooks that might present themselves (e.g.: the introduction of a new restrictive national law or regulation, an opportunity to present a paper at a conference or contribute to a training course) to deepen your or your community's knowledge of the Declaration +25.

💡 POINTS FOR DISCUSSION IN YOUR COMMUNITIES

- ✓ How does the Declaration +25 apply to the lived experiences of the people I or my organisation serves?
- ✓ How does the Declaration +25 apply to the culture, laws, customs, practices and beliefs of my community?



2. BUILDING A MOVEMENT (OR JOINING ONE)

Recruiting allies, empowering individuals, choosing priorities – all of these are necessary to build a movement.

 The Declaration +25 can be used to build your confidence about asserting your rights, build awareness about the rights you have (even if you haven't considered yourself a HRD before), widen coalitions to support campaigns, and identify rights violations in order to inform community priorities.



 Specifically, the Declaration +25 can help build or contribute to a movement by:

- ✓ providing elements for a more effective and shared narrative on defenders based on a broad definition of HRDs that focuses on what they do, the rights they defend, and the necessity to recognise their essential role. It can help you spread a strong message and engage more people in the movement.
- ✓ providing a common understanding of who we are as HRDs and what rights we have, helping defenders get together and work in coalitions, form a new movement or strengthen an existing one
- ✓ providing a common vision of the baseline regarding the rights of HRDs and what we should expect as a movement from States and other actors in terms of legal obligations and protection. It can therefore help in strategising on the rights we are jointly fighting for.

These elements are usually important for a movement to be impactful and sustainable over time.

KNOW YOUR ALLIES

Building or joining a movement requires a clear understanding of who your true allies are. Many corporations and initiatives adopt the language and narratives of social movements, but their actions say otherwise. Stay vigilant about this possibility, map out other actors working toward similar objectives, and analyse the political context in which your movement has been established.

THE NARRATIVES WE WANT TO USE

The stories and narratives about human rights defenders have a major impact on how they are understood and supported on the ground. We can all help cultivate narratives that are beneficial to human rights and the people who defend them. We want to create a picture that showcases the impact achieved and improvements delivered when people promote human rights and encourages everyone to play their part in creating a fairer world.

ISHR has published a **guide** that provides recommendations and tips on crafting effective narratives about HRDs at the UN.

The Vuka! network developed a **workshop methodology** that can support civil society organisations in creating powerful, positive counter-narrative campaigns that can change public opinion on HRDs.

3. TALK ABOUT IT: REFERENCE AND DISSEMINATE THE DECLARATION +25

While the Declaration +25 is grounded in existing international law, the compilation itself was strategically developed by civil society, and therefore the document itself was not adopted by the UN or States, despite many of the norms and standards underlying each principle being based on a UN document.

 For this reason, we should all reference, disseminate and cite the Declaration +25 every time it is appropriate and possible. The more we do so, the closer we get to achieving our objective of making the Declaration +25 a point of reference, authority and acknowledged soft law among decision makers, jurists, lawyers, UN bodies and State representatives - modelling what happened with the Yogyakarta Principles (see the text box in [Part 1 above, page 1](#)).

 Dissemination tactics could include:

- ✓ translating the Declaration +25 into national or local languages and sharing these translations with declaration25@ishr.ch to add to the **#Right2DefendRights** website
- ✓ sharing and enhancing awareness of the Declaration +25 among national human rights bodies
- ✓ posting the Declaration +25 on your website or disseminating it on social media
- ✓ writing articles about it for relevant publications and newsletters, and issuing press releases
- ✓ pitching articles, op-eds, or interviews to the media that mention the Declaration +25 or convey its message
- ✓ discussing the Declaration +25 in public fora
- ✓ preparing summaries, leaflets, pamphlets or selected excerpts for distribution to selected target groups
- ✓ developing training sessions and materials on the Declaration +25, including for lawyers, police, or service providers

- ✓ relaying a more positive narrative on HRDs and curating stories that portray them as changemakers (see previous section)
- ✓ highlighting and promoting recommendations or outcomes of international and regional bodies and mechanisms that reference the Declaration +25.

EXAMPLE

In March 2025, the National Human Rights Commission of Mongolia translated the Declaration +25 into Mongolian to publish and disseminate it locally. (Full list of translations available [here](#)).



4. ADVOCACY AND CAMPAIGNING: PUSH FOR BETTER RECOGNITION AND PROTECTION OF HRDS

Advocacy aims to create positive change and can take place at local, national, regional and international levels toward various targets. Advocacy can be conducted using a wide range of techniques, including documenting human rights violations, researching new solutions, engaging in public campaigning, working with the media, creating coalitions, raising awareness on social media, protesting in the streets, launching petitions and mobilising others to take action.

-  As it collates and sets out the international standards on HRDs, the Declaration +25 can be a critical resource when it comes to advocacy for the recognition and protection of HRDs. It can serve to:
- ☑ build evidence on what needs to change to enhance the protection of HRDs and how that change can happen

- ☑ bring attention to the Declaration +25 and its content and give a voice to those affected
- ☑ influence those in power to provide leadership, take action, and invest resources in enhancing the protection of HRDs
- ☑ create a positive change towards greater recognition and protection of the rights of HRDs.

EXAMPLE

The Yogyakarta Principles have provided a basis for civil society advocacy and campaigns. In the Netherlands, activists have promoted customised health care for trans persons in line with the Yogyakarta Principles, and they have been embraced in the international trans depathologisation agenda. In 2018, the Australian Human Rights Commission referred to the Yogyakarta Principles in a discussion on best practices in the protection of the human rights of intersex persons in the context of medical interventions.

-  The sections below delve deeper into advocacy with various fora.

BE MINDFUL OF REPRISALS AND RISKS

HRDs who dare to speak out face heightened risks of retaliation or reprisals. This can happen wherever your work takes place: at the national, regional or international level; online or offline. You should always consider risk and take steps to protect yourself!

NOTE

Protection International and Front Line Defenders, among many others, have developed guides for HRDs to improve their understanding of security and protection.

ISHR has some resources to assess and mitigate the risk of reprisals when working with the UN & regional human rights mechanisms.

4.1 Advocacy at the International Level

The Declaration +25 can be a vital resource when conducting advocacy at the international level. In this section, we look at engaging with four key UN human rights bodies and mechanisms.

NOTE

If you are not familiar with the UN human rights bodies and mechanisms, visit the ISHR Academy's website.

HUMAN RIGHTS COUNCIL

The Human Rights Council (HRC) is the main intergovernmental body within the UN which is responsible for promoting human rights, preventing violations, and addressing widespread and systematic violations.

-  As it brings civil society and States together, the HRC can be a useful space in which to promote the Declaration +25 in oral statements, or organise side events that include a discussion about it and its articles.

EXAMPLE

In June 2024, several rights groups co-organised a side event at the 56th session of the Human Rights Council to launch the Declaration +25 and present its content to diplomats and civil society. The event was attended by representatives of 23 countries. A similar event was held at the margins of the UN General Assembly's 79th session's Third Committee in New York in presence of the UN Special Rapporteur on HRDs.

As a collation of international standards on HRDs, the Declaration +25 is also a useful resource of language that can be proposed to be included in Human Rights Council resolutions, and it can be used in meetings with diplomats during the Council sessions.

EXAMPLE

In March 2025, during the 58th session of the Human Rights Council, civil society organisations successfully advocated for a resolution on human rights defenders and new and emerging technologies, led by Norway and co-sponsored by 24 States, to include a reference to the Declaration +25 and be consistent with its content.

SPECIAL PROCEDURES

Special Procedures are independent experts tasked by the UN with investigating and reporting on human rights situations (thematic or country) around the world, as well as examining individual cases. They can also provide advice and recommendations for the implementation of those rights.

-  The Declaration +25 can assist with clearly articulating rights violations and support the following efforts:
- ☑ requests for formal communications by Special Procedures mandate holders, which can either be:
 - ☑ urgent appeals seeking to halt ongoing violations or prevent violations likely to occur
 - ☑ allegation letters addressing a human rights situation that has already occurred, that requests information and recommends measures of redress to victims
 - ☑ or policy/legislative communications expressing concern that an existing or proposed policy or legislation has or will impact on the rights of certain members of the population
 - ☑ requests for a **public statement or press release** by one or multiple mandate holders
 - ☑ responses to calls for inputs to thematic and annual reports of Special Procedures that are presented to the Human Rights Council and the General Assembly
 - ☑ requests for Special Procedures to conduct informal or formal country visits.

UNIVERSAL PERIODIC REVIEW

The Universal Periodic Review (UPR) is a peer-review process by which each UN Member State is reviewed against its human rights commitments and obligations by other States.

-  By articulating legal standards and State obligations on HRDs, the Declaration +25 can be:
- ☑ a useful resource when engaging in national consultations held by States on their human rights records
 - ☑ useful to reference in civil society submissions for periodic reviews of States by setting out standards for States to seek to comply with, or noting ways in which States have violated rights. These submissions can serve to encourage peer States to make recommendations to the State under review that build on or reference the Declaration +25.

TREATY BODIES

Treaty Bodies are committees of independent experts that monitor States' compliance with and implementation of core international human rights treaties.

The Declaration +25 can:

- ✓ be referenced in submissions to the List of Issues, List of Issues Prior to Reporting or to the periodic review of the State, as well as in dialogues with any given Treaty Body as part of a review. This will ideally result in the Declaration +25 or the rights that it articulates being included in experts' concluding observations and recommendations to States.
- ✓ be referenced in submissions to the process of creation of a general comment.
- ✓ be a useful resource in an individual communication to a Treaty Body regarding the violation of rights, that results in decisions that are quasi-

- judicial (similar to decisions of courts and tribunals).
- ✓ help in establishing when violations have occurred. It can be a useful resource in establishing a basis for a request for an inquiry or investigation (by Committee on Economic, Social and Cultural Rights; Committee on the Elimination of Discrimination Against Women; Committee Against Torture; Committee on the Rights of Persons with Disabilities) into well-founded allegations of 'serious, grave or systematic' human rights violations by a State; or requests for Early Warnings, used to prevent the occurrence of an imminent or possible violation of the treaty; or requests for Urgent Actions, used to remedy an urgent human rights situation after the violation has occurred.



- ✓ substantiating arguments when litigating before the IACrHR, participating in advisory opinions or intervening as a third party to a case
- ✓ providing a source of strong language to propose when discussing resolutions on HRDs at the OAS
- ✓ substantiating a communication before the 'Escazú Agreement Committee to Support Implementation and Compliance' (CSIC), which supervises signatory States' compliance with the Escazú Agreement.



EXAMPLE

In 2018, referring to the Yogyakarta Principles and Yogyakarta Principles +10, the Inter American Court advised Costa Rica that it should ensure that trans persons can change their name and gender markers on identity documents, and that same-sex couples can enjoy full family rights, including marriage.

IN AFRICA

The regional human rights mechanisms in Africa include the African Commission on Human and Peoples' Rights (ACHPR) and the African Court on Human and Peoples' Rights.

The Declaration +25 can serve as a tool to promote and expand on the rights of defenders in these fora, including by:

- ✓ referencing the Declaration +25 during meetings and correspondence with Commissioners and encouraging them to do so as well
- ✓ speaking about the State obligations in the Declaration +25 during country visits of Commissioners, and encouraging them also to reference it during official meetings with Government bodies during those visits
- ✓ identifying relevant rights and articles of the Declaration +25 that connect to specific mandates of Special mechanisms, in the hope that those mandates then reference the Declaration +25
- ✓ submitting a civil society report during the State Periodic Review process, mentioning the standards in the Declaration +25 and asking about State commitments to implement those standards
- ✓ using the Declaration +25 and its jurisprudential annotations as international standards relevant to rights violations in complaints as part of the communication procedure
- ✓ leveraging opportunities during the ordinary sessions such as: referencing the Declaration +25 in civil society statements, organising side-events about it, or

proposing language building upon it when advocating for the adoption of a resolution or in relation to policy documents produced by the ACHPR.

Litigants can also use the Declaration +25 as a reference document when litigating at the African Court on Human and Peoples' Rights.



EXAMPLE

In October 2024, civil society organisations held a side event during the **81st session** of the African Commission on Human and Peoples' Rights, together with the Commission's Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals, to present and comment on the role of the Declaration +25. In November 2024, a similar event took place at the **191st sessions** of the Inter-American Commission for Human Rights.



NOTE

For more information on engaging with the ACHPR, visit the **ISHR Academy's dedicated page**.

IN ASIA

Considering the lack of a robust regional human rights mechanism in Asia, the Declaration +25 may have more leverage at the national level in this region (please see section 4.3 Advocacy at the national level). However, there is some leeway to utilise the Declaration +25 at the sub-regional level. For example, the Association of Southeast Asian Nations (ASEAN) has several mechanisms including the ASEAN Intergovernmental Commission on Human Rights (AICHR). While the AICHR does not have the same reporting and monitoring system on human rights violations as

4.2 Advocacy at the Regional Level

At the regional level, advocates can use the Declaration +25 to strengthen their arguments and contribute to strengthening relevant standards on the protection of HRDs in their respective jurisdictions.

IN THE AMERICAS

The Inter-American System of Human Rights is composed of the Inter-American Commission of Human Rights (IACHR) and the Inter-American Court of Human Rights (IACrHR), which are intimately linked with a regional multilateral body: the Organization of American States (OAS). The region is also home to the Escazú Agreement, the first treaty in history to explicitly mention the protection of environmental human rights defenders as a State obligation.



The Declaration +25 can serve as a tool to promote and expand on the rights of defenders in these fora, including by:

- ✓ supporting requests for thematic hearings of defenders at the IACHR, including by comparing the standards it contains with existing national and regional practice and policies
- ✓ using the standards in the Declaration +25 to highlight the petitioners' rights that have been violated, as well as measures the government should take to protect and promote those rights in requests for or monitoring of precautionary measures as well as petitions from the IACHR
- ✓ using the standards in the Declaration +25 as a basis for contributions to IACHR country, special and annual reports
- ✓ encouraging the IACHR Commissioners and Special Rapporteurs to use the Declaration +25 and its contents in their work



mechanisms in other regions, the Declaration +25 may be used to advocate for a stronger protection of HRDs through the AICHR, such as including the rights of HRDs in the ASEAN declaration on environmental rights.

IN EUROPE

Advocacy at the European level can take place at the Council of Europe (CoE), the Organisation of Security and Cooperation in Europe (OSCE) and the European Union (EU).

At the CoE, you could:

- ✓ use the Declaration +25 to substantiate arguments when litigating before the European Court of Human Rights, participating in advisory opinions, or intervening as a third party to a case
- ✓ request that the Commissioner for Human Rights use the Declaration +25 as a framework and base of the rights of HRDs when conducting country visits, releasing opinions, issuing papers or reports, intervening in cases before the ECtHR, engaging in dialogues with member States and non-State actors, or sending letters to governments on individual cases.

At the OSCE, the Declaration +25 can be referenced in advocacy to promote and expand on the rights of HRDs with member States. This can be done by:

- ✓ advocating for the Office for Democratic Institutions and Human Rights (ODIHR) to include the Declaration +25 as a framework and reference when monitoring and reporting on the situation of HRDs in OSCE member States, when raising awareness about States obligations to protect HRDs, when supporting OSCE States in doing so, and when building the capacity of HRDs
- ✓ advocating for the implementation of the OSCE Guidelines on the protection of Human Rights Defenders.

At the EU, the Declaration +25 can be referenced in advocacy to promote and expand on the rights of HRDs, both within the EU and in its external actions. This can be done by:

- ✓ referencing the Declaration +25 when providing written inputs to draft legislation, communications and reports by the European Commission, European Parliament reports and resolutions, Council conclusions, and the annual report of the EU Agency for Fundamental Rights (FRA)

- ✓ suggesting a parliamentary question to a Member of the European Parliament (MEP) or a public hearing that draws attention to the Declaration +25
- ✓ mentioning the Declaration +25 when meeting with EU interlocutors during advocacy tours or with Member States' Permanent Representations, to raise their awareness and encourage them to reference it
- ✓ identifying relevant rights in the Declaration +25 to be raised during civil society consultations (e.g. ahead of the EU's human rights dialogues with third countries or the European Commission's annual reports on the rule of law and on the implementation of the EU Charter of Fundamental Rights) and referencing the Declaration +25 in suggested recommendations
- ✓ referencing the Declaration +25 in the context of ongoing and future discussions on a future EU Civil Society Platform, as announced by the European Commission in its Political Guidelines (2024-2029) and in President Ursula Von der Leyen's mission letter to the Commissioner for Democracy, Justice and the Rule of Law Michael McGrath, and using it as a benchmark for protecting HRDs within the EU
- ✓ talking about the Declaration +25 in public statements addressed to the EU and briefings such as those addressed to members of the European Parliament ahead of visits to EU and non-EU countries.

NOTE

For more information on engaging with the European instruments, see the [2024 papers by a group of 12 human rights organisations](#).

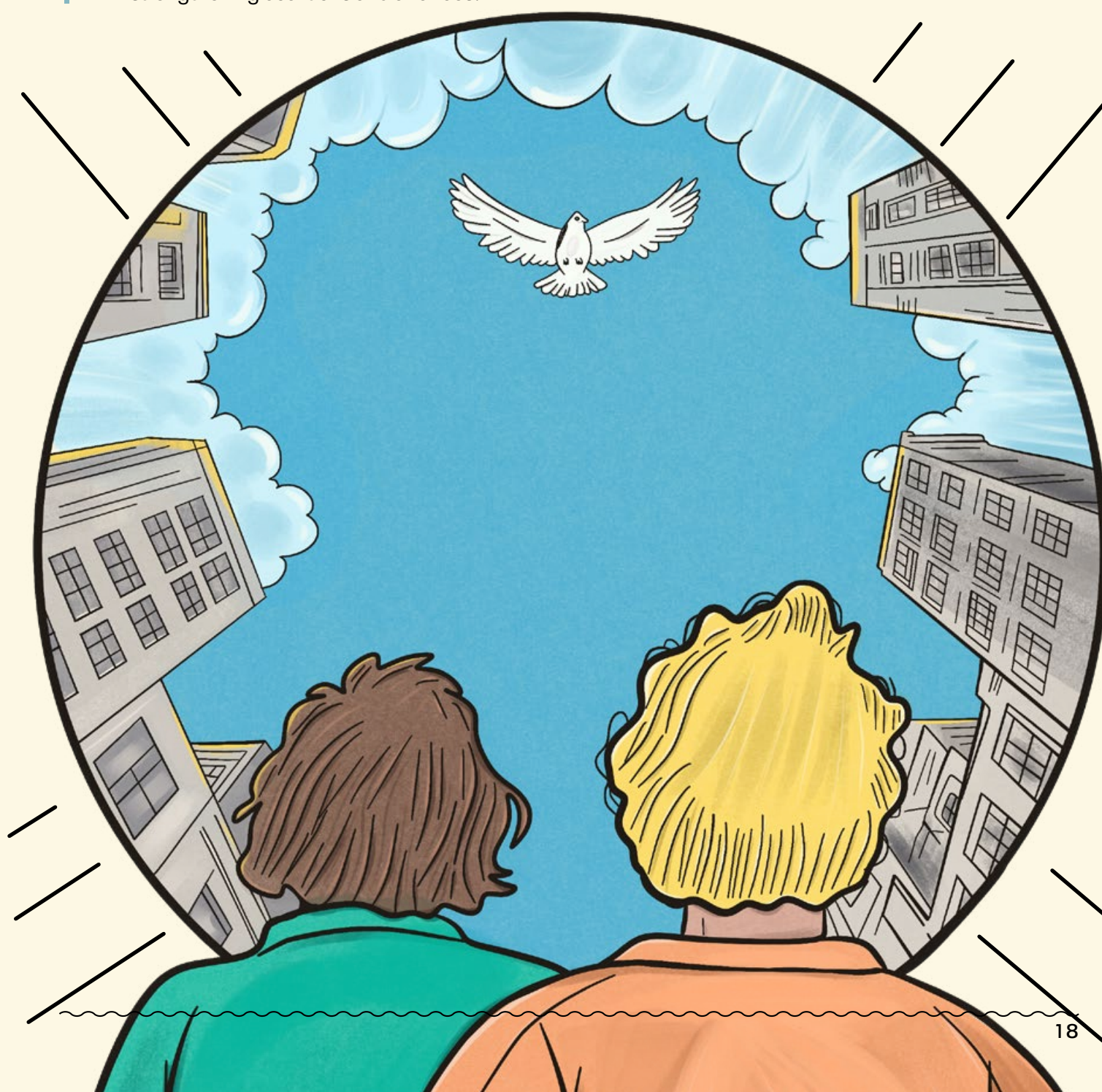
IN SOUTHWEST ASIA AND NORTH AFRICA

While there is a very limited number of formal regional human rights mechanisms in the Southwest Asian and North African region (SWANA / MENA), those mechanisms are either idle or do not comply with comprehensive and internationally recognised human rights standards. Therefore, defenders within this region can use the Declaration +25 for campaigning at the national level (see 4.3 below), as well as the regional and international levels (see 4.1 above) to expand the recognition of their rights.

4.3 Advocacy at the National Level

The Declaration +25 could support or strengthen various forms of advocacy and campaigning at the national level, such as:

- ✓ developing a national policy or law on HRDs or a protection mechanism
- ✓ providing a basis and legal arguments to advocate for the repeal of a restrictive law or practices that impact HRDs' rights and limit their work or put them at risk
- ✓ speaking out publicly in support of HRDs or developing a national campaign to raise awareness on their essential role
- ✓ pushing for the recognition of HRDs in the legal framework, alongside the Model Law which was developed specifically to support the development of national instruments for the promotion and protection of HRDs
- ✓ helping to articulate calls for the Government and non-State actors to recognise defenders, their organisations and their work
- ✓ forming the basis of calls for the development of protection measures to be implemented by States
- ✓ supporting advocacy for national human rights institutions to incorporate language from the Declaration +25 in their ongoing work on the protection of HRDs
- ✓ strengthening coalitions and alliances.



EXAMPLE

As a result of campaigns or the advocacy work of civil society organisations, the **Model Law for the Recognition and Protection of Human Rights Defenders** (see below) has been used by several States in the development of their national legal instruments on the protection of defenders, including in: Burkina Faso, the Democratic Republic of Congo, the Philippines, and Liberia. Civil society organisations have also used it to prepare drafts in Guinea, Zambia, Mexico and Kazakhstan.

NOTE

Some countries (Canada, Norway, Switzerland, the United Kingdom, Ireland and the United States), as well as the European Union, have developed diplomatic **Guidelines on the protection of HRDs**. These are generally applied in third countries and provide guidance to public authorities and diplomatic missions on steps and measures to support human rights defenders. The Declaration +25 can provide a basis and legal arguments when advocating with the diplomatic representations to create guidelines, or in any of these countries for the implementation of existing guidelines.

NOTE

A '**Model National Law on the Recognition and Protection of Human Rights Defenders**' is intended to guide and assist States and other actors to ensure the full and effective implementation of the UN Declaration at the national level. This document has a similar status to the Declaration +25 and was developed in the same way. A '**Quick Guide**' to help defenders navigate this 'Model Law' is also available.

WORLD MAP ON LEGAL PROTECTION OF HUMAN RIGHTS DEFENDERS

ISHR's **updated world map on legal protection** collates developments in national legal instruments related to defenders and compares existing and draft instruments with the standards set by the Model Law.

THE OBSERVATORY ON PUBLIC POLICIES FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS

Protection International's online platform monitors, analyses and promotes good practices in national policy developments for protecting HRDs and the right to defend human rights.

4.4 Engagement with business

Article 18 of the Declaration +25 delves into the role and responsibility of business enterprises, including financial institutions and investors, to respect the rights of defenders and to support an enabling environment for civic freedoms and human rights defense. It clearly compiles all the responsibilities of businesses towards HRDs under international law and under the United Nations Guiding Principles on Business and Human Rights (UNGP).



As such, the Declaration +25 could:

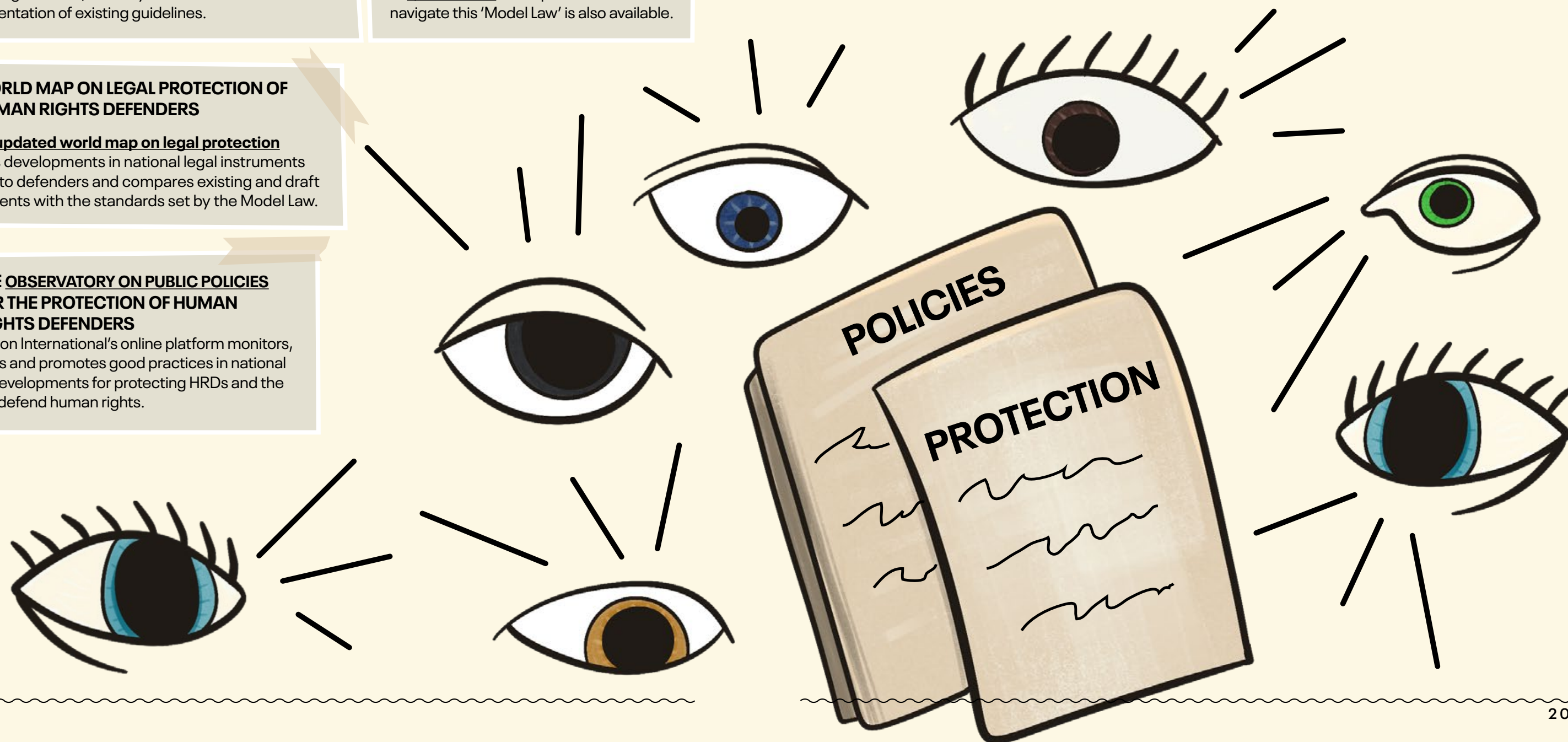
- ✓ support any dialogue and engagement between business and HRDs
- ✓ be a reference to identify the responsibilities of business

- ✓ serve as a reference in developing and implementing effective remedies
- ✓ be a document of reference when developing National Action Plans (NAPs) on business and human rights.

NOTE

ISHR has developed two resources to monitor the implementation of the responsibility of business towards defenders:

- ✓ **Indicators** on how to track businesses' respect of the rights of human rights defenders.
- ✓ A **retrospective** with recommendations to advance the business and human rights defenders agenda.

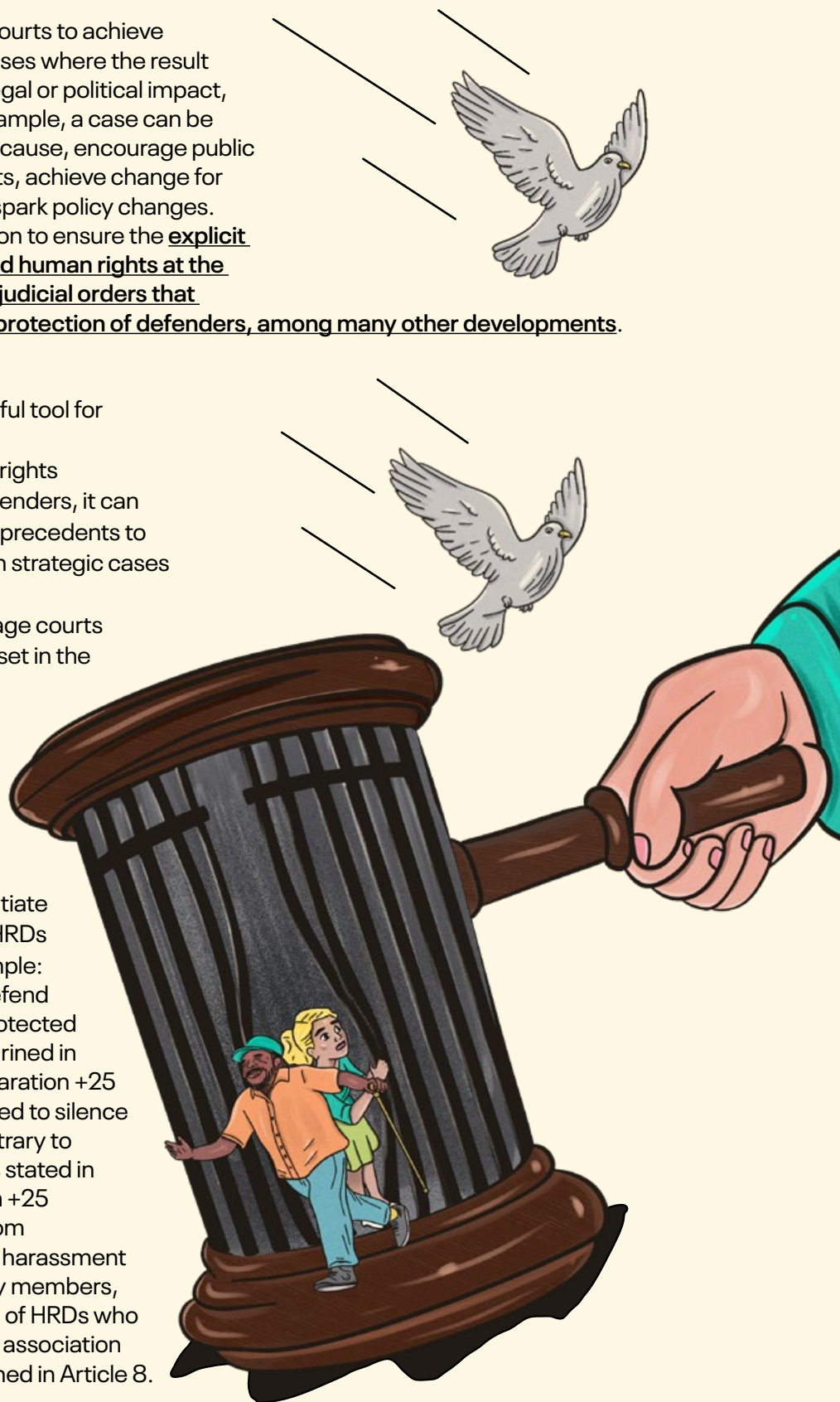


5. LITIGATION: PROTECT AND ENFORCE RIGHTS

Litigation refers to the process of using the courts to resolve legal disputes. In the field of human rights, the judicial system can be used to advocate for the protection of rights (for example, litigating to repeal a law that restricts the rights of HRDs), demanding reparations for rights of a HRD that have been violated (for example, bringing a case against a company for violating the rights of Indigenous activists), or compelling State or non-State actors to fulfil their duties and obligations (for example, mandating that a defender at risk is given comprehensive protection).

 Strategic litigation is the use of courts to achieve structural change by litigating cases where the result or decision could have a useful legal or political impact, beyond the specific case. For example, a case can be pursued to raise awareness on a cause, encourage public debate, set important precedents, achieve change for people in similar situations, and spark policy changes. HRDs have used strategic litigation to ensure the explicit recognition of the right to defend human rights at the international level and to obtain judicial orders that demand the State improves its protection of defenders, among many other developments.

-  The Declaration +25 can be a useful tool for strategic litigation:
- ☑ given that it compiles human rights standards on the rights of defenders, it can provide relevant sources and precedents to strengthen legal arguments in strategic cases related to HRDs
 - ☑ it can also be used to encourage courts to incorporate the standards set in the Declaration +25 in their own judgements, as some courts have done so in the past with other civil society-led documents, such as the Yogyakarta Principles and the Yogyakarta Principles +10
 - ☑ it can also be used to substantiate arguments when defending HRDs from criminalisation, for example:
 - ✓ arguing that the right to defend human rights should be protected and not restricted, as enshrined in Articles 1 and 2 of the Declaration +25
 - ✓ indicating that litigation used to silence or harass defenders is contrary to international standards, as stated in Article 5 of the Declaration +25
 - ✓ indicating that freedom from criminalisation and judicial harassment should extend to the family members, colleagues and associates of HRDs who are at risk because of their association with the defender, as outlined in Article 8.



DECLARATION +25: NATURE OF THE INSTRUMENT

The **UN Declaration of 1998** is a *soft law* instrument, which means that it has no binding legal status in and of itself. However, the UN Declaration articulates how existing international law applies to HRDs and, as such, it can be used to interpret how binding instruments apply to defenders. For example, if an HRD suffers a violation of their right to discuss human rights ideas (Art. 7 of the UN Declaration), the Court may not find a violation of the UN Declaration, but rather, based on this article, it may declare that the right to freedom of expression, contained in a binding instrument (Art. 19 of the ICCPR) was violated. The UN Declaration also carries significant political weight, as it was adopted over 25 years ago by all UN-member countries, and reaffirmed every year at the UN General Assembly or the HRC.

As for the **Declaration +25**, it is **not** soft law - it is a document prepared by civil society without State intervention. However, it is based on and reflects existing international law, so it can guide legal arguments which can then be strengthened with further research on the jurisprudence and practice that backs up each article of the Declaration. The goal is for it to become soft law. For that to happen, we have to make sure it is cited and referred in resolutions, judgements, national laws etc.

Advocates and defenders themselves will have to choose the judicial bodies which are best suited for strategic litigation efforts. Some recommendations are:

- ☑ international human rights quasi-judicial bodies: the Inter-American Commission of Human Rights, the African Commission of Human and Peoples' Rights, the UN Treaty Bodies and the Committee to Supervise Compliance of the Escazú Agreement
- ☑ regional human rights courts: the Inter-American Court of Human Rights, the European Court of Human Rights and the African Court of Human and Peoples' Rights
- ☑ national courts such as Supreme Courts or Constitutional Courts.

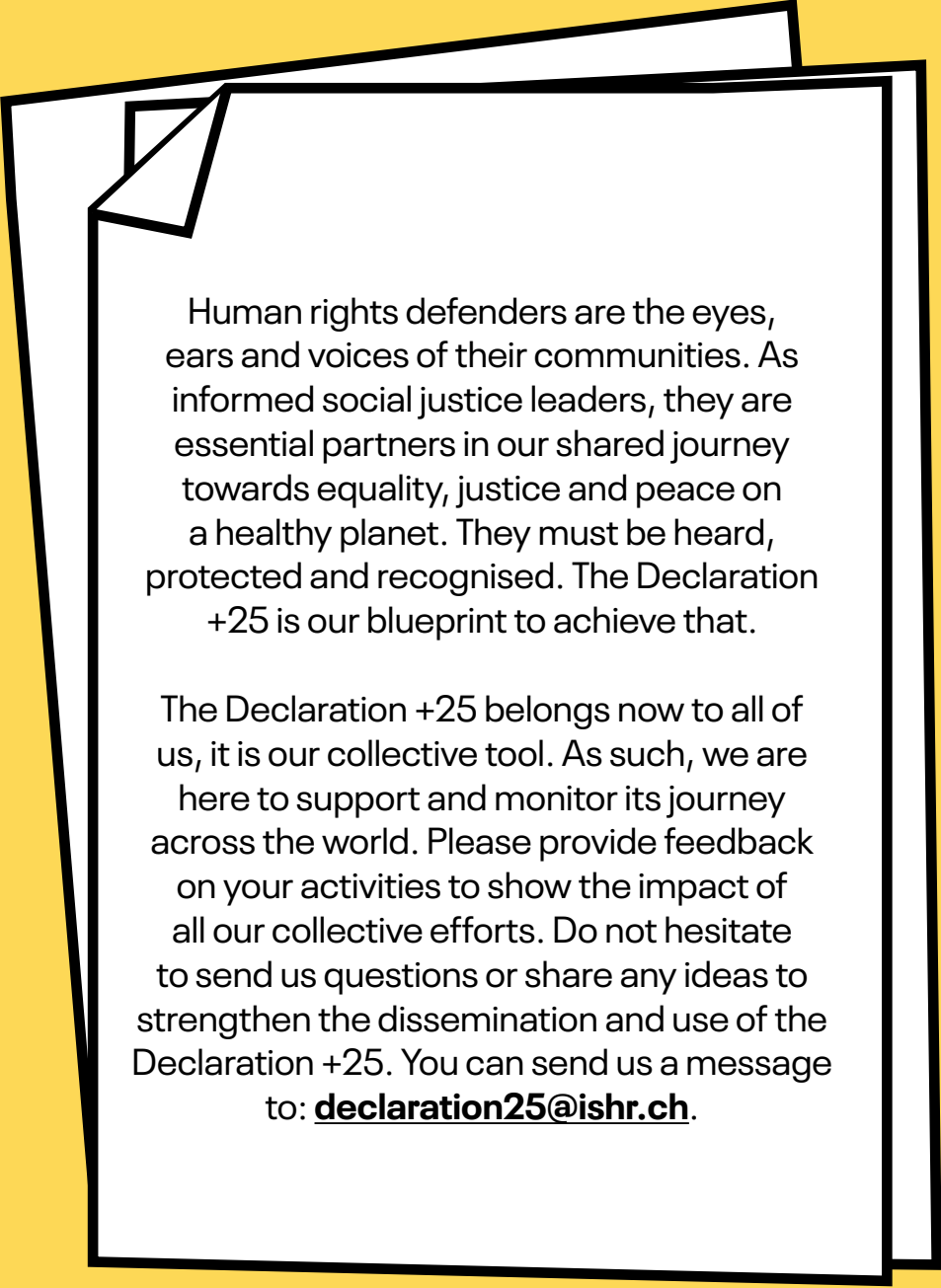
 The Declaration +25 can be used as springboard or guide for further developments and progress in relation to the rights of HRDs, building on the work and activities of HRDs over the years. The Declaration +25 sets out international standards on HRDs now, but we have so much further to go. It is up to us to continue to advance international standards on the protection of HRDs and call for them to be implemented by States.



EXAMPLE

In 2016, the Court of Appeal in Botswana referenced the Yogyakarta Principles when ordering the registration of an LGBTI organisation, and confirming that the refusal to allow the registration was unconstitutional. In 2007, a judgment in Nepal recognised a third gender and used the Yogyakarta Principles to define sexual orientation and gender identity. In India, in 2018, the Yogyakarta Principles were used to support a successful Supreme Court challenge to section 377 of the Indian Penal Code and decriminalise homosexuality.

CONCLUSION



Human rights defenders are the eyes, ears and voices of their communities. As informed social justice leaders, they are essential partners in our shared journey towards equality, justice and peace on a healthy planet. They must be heard, protected and recognised. The Declaration +25 is our blueprint to achieve that.

The Declaration +25 belongs now to all of us, it is our collective tool. As such, we are here to support and monitor its journey across the world. Please provide feedback on your activities to show the impact of all our collective efforts. Do not hesitate to send us questions or share any ideas to strengthen the dissemination and use of the Declaration +25. You can send us a message to: **declaration25@ishr.ch**.



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