

Joint Report by the Office of the UN High Commissioner for Human Rights and the Inter-American Commission on Human Rights
“The situation of Human Rights Defenders in the Americas”

Concept Note

1. Background

On 19 November 2014, the Inter-American Commission on Human Rights (IACHR) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) signed a joint declaration to define a general framework to enhance their cooperation.

On 25 October 2017, OHCHR and the IACHR launched a “Joint Action Mechanism to contribute to the protection of Human Rights Defenders in the Americas” in order to better strategize, reinforce and systematize cooperation in that area. The Joint Action Mechanism takes place in the framework of the IACHR 2017-2021 Strategic Plan¹ and the OHCHR Management Plan 2018-2021.²

The joint action mechanism seeks to contribute to the protection of human rights defenders, as defined by both the UN and the regional human rights system. The UN Declaration on Human Rights Defenders refers to human rights defenders as individuals, groups and associations contributing to the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals.³ The IACHR has established that every person who in any way promotes or seeks the realization of human rights and fundamental freedoms, nationally or internationally, has to be considered as a human rights defender.⁴

Within this framework, OHCHR and IACHR agreed upon the publication of a first joint public report on the situation of human rights defenders in the Americas. It was also agreed that a second joint public report would be developed about experiences and lessons learned in the protection of human rights defenders in the Americas.

2. Objective

The joint report on the situation of human rights defenders in the Americas will contribute to strengthening the common OHCHR-IACHR strategy for the protection of human rights defenders in the region and could serve as an example for cooperation between OHCHR and other regional mechanisms.

The report will examine the social context and environment in which defenders operate in the region, including risk factors and intersecting forms of discrimination. In this context, it will incorporate a gender analysis throughout to bring to light the different contexts, barriers and attacks

¹ IACHR, 2017 – 2021 Strategic Development Plan, OEA/Ser.L/V/II.161, 20 March 2017, available at: <http://www.oas.org/en/iachr/mandate/StrategicPlan2017/docs/StrategicPlan2017-2021.pdf>.

² OHCHR, Management Plan 2018 – 2021, HRC/None/2018/17/Rev.1, July 2018, available at: https://www2.ohchr.org/english/ohchrreport2018_2021/OHCHRManagementPlan2018-2021.pdf.

³ UN, “Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms”, A/RES/53/144, 8 March 1999, preamble. See also A/RES/68/181

⁴ IACHR, Second Report on the Situation of Human Rights Defenders in the Americas, OAS/Ser.L/V/II. Doc. 66, 31 December 2011.

women, men, girls, boys and LGBTI defenders face. It will also identify defenders that are or have been made invisible in statistics and reports, such as land, territory and environmental defenders, indigenous rights defenders, women human rights defenders, LGBTI defenders, children defenders, among others. The report will also describe the types of threats and attacks they face, while seeking to identify patterns in the types of perpetrators. The report will also highlight good practices and shortcomings of the legal, institutional and public policy framework for respect, prevention, investigation and protection in those cases. It will conclude with a set of recommendations.

The report covers the period from January 2016 to May 2019, and will cover the entire Americas region. It is expected to be launched late in 2019.

3. Methodology

The report will be based on:

- A questionnaire distributed to relevant stakeholders including human rights defenders, civil society organizations, networks, movements, Member States as well as National Human Rights Institutions;
- Analysis of public reports by States, academia and civil society on human rights defenders in the Americas;
- Official data, when available;
- Analysis of precautionary and provisional measures ordered by the Inter-American System;
- Analysis of recommendations from the universal human rights mechanisms, including those emanating from the Universal Periodic Review, Special Procedures and treaty bodies concerning human rights defenders;
- Specific cases monitored by OHCHR presences in the region, as well as reports issued by them on this subject.

4. Contact

For overall questions regarding this report, please contact adesouza@ohchr.org.