**Impunity for human rights violations and abuses committed against human rights defenders**

**A Survey by the UN Special Rapporteur**

**on the Situation of Human Rights Defenders**

**Michel Forst**

**April 2019**

You are invited by the UN Special Rapporteur on the situation of human rights defenders, Mr. Michel Forst, to share information about the situation of impunity faced by human rights defenders for human rights violations and abuses against them and to provide recommendations to advance due diligence to investigate such acts. The data collected through this survey will inform the report of the UN Special Rapporteur on this topic, which will be presented to the General Assembly in October 2019.

The report will be made publicly available at the OHCHR website (<https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/SRHRDefendersIndex.aspx>) and on the website of the Special Rapporteur [(https://www.protecting-defenders.org/).](https://intranet.ohchr.org/Offices/Geneva/TESPRDD/SPB/EClearanceSPB_DL/JPSRU/(https:/www.protecting-defenders.org/).) For more information on this report, see the related Concept Note also provided for your convenience in English, French and Spanish, on the abovementioned OHCHR website.

Your responses will be held confidentially and they will not be attributed to you unless you give us permission to do so. This survey is prepared by the mandate of the Special Rapporteur.

States, international and regional organizations, National Human Rights Institutions and civil society are requested to submit their response as a Word or PDF file from their official email address to [defenders@ohchr.org](mailto:defenders@ohchr.org). For this purpose, a downloadable version of the questionnaire is available in English, French and Spanish, on the abovementioned OHCHR’s website link.

The survey will be open until **6 May 2019**.

**Contact Details**

Please provide your contact details in case we need to contact you in connection with this survey. (Note that this is optional.)

|  |  |
| --- | --- |
| Type of Stakeholder (please select one) | State  National Human Rights Institution (NHRI)  International or Inter-governmental Organisation  Civil Society Group or Organisation  Individual human rights defender  Other (please specify): |
| Name of stakeholder organization/institution |  |
| Country or region (add the country where you work or if your work is regional, indicate the relevant region)  (Note: this question not relevant to States or NHRIs) |  |
| Name of Person |  |
| Email |  |
| Telephone |  |
| Address |  |
| Can we attribute these responses to you or your organisation publicly? | Yes / No  Comments (if any): |

**Questions**

1. In your country (or region) are human rights violations and abuses committed against human rights defenders recorded in a differentiated manner? Are these records official or unofficial? If so, what are the most current figures on human rights violations and abuses against them? If possible, provide a breakdown by type of violation and abuse of the last record and indicate the period covered. If they do not exist: For what reason?

|  |
| --- |
|  |

1. Taking into account the type of violations and abuses suffered by human rights defenders in your country (or region) Which of these behaviours are sanctioned with non-criminal consequences (e.g. with civil, administrative, or other sanctions)? Which of these behaviours are criminalized under penal law?

|  |
| --- |
|  |

1. What do you consider to be the obstacles (factual, normative, or otherwise) that human rights defenders face when reporting violations and abuses of their rights in your country (or region)? Are there specific challenges when the victims are women human rights defenders, belong to indigenous peoples, are LGBTI people, are young people, or do their human rights work in rural areas? If so, please list these challenges.

|  |
| --- |
|  |

1. In your country (or region), once the authority has knowledge that a human rights violation or abuse has been committed against a defender: what investigative steps are taken? What is the competent authority to investigate such events? If the alleged perpetrators of the violation are state authorities: What authority is in charge of the investigations? Are there any additional conditions for the authorities to initiate investigations, e.g. ratification of the complaint by the victim, lapse of time in case of disappearances or abductions?

|  |
| --- |
|  |

1. In the investigations carried out in your country (or region): how is a differentiated approach implemented according to the profile of the victim? That is, what specific considerations are taken into account when investigating violations committed against women human rights defenders, persons belonging to indigenous communities, LGBTI people, people from rural areas? If not implemented: What suggestions would you have for ensuring this differentiated approach?

|  |
| --- |
|  |

1. Of the complaints received for human rights violations against human rights defenders in your country or region, how many end up with a sanction against the perpetrators? What is the figure for impunity in this type of case? What would be the causes that generate this impunity?

|  |
| --- |
|  |

1. What are the difficulties faced by the authorities in acting with due diligence in the face of this type of violations in your country (or region)? Are there legal gaps that prevent or hinder the investigation of certain types of human rights violations against human rights defenders in your country (or region)? If so, please specify.

|  |
| --- |
|  |

1. In your country (or region), are complaints of threats (physical and digital) received or recorded? What kind of actions are implemented to investigate them? Has there been any successful experience of investigating these kinds of events?

|  |
| --- |
|  |

1. If your country (or region) has a protection mechanism for human rights defenders: does this mechanism provide for concrete actions to ensure coordination with the bodies in charge of investigating human rights violations against human rights defenders? Please, specify which ones and how this coordination works.

|  |
| --- |
|  |

1. In your country (or region) are there good practices (legal, administrative, political and other) that adequately address the investigation of human rights violations and abuses against human rights defenders? Please describe and specify whether they are state practices or civil society initiatives.

|  |
| --- |
|  |

1. What recommendations would you give to States, multilateral (universal and regional) protection bodies, human rights institutions, cooperation agencies, and civil society to ensure timely and diligent investigations into human rights violations against human rights defenders?

|  |
| --- |
|  |

Thank you for participating in this survey!

Please attach any relevant resources (e.g. reports, case studies, urgent alerts) that might be helpful for this report. You can also send them to this email [defenders@ohchr.org](mailto:defenders@ohchr.org) as well as any questions or feedback you may have about this survey.