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## **The situation of human rights defenders operating in conflict and post-conflict areas, including in the context of so-called fragile States**

### **A survey by the UN Special Rapporteur on the Situation of Human Rights Defenders Michel Forst**

**September 2019**

The UN Special Rapporteur on the situation of human rights defenders, Mr. Michel Forst, invites you to share information on human rights defenders operating in conflict and post-conflict areas, including in contexts of fragile states<sup>1</sup>. Human rights defenders are those who, individually or in association with others, promote and strive for the protection and realization of human rights and fundamental freedoms at the national and international levels, through peaceful means<sup>2</sup>. They can include, inter alia, journalists, humanitarian workers, social and legal professionals (including lawyers), members of non-governmental organisations, community leaders<sup>3</sup>. Human rights defenders are in fact identified above all by *what they do* rather than by who they are or their sole profession.

This survey is designed notably for States, international and regional organizations, national human rights institutions, and civil society. Contributions received will inform the report of the UN Special Rapporteur on this topic, to be presented to the UN Human Rights Council in March 2020. The report will be made publicly available at the OHCHR website<sup>4</sup> and on the website of the Special Rapporteur.<sup>5</sup>

The report will mainly focus on the situation of human rights defenders in areas currently or recently affected by armed conflict, whether international or internal. It will also cover the situation of human rights defenders in areas under occupation. Specific attention will be paid to situations in which peace operations are now deployed, under a UN mandate or otherwise. Situations in fragile states, whether in conflict or post-conflict settings, within areas characterised by high rates of violence, systemic human rights violations and impunity, and often a limited or inadequate deployment of public institutions, will also be within the scope of the report. Such situations include those in which organised crime (e.g. human trafficking, drug trafficking, illicit

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<sup>1</sup> See for instance, but only as indicative reference: [World Bank harmonised list of fragile situations](#) (2019)

<sup>2</sup> Article 1,5,12,13,16. Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. To access versions of the Declaration in different languages: [www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Translation.aspx](http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Translation.aspx)

<sup>3</sup> See also : A/73/215, §14-18

<sup>4</sup> [www.ohchr.org/EN/Issues/SRHRDefenders/Pages/SRHRDefendersIndex.aspx](http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/SRHRDefendersIndex.aspx)

<sup>5</sup> [www.protecting-defenders.org](http://www.protecting-defenders.org)

exploitation and trade of natural resource, etc.) is prevalent, and where law enforcement operations carried out by civilian or military forces also raise major human rights challenges. The Special Rapporteur will explore the situation of human rights defenders based in conflict or post-conflict areas, but equally that of those working on these same situations from another region or from abroad. The report will also be an opportunity to consider profiles of defenders that are not necessarily or commonly identified as such.

Please note that your answers can and will remain confidential unless you grant us permission to attribute these to you or your organisation publicly.

The survey is also available online in Spanish, French and Arabic (Please note that the Arabic and Spanish versions of the questionnaire is an unofficial translation of the original questionnaire in English and French):

<https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/reportHRC43.aspx>

Please submit the completed survey to [defenders@ohchr.org](mailto:defenders@ohchr.org)

Deadline for submissions: **31 October 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.

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| Type of Stakeholder (please select one)  | <input type="checkbox"/> Member State<br><input type="checkbox"/> National Human Rights Institution (NHRI)<br><input type="checkbox"/> International or Inter-governmental Organisation<br><input type="checkbox"/> Civil Society Group or Organisation<br><input type="checkbox"/> Individual human rights defender<br><input type="checkbox"/> Academic/training or research institution<br><input type="checkbox"/> Other (please specify): |
| Name of the organisation (if applicable)   |  |
| Name of the person (if applicable)   |  |
| E-mail   |  |
| Telephone  |  |
| Address  |  |
| Can we attribute responses to this survey to you or your organisation publicly ? | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>Comments (if any):   |

In what country/countries are you active/operating? (If applicable)

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## Questions

1. What **recent trends or developments** related to the situation of human rights defenders operating in conflict or post-conflict settings, including contexts of so-called fragile states, should the Special Rapporteur highlight in his upcoming report?

2. Are there **specific profiles of human rights defenders** you believe play a positive role in such contexts, and may deserve greater attention, recognition and/or support? Please specify the nature of their **work** and **contribution**.

3. According to your experience (notably if you are a human rights defender, or if you cooperate with them, rely on their work or support it) what are some of the key **challenges, risks and protection gaps** defenders face when operating in conflict-affected settings? Please specify, for instance, the nature of undue restrictions of their work and/or reprisals they may be exposed to, and more generally, please add country or region-specific information as appropriate.

4. Are you aware of any **positive steps or practices** (legal, policy, administrative, etc.) that help ensure the protection of human rights defenders in such contexts, and respect for their rights (as notably put forward in the UN Declaration on human rights defenders)<sup>6</sup>? Please provide any relevant information, including, if applicable, on the relevant initiatives of your own organisation.

5. What would you identify as **ways forward**? What **reforms or initiatives** would advance the protection of human rights defenders operating in such contexts, and help secure their ability to operate in a safer and enabling environment, without undue restrictions?

Thank you for participating in this survey.

Please also include in your submission any resources (e.g. reports, case studies, urgent appeals) you believe may be helpful for the report.

If you have any questions or would like to provide feedback on this survey please email both [defenders@ohchr.org](mailto:defenders@ohchr.org)

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<sup>6</sup> For the rights in focus, see 2.a : [www.ohchr.org/en/issues/srhndefenders/pages/declaration.aspx](http://www.ohchr.org/en/issues/srhndefenders/pages/declaration.aspx)