



To:

Ms Veronique Arnault, Director, Human Rights and Democracy, EEAS
Mr Engelbert Theuermann, Chair of COHOM

Brussels, 25 November 2011

Re: 'Minimum standards' for the implementation of the EU Guidelines on Human Rights Defenders under the Human Rights Country Strategies

Dear Ms Arnault,
Dear Mr Theuermann,

For the past few months, the EU has been engaged in the process of drafting and adopting Human Rights Country Strategies as a way to render more effective the work done by EU Missions on human rights, including in terms of implementing the various sets of EU Human Rights Guidelines.

The undersigned organisations understand the need to develop an integrated approach on human rights policy and a sense of ownership amongst EU Missions, and we hope that this initiative will lead to revived commitment by EU Delegations and EU Member State Embassies on the ground in promoting and protecting human rights in third countries. In particular, we wish to emphasise the importance of sustained and proactive efforts to implement the EU Guidelines on Human Rights Defenders (HRDs). Important achievements have been reached over the past years, i.e. appointment of liaison officers, adoption of local implementation strategies, annual meetings between EU diplomats and HRDs. In seeking to have a genuine impact on the ground, it is crucial for the EU to maintain and expand these accomplishments, and to place engagement with HRDs at the core of its human rights work at country level.

Most stakeholders recognise that EU Guidelines on HRDs is an instrument that has been given real teeth and has led to concrete results on the ground in providing much-needed support and assistance to individuals and organisations working on human rights. For this reason, **we call on the EEAS to send specific instructions to the EU Delegations - under the form of 'minimum standards'** - to make sure that progress is not lost and that the implementation of the EU Guidelines on HRDs leads to practical actions with real impact on the protection of at-risk HRDs.

As acknowledged by all EU institutions on various occasions, HRDs are key actors for the promotion and protection of human rights and democracy, and thus need to be given recognition as partners for positive change. Listening to, engaging with and protecting HRDs is clearly a cross-cutting issue through which most other human rights concerns can be dealt. Engaging with various HRDs working on the whole range of human rights issues would allow the EU to better assess the human rights situation on the ground, including any emerging trends or developments, beyond the priorities defined in the specific human rights country strategy. Therefore the implementation of the EU Guidelines on HRDs should be prioritised in all countries.

As human rights organisations working closely with HRDs, and having thus been able to draw on best practice developed by EU Delegations and EU Member State Embassies in third countries, we encourage the EU to give instructions for the following minimum standards to be implemented:

1- Genuine consultation of HRDs on EU Human Rights Country Strategies

Future rounds of drafting and evaluating Human Rights Country Strategies must outline in detail how HRDs were consulted during the drafting of the strategy and how they will be involved in the evaluation of its implementation and its revision. Once adopted, and to ensure such an involvement, the main elements of the strategy must be shared with HRDs. This would not only clarify what HRDs can expect from the EU, but would also allow them to become genuine partners of the EU in implementing the strategies, including by providing relevant information.

2- Ongoing outreach, awareness raising and local implementation strategies

All EU Delegations and EU Member State Embassies must continue to engage in activities aimed at developing permanent contacts with independent HRDs. Holding **regular meetings with HRDs** should remain a cornerstone of the EU's engagement in any given third country:

- A meeting dedicated to assessing the implementation of the EU Guidelines on HRDs should be held at least annually, and designed to be as participative as possible. Such an annual meeting bringing together HRDs working in different fields and parts of the countries would contribute to cooperation between HRDs and facilitate the creation of HRD networks;
- Ongoing meetings should be held, as per need, with individual HRDs and human rights organisations, in particular in situations of threats against HRDs and their family members;
- The EU must ensure outreach and inclusion of wide range of HRDs, working on various issues – civil, cultural, economic, social and political rights, women's rights defenders, rights of minorities, and HRDs working on sensitive issues (LGBT issues, rehabilitation of torture victims, freedom of religion or belief...),
- Engagement must also be extended to HRDs from rural and remote areas, including through field visits;
- Events or trainings on specific human rights issues, inviting HRDs working in that field, should be organised, e.g. on the occasion of international days, such as World Press Freedom Day (3 May), International Day in support of the victims of torture (26 June), International Day of the World's Indigenous Peoples (9 August), International Day for the Elimination of Violence against Women (25 November).

The **appointment of liaison officers for HRDs** whose role is twofold – entry point for HRDs and INGOs, and coordinator of EU actions on behalf of HRDs – is central to the strategy:

- Appointment of liaison officer in each third country, with a central register of HRD liaison officers to be maintained and regularly updated in Brussels and

shared with relevant interlocutors, including international human rights NGOs working on HRDs;

- Publication of names and contact details of the HRD liaison officer on the websites of the EU Delegation, as well as on the websites of the EU Member State Embassies represented in a given country. Consider the creation of a generic email address (e.g. HRD-liaison-countryX@eeas.europa.eu), which would facilitate backup in case of absence of the liaison officer. Such a generic mailbox must be tended to on a consistent basis and emails be responded to in a swift manner;
- HRD liaison officers must be given the necessary resources and political support to be able to effectively undertake this role, in order to be able to respond to the needs of HRDs, including through coordinating EU action. A more precise description of their tasks is needed in that respect.

Increased efforts are needed to **raise awareness about the EU Guidelines on HRDs** in order to facilitate information about the EU's efforts and thus increase access of HRDs to EU delegations and EU Member State Embassies:

- Wide dissemination of the EU HRD Guidelines;
- Translation of the Guidelines into local languages;
- Upload Guidelines on the EU Missions' websites, along with liaison officer's contact details.

The **local strategies for the implementation of the EU Guidelines** that have already been adopted following genuine consultation and participation of HRDs should be included into the Human Rights Country Strategies. In case there is still no such local strategy, it should be adopted after consulting local HRDs working on different areas and coming from the different regions of the given country.

3- Proactive actions and systematic feedback to HRDs

In implementing the EU HRD Guidelines, the EU should, among others, proactively take the following actions:

- React to and give support to HRDs under threat. The EU should at all times consult with the individual concerned on the level of visibility to be accorded to that particular individual case;
- Observation of trials brought against HRDs;
- Prompt, vocal and visible reaction to restrictions to the freedoms of expression, association and assembly, including concerns regarding:
 - Restrictions on peaceful assemblies;
 - Disproportionate and excessive use of force in crowd control;
 - NGO laws and other restrictions affecting human rights organisations (funding requirements, etc);
 - Criminalisation of HRDs and defamatory rhetoric from State authorities, and - where appropriate – other actors, including media.

Such clear messages should be sent through demarches, press releases and public statements, including by the High Representative on Foreign Policy.

- Encourage third countries to receive UN Special Rapporteurs, in particular mandates on HRDs and on Freedom of Association, as well as – where relevant – regional mechanisms.

As prescribed in the EU Guidelines on HRDs, feedback must be systematically provided to HRDs, and/or their families, on actions undertaken on their behalf. When information on the case comes from another source, e.g. INGOs, feedback must be provided also to that source. Systematisation should be eased thanks to a local logbook, which is connected to a central logbook maintained and updated in Brussels.

4- Training of EU staff and EU Member State diplomats on the EU Guidelines on HRDs

Focal points, liaison officers for HRDs and other staff dealing with human rights issues must be trained on the EU Human Rights Guidelines in general, and on those on HRDs in particular, before going to their postings and during their term. This training should be as practical and action-oriented as possible, and aimed at enhancing support to HRDs at risk and consolidating interaction between EU diplomats and HRDs.

5- Cooperation between EU Delegation and EU Member States

The EU should make best use of the existing resources and capacity it holds within its own structures. EU Delegations and Member State Embassies have a shared responsibility to engage with HRDs and to raise individual cases with the authorities. The EU action should be perceived as "one message, many voices" to give more weight to it, and burden-sharing systems or filter groups should be explored.

We hope that these recommended 'minimum standards' are seen as a positive contribution to the current process, with a view to make EU commitments towards human rights defenders more effective.

Yours sincerely,

Amnesty International
Christian Solidarity Worldwide
Front Line Defenders
Human Rights Without Frontiers
International Rehabilitation Council for Torture Victims
The Observatory for the Protection of Human Rights Defenders
Peace Brigades International
Protection International
Reporters sans frontières

Cc:

Mr Olof Skoog, Chair of the Political and Security Committee
Ms Riina Kionka, Head of Division, Human Rights - Policy Guidelines, EEAS
Mr Rolf Timans, Head of Division, Human Rights - Policy Instruments, EEAS
Mr Wojciech Wysocki, Division, Human Rights - Policy Instruments, EEAS
Mr Charles-Michel Geurts, Deputy Head of Division, Human Rights - Policy Instruments, EEAS
Ms Malgorzata Gorska, Division, Human Rights - Policy Instruments, EEAS

Cc:

Ms Fiona Lunny, Chair of COAFR
Mr Rafael Gelabert, Chair of COLAT
Mr John Gatt Rutter and Ms Maja Bozovic, co-chairs of MaMa
Ms Sophie Kisling, Chair of COMEM
Mr Boguslaw Majewski, Chair of COASI
Mr Petteri Vuorimaki, Chair of COEST