

WATCHING BRIEF: WB 19-1 HUMAN RIGHTS DEFENDERS

As Quakers we seek a world without war. We seek a sustainable and just community. We have a vision of an Australia that upholds human rights and builds peace internationally, with particular focus on our region. In our approach to government we will promote the importance of dialogue, of listening and of seeking that of God in every person. We aim to work for justice and to take away the occasion for war.

April 2019

Human rights defenders or human rights activists are people who, individually or with others, act to promote or protect human rights. They can be journalists, environmentalists, whistleblowers, trade unionists, lawyers, teachers, housing campaigners, and so on. This briefing paper follows a human rights forum hosted by the Department of Foreign Affairs for NGOs, attended by Margaret Clark of QPLC. It outlines some of the background to that work and the emerging challenges, and action being taken.

Alarming News

- Maria Ressa faces politically-motivated charges for exposing murders committed under the Philippines President's 'war on drugs'.
- Tep Vanny is a Cambodian human rights defender who was detained for over 700 days for opposing the eviction of thousands of people from their homes to make way for a luxury resort.
- Zak Kostopoulos, a human rights defender in Greece, died in September 2018 following a violent attack for his defence of the rights of LGBTI people.
- Nguyen Ngoc Quynh, a Vietnamese blogger known as 'mother mushroom', was sentenced in 2016 to ten years' detention for 'conducting propaganda' against the regime. She was released recently on condition of leaving the country.
- India's Enforcement Directorate (ED), a government agency that investigates financial crimes, has conducted raids at the regional office of Amnesty International in what activists claim are efforts to silence dissent.
- Up to 1 million people have disappeared since the Chinese government began its campaign of terror against the Uighurs.

Source: Amnesty International

Human Rights Defenders

In 1998 the United Nations General Assembly adopted the Declaration on Human Rights Defenders, 50 years after the Universal Declaration of Human Rights. The full name of the Declaration is important, as it emphasises the global human rights movement that involves us all. It is called the *Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms*.

It was adopted by consensus and, although not legally binding, represents a strong commitment by States. It articulates the rights and protections of human rights defenders (HRDs) as including:

- To seek the protection of human rights nationally and internationally.
- To conduct human rights work individually and in association with others.
- To submit to governments and human rights bodies criticism and proposals for improving their functioning.
- To attend public hearings, proceedings and trials to assess their compliance with national law and international human rights obligations.
- To communicate unhindered with NGOs and intergovernmental organisations.
- To receive support including funds for protecting human rights.

States are responsible for promoting human rights, safeguarding democracy, and not violating human rights. They are also encouraged to incorporate the principles of the Declaration into national law.

Significance of Human Rights Defenders

In March 2016, the United Nations Human Rights Council resolved (A/HRC/31/L.28) to call on States to ensure the rights and safety of human rights defenders, acknowledge their work publicly, adopt accountability and transparency in government, investigate cases of reprisal and violence against HRDs (especially women).

The Australian Government, through its membership of the UN Human Rights Council, has expressed its support in the following terms – “They make a vital contribution to the promotion and protection of human rights, democratic principles, peace and security, and sustainable development”. Australia has priorities to advance human rights in the areas of gender identity/sexual orientation, Aboriginal people, people from culturally and linguistically diverse backgrounds, and people with disabilities. The Department of Foreign Affairs and Trade (DFAT) uses regular consultations with NGOs to keep informed of human rights developments. Quakers were represented at the most recent such forum by Margaret Clark from QPLC.

On behalf of the Quaker United Nations Office (QUNO), Laurel Townhead pointed out in September 2018 that human rights defenders played a crucial role in offering a ‘counter narrative of compassion’ in creating the new Global Compact on Migration (adopted in December 2018).

A report on the situation globally (*Global Analysis 2018*) was released on 7 January 2019. It details the physical assaults, defamation campaigns, digital security threats, judicial harassment, and gendered attacks faced by HRDs and women human rights defenders (WHRDs). December 2018 marked the 20th Anniversary of the HRD Declaration and the 70th Anniversary of the Universal Declaration of Human Rights, but HRDs around the world continue to face such lethal threats in their peaceful struggles for rights.

Action in Support of Human Rights Defenders

There are various agencies with specific briefs to support human rights defenders:

- The International Federation for Human Rights (FIDH) -comprising 184 organisations in 112 countries - has since 1922 defended all civil, political, economic, social and cultural rights through distributing alerts, providing emergency funds, prison visits, public campaigns, and legal action. (see www.fidh.org)
- Amnesty International uses research, evidence-based reports, events to pressure decision-makers, and lobbying governments, to protect human rights. Its website www.amnesty.org.au lists current examples of people who have been repressed for exercising their human rights. It gives options for action and financial support.
- The World Council of Churches provides a vehicle for taking up human rights concerns with governments and NGOs. It also encourages the accompanying of human rights workers throughout the world. See www.oikoumene.org
- The Australian Human Rights Commission has a role in engaging with UN human rights mechanisms including treaty bodies, special rapporteurs, and working groups, and monitoring Australia's performance internationally. See www.humanrights.gov.au
- The Human Rights Council of Australia (HRCA) is an organisation of people committed to promoting universal human rights. Established in 1978 it campaigns for observance of international human rights obligations. See www.hrca.org.au

Action

- Friends are asked to seek opportunities to learn more about human rights defenders, and to take up specific concerns through our political and bureaucratic channels.
- QPLC will include human rights defenders in our range of concerns, and will also maintain an interest in any examples of human rights violations within Australia.

Canberra
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