

6 August 2018

Dear Members of the Human Rights Committee,

In June 2018, the UN Special Rapporteur on human rights defenders and representatives from all UN human rights treaty bodies¹ adopted a new, ground-breaking *Joint Statement on the UN Human Rights Defenders Declaration* (the Joint Statement).² Today, we are writing to respectfully urge the Human Rights Committee to endorse the Joint Statement during the upcoming session in October 2018.

2018 marks the 70th anniversary of the Universal Declaration on Human Rights, the cornerstone of the international human rights framework. It is also the 25th anniversary of the Vienna Declaration, which recognises the vital role of independent civil society in promoting human rights and the rule of law. As well as marking the 20th anniversary of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (the UN Declaration on Human Rights Defenders) which elaborates the rights of defenders and articulates the obligations of States to respect and protect their vital work.

These anniversaries should be cause for celebration—yet they come at a time when the work of human rights defenders has never been more important or more imperiled. Human rights defenders in general are under unprecedented attack, facing defamation, detention, and even death. Attacks and restrictions against defenders are often an early warning sign of more widespread and systematic violations. Furthermore, some defenders face additional risks of violations due to the work they do, the contexts in which they operate, and intersectional forms of discrimination. These include women human rights defenders, and those working on issues related to sexual orientation, gender identity, gender expression and sex characteristics.

While not itself legally binding, the UN Declaration on Human Rights Defenders elaborates binding principles of international human rights law as they apply to the work and activities of defenders. Disturbingly, many of these principles are under normative attack.

The Joint Statement constitutes a major step forward in the protection of human rights defenders. In particular, the Joint Statement affirms that all forms of abuse or undue restrictions against human rights defenders constitute violations of States' parties obligations

¹ * The Joint Statement was endorsed by the Committee on Enforced Disappearances, the Special Rapporteur on Human Rights Defenders, and the following Treaty Body members in their individual capacity: Virginia Brás-Gomes, CESCR Chair; Dalia Leinarte, CEDAW Chair; Nouredine Amir, CERD Chair; Ahmadou Tall, CMW Chair; Danlami Basharu, CRPD Vice-Chair; Felice Gaer, CAT Vice-Chair; Marcia Kran, HRCtte member; Olga Khazova, CRC Vice-Chair and Satyabhooshun Gut Domah, SPT member.

² <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23173&LangID=E>

towards the realisation of rights set out in the treaties, and lays the ground for substantial enhancement of treaty body recommendations and jurisprudence.

The Joint Statement also reiterates the vital and central role human rights defenders play in promoting and supporting the domestic application of the fundamental rights enshrined in the core international human rights treaties. It further contextualises the importance and relevance of the UN Declaration on Human Rights Defenders which “reaffirms, is underpinned by, and elaborates binding human rights obligations, including rights set out in the Treaties, and is relevant to the interpretation and implementation of the Treaties”.

The Joint Statement confirms that the core international human rights treaties and the UN Declaration on Human Rights Defenders prohibit discrimination against individuals and groups who champion such human rights norms and standards. It reaffirms that all individuals should be able to engage with treaty bodies free from all forms of interference, intimidation, abuse, threat, violence, reprisal, or undue restriction. It concludes with a series of practical measures that States ought to take to guarantee the protection of human rights defenders, including the adoption of specific legislation to protect and recognise defenders, and the revocation of legislation that restricts or hinders their work.

The treaty bodies play a significant role in addressing State obligations to protect human rights defenders and to prevent attacks against them and their work. The treaty bodies have great potential to draw attention to, and contribute to counteracting, the worsening trend in protection. The 20th anniversary provides a key opportunity for treaty bodies to strengthen and promote the UN Declaration on Human Rights Defenders as part of their mandate.

We believe that an endorsement from all of the Committees would send a strong signal of support to human rights defenders and urge the Human Rights Committee as a whole to endorse the Joint Statement at its next session in Geneva on October 8, 2018, and to draw on the substance of the Joint Statement in your work.

Alkarama Foundation
Amnesty International
CIVICUS: World Alliance for Citizen Participation
FORUM-ASIA
Geneva for Human Rights (GHR)
Global Initiative for Economic, Social and Cultural Rights (GIESCR)
Human Rights in China (HRIC)
Human Rights Watch
IDHEAS, Litigio Estratégico en Derechos Humanos
International Commission of Jurists (ICJ)
International Movement Against All Forms of Discrimination and Racism (IMADR)
International Service for Human Rights (ISHR)
Peace Brigades International (PBI)
MADRE

OutRight Action International

The Advocates for Human Rights

The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA)

TRIAL International

Validity Foundation - Mental Disability Advocacy Centre

Women's Link Worldwide

World Organisation Against Torture (OMCT)