

**International
Institute of
Social Studies**

Erasmus

**International Protection Measures for
Human Rights Defenders at Risk:
The Roles of States, CSOs and Business**

A Research Paper presented by:

Crystal H. Flores
(Philippines)

in partial fulfilment of the requirements for obtaining the degree of
MASTER OF ARTS IN DEVELOPMENT STUDIES

Major:

**Human Rights, Gender and Conflict Studies:
Social Justice Perspectives**
(SJP)

Members of the Examining Committee:

Professor Dr. Karin Arts
Dr. Jeff Handmaker

The Hague, The Netherlands
November 2019

Disclaimer:

This document represents part of the author's study programme while at the International Institute of Social Studies. The views stated therein are those of the author and not necessarily those of the Institute.

Inquiries:

International Institute of Social Studies
P.O. Box 29776
2502 LT The Hague
The Netherlands

t: +31 70 426 0460
e: info@iss.nl
w: www.iss.nl
fb: <http://www.facebook.com/iss.nl>
twitter: [@issnl](https://twitter.com/issnl)

Location:

Kortenaerkade 12
2518 AX The Hague
The Netherlands

Contents

<i>Dedication</i>	<i>iv</i>
<i>Acknowledgement</i>	<i>iv</i>
<i>List of Tables</i>	<i>vi</i>
<i>List of Acronyms</i>	<i>vi</i>
<i>Abstract</i>	<i>vii</i>
Chapter 1 Introduction	1
1.1 Who Are the Human Rights Defenders?	1
1.2 Problem Statement	2
1.3 Research Objectives and Questions	4
1.4 Research Methodology and Methods	5
1.5 Ethical Considerations, Positionality and Challenges	7
1.6 Scope and Limitation, and Structure of the Paper	8
Chapter 2 Conceptual and Theoretical Framework	9
2.1 Integrated Security	9
2.2 Human Rights Obligations	10
2.3 Duty to Protect Human Rights Defenders	11
Chapter 3 Protection Measures, Policies, and Practices	14
3.1 The Netherlands HRD Policy and Program	14
3.2 Civil Society Organization Protection Initiatives	16
3.3 The Involvement of the (Dutch) Business Sector	18
3.4 The Cooperation of States, CSOs and Business	20
Chapter 4 Human Rights Defenders in the Shelter City Programme	21
4.1 The Background of Human Rights Defenders at Risk	21
4.2 Life in the Shelter City Programme	22
4.3 Life After the Shelter City Programme	23
4.4 HRDs Suggestions for the Shelter City Programme	24
Chapter 5 Conclusion	25
References	28

Dedication

This work is dedicated to the members of the Philippine Alliance of Human Rights Advocates (PAHRA) and to all human rights defenders in the world who daringly live their lives to fight against injustices and to serve humanity with a hope of making this world a little better.

Acknowledgement

It is so impossible to finish an academic task like this without the help and support of many people. Hence, I am forever grateful and thankful that I happened to meet the right people for me to be able to pass this academic hurdle.

I would like to thank all my research participants for responding to my request and trusting me with their information and their experiences.

To my supervisor, Professor Dr. Karin Arts, who unselfishly shared her time, expertise and encouragement in supporting me in this research paper.

To my second reader, Dr. Jeff Handmaker for wise pieces of advice and guidance.

Thank you, Orange Knowledge Program (OKP) through the Netherlands Universities Foundation for International Cooperation (NUFFIC), for granting me the scholarship to pursue my Masters' Degree in the International Institute of Social Studies of Erasmus University Rotterdam.

Thank you, ISS community, professors, staff and classmates. Shout out to my Filipino PHamily in ISS.

To my organization, Task Force Detainees of the Philippines and the Fastenopfer - Swiss Catholic Lenten Fund, Sir Misty, Helena, Valerie and Ma'am Bembet. Thank you so much for all your support.

To my family and friends back home for prayers, encouragement and all kinds of support.

To my constants, Momi Sol and Ate Richie. My success is also yours. We are all in this together. Thank you for all the support, encouragement, patience *ug pagpalangga*.

And to God. Where will I be without you? You are the Anchor of this life. Your love and grace abound in me. I am forever grateful.

List of Tables

Table 1.1 Human Rights Defenders Participants	6
Table 1.2 Participants from Dutch government, CSOs and business sector	7

List of Acronyms

BHRRC	Business and Human Rights Resource Centre
COHOM	Council Working Party on Human Rights
CSOs	Civil Society Organizations
EIDHR	European Instrument for Democracy and Human Rights
EU	European Union
FIDH	International Federation for Human Rights
HoMs	Head of Missions
HRDs	Human Rights Defenders
ICCPR	International Covenant on Civil and Political Rights
ISHR	International Service for Human Rights
JP	Justice and Peace - Netherlands
MFA	Ministry of Foreign Affairs
NGOs	Non-governmental Organizations
NPA	New Peoples' Army
OMCT	World Organisation Against Torture
SLAPP	Strategic Lawsuits Against Public Participation
TAMASCO	T'boli-Manobo S'daf Claimants Organizations
UDHR	Universal Declaration on Human Rights
UN	United Nations
UN OHCHR	United Nations Office of the High Commissioner for Human Rights
UNGA	United Nations General Assembly
UNGPs	United Nations Guiding Principles of Business and Human Rights
WHRDs	Women Human Rights Defenders

Abstract

When human rights defenders are threatened and harassed, where will they go? Who will protect the defenders? This study seeks to identify and analyze the roles of states, civil society organizations and business in establishing international protection measures for human rights defenders at risk. The study will be based on facts and data gathered from the narratives of human rights defenders who experience threats and harassments, and on relevant academic and other literature and documentation. Interviews will be conducted with officials and representatives of civil society organizations like Justice and Peace (the Netherlands), the Hague Peace Projects, the Dutch Ministry of Foreign Affairs, and the business sector. The study seeks to evaluate the existing policies and mechanisms to assess their effectivity and suggest improvements in creating a safe and enabling environment for HRDs at risk.

Relevance to Development Studies

This study will provide a clear presentation of the roles of states, civil society organizations and business in establishing international protection measures for human rights defenders at risk and how these measures contribute to promoting human rights as well as protecting the HRDs. This paper will also discuss the programs and practices that may need to be improved. Development studies have always been focused on enhancing human development (which comprises basic freedoms and rights) and on providing for a safe and enabling environment. Hence, the relevance and timeliness of this study.

Keywords

Protection measures, human rights defenders, integrated security

Chapter 1 Introduction

In every part of the world today, human rights defenders (HRDs) are actively engaged in human rights issues around them. HRDs are key agents of change that have been helping in advancing human rights and democracy (Bennett 2015:908). However, HRDs are facing dangers as they conduct their work and advocacy. They are increasingly intimidated, threatened, and harassed by state and non-state agents (Ibid). The need to protect HRDs is a pressing issue of today. Since 1984, the matter has been discussed explicitly within the United Nations (UN), which ultimately led to the adoption 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, also known as the UN Declaration on Human Rights Defenders, by the UN General Assembly in 1998 (UN OHCHR, n.d.). The Declaration is a significant document, especially because it is not only a guideline for States to take action in protecting HRDs but urges other actors as well to help promote human rights by protecting HRDs. Civil society organizations (CSOs) and the business sector are indeed taking part in the challenge by setting up policies and programs in support of HRDs. This study will use the concept of ‘integrated security’. This involves the definition of security identified by human rights defenders themselves. The theoretical notions of ‘Human Rights Obligations’ and the ‘Duty to Protect Human Rights Defenders’ will be applied. This will reveal the normative frameworks relevant to protecting HRDs that were put in place by the UN for States, CSOs and Business. I will examine the possible obligations of these three actors to comply with this international law. Likewise, the discussion of the Duty to Protect Human Rights Defenders will provide information about the policies implemented to promote and protect the rights of HRDs.

1.1 Who Are the Human Rights Defenders?

The term ‘human rights defenders’ became widely used since the adoption of the UN Declaration on Human Rights Defenders in December 1998 (United Nations 1999:2). In the 2018 report of the United Nations Special Rapporteur on the Situation of Human Rights Defenders, Michel Forst stated that many individuals or groups of people who are courageous in defending human rights refer to themselves as “defenders” (Forst 2018:8). The term became popular and nowadays is commonly used in the international arena, particularly in the United Nations and the European Union. Other terms, such as ‘human rights activists’, ‘human rights workers’ and ‘human rights professionals’ are used as well (Donders 2016:282).

The United Nations defined human rights defenders as those who “seek the promotion and protection of civil and political rights as well as the promotion, protection and realization of economic, social and cultural rights” (UN OHCHR n.d. and n.p.). They work and engage with different actors from the local, national, regional and international level for the respect and fulfilment of human rights. They collect data or information and disseminate reports of human rights abuses and violations happening within their areas of concern. They offer support to the victims and families of human rights violations, work to ensure accountability, and/or to secure justice for the victims, and/or to stop the culture of impunity, support better governance and government policies, to contribute to the implementations of human rights treaties and/or conduct human rights education and trainings (Ibid).

In 2004, the Office of the United Nations High Commissioner for Human Rights (UN OHCHR) released a document called “Human Rights Defenders: Protecting the Right to

Defend Human Rights” also known as “Fact Sheet 29”. The factsheet laid out at least three requirements for a person to be considered a human rights defender. First, the person must accept the universality of human rights. Second, it is not necessary for the person to be technically correct as long as the person’s argument falls within the scope of human rights. Finally, the person must engage in work in a peaceful action (UN OHCHR 2004:8-9).

1.2 Problem Statement

The massive human rights violations committed against human rights defenders can be evidently observed in the reports of the United Nations Special Rapporteur on the Situation of Human Rights Defenders, and the organizations Global Witness and the Business and Human Rights Resource Centre. These reports recognize that there is a need to check on the commitment of States to adopt and implement the Declaration of Human Rights Defenders.

In the 2018 World Report on the Situation of Human Rights Defenders, UN Special Rapporteur Michel Forst observed that, 20 years after the adoption of the HRD Declaration, that Declaration had not yet been fully implemented by almost all UN member States. Forst stated that some States are encouraging in their responses to the Declaration, by accepting the challenges involved in meeting their obligations through creating mechanisms and programs to fulfil human rights and protect HRDs. However, there is also an increasing number of States that are not proactive on this matter and somehow become the reason for impairing the enjoyment of the rights recognized in the Declaration. Thus, the international community is having a hard time in fulfilling its obligations laid out in the Universal Declaration of Human Rights (UDHR)¹ and their commitments to attain sustainable development and solve other global problems due to the restrictions that were enforced and direct attacks against the human rights defenders (Forst 2018:7).

The report is a big challenge for States because it reflects their inadequate human rights performance and questions the credibility of the governments. It is good that some States are complying with the provisions in the Declaration, but this is not enough, and there is a need to assess its overall effectivity. Furthermore, the report indicates that people in government have problems understanding their obligations and accountability to the rightsholders in respecting, protecting and fulfilling human rights. It might be that the people in government are not well-oriented on what human rights are and on their obligations as public officials.

A recent report of the non-governmental organization Global Witness indicated that, in the year 2018, 164 land and environmental defenders were killed, averaging more than three defenders in a week. These attacks against the defenders were driven by issues related to mining, logging and agri-business. Companies threatened the defenders by filing criminal cases. If found guilty, the HRDs would thus be imprisoned. Other areas of their lands were designed for agri-business to have mass food production. 43 deaths associated with mining were reported. Those killed were mostly ordinary people who just wanted to defend their homes and their livelihood and foremost, the environment. Security groups, State forces and contract killers are believed to have collaborated in these killings. The report also mentioned the Philippines as the most dangerous country for HRDs as it took 30 lives, 15 of whom were related to agri-business issues (Global Witness 2019:9). Intimidation among the defenders in the country is still ongoing today. They have been tagged as communist

¹ See Resolution 217 A III paragraph 2 in [https://undocs.org/A/RES/217\(III\)](https://undocs.org/A/RES/217(III))

sympathizers, terrorists or supporters of the New Peoples' Army (NPA)² (Ibid 2019:7). The UN Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpus, a Filipina herself, is one of the victims of the red-tagging³ done by the Philippine government. In her UN reports she referred to the attacks, stigmatization, forced displacement and criminalization of indigenous peoples in the whole world and, among others, the massive human rights violations in the Philippines in particular. In March 2018, the Philippine government declared her a terrorist as a retaliation to the reports that she published. She was under threat and was not able to return home to the Philippines for months. Even after her name had already been removed from the government's list of suspected terrorists, accordingly she still suffered false accusations from the government officials (Ibid 2019:26).

World-wide, non-physical abuse of HRDs such as intimidation and harassments using policies, laws, and court systems are prevalent. Governments and businesses use these tactics to tarnish reputations, block funding support and trap the activists in costly legal battles that will later force them to stop doing their work (Ibid 2019:6). This crackdown on individual defenders and or the organizations also generates a strong chilling effect for aspiring defenders. Their criminalization has not only intimidated the defenders but has also affected their families and the communities that they represent (Ibid). The repression of defenders is getting worse and the defenders themselves struggle to live their lives with dignity. Taking away homes and livelihoods is just like taking away the right to life. This is most true in the case of the indigenous peoples whose lives and identities are attached to their ancestral lands and the environment they belong to. The indigenous peoples' fight against human rights and environmental abuses is considered a big fight as they see themselves as the guardians of the environment. Indigenous peoples and the environment are intertwined with each other.

The Business and Human Rights Resource Centre (BHRC), an NGO based in London (United Kingdom), recorded an increase of seven per cent in the attacks against defenders who were working on business-related human rights issues in 2018. These defenders were protecting themselves and their lands, homes, families and communities, rivers and forests against corporate abuse (Business and Human Rights Resource Centre n.p. and n.d.). The attacks related to environment amount to 36 percent; to land rights 31 percent; to labor 21 percent; to agribusiness and agriculture 25 percent; and to mining 22 percent. The majority of the victims of the attacks are men at 69 percent, followed by women at 17 percent, and organizations at 11 percent (Ibid). The defenders identified as community leaders, farmers and peasants comprise 33 percent; indigenous peoples' leaders 16 percent; workers 13 percent; union leaders 12 percent; environmental groups 11 percent; human rights groups six percent; journalists five percent; and lawyers three percent (Ibid). The attacks were in the form of killings, beatings, death threats, detentions and lawsuits. BHRC further said that at least 32 lawsuits were filed against HRDs by businesses. Most of these were Strategic Lawsuits Against Public Participation or SLAPP⁴ suits. The BHRC also identified the

² The New Peoples' Army is the armed wing of the Communist Party of the Philippines. The Philippine government declared them as terrorist in 2017. Prior to this, the United States and the European Union both had already designated the group as a terrorist organization.

³ Red-tagging is commonly used in the Philippines. This term refers to individuals, groups or organizations who are critical to the Philippine government and are labelled as communists or terrorists. Sometimes the word red-baiting is also being used.

perpetrators of the attacks against HRDs, ranging from private security forces, the police, organized crime and para-militaries. Among all the reports that the BHRC gathered, Latin America had the highest percentage of defenders who were attacked 48 percent. Asia and Pacific scored at the level of 32 percent, which was a 74 percent increase (from 7 percent) compared to the 2017 report. The HRDs reported on by the BHRC were from the following countries: Brazil, Philippines, Colombia, India, Guatemala and Mexico.

The statistics in the BHRC report indicate that the problems in respecting human rights and protecting HRDs are on the rise and need to be urgently tackled through warranted measures. HRD organizations and/or movements are supported in the Article 1 of the Declaration on Human Rights Defenders stating that:

"Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels" (United Nations 1999:3).

The article in the Declaration has a lot to say for HRDs to continue on their advocacies particularly on their security and safety. Article 2 of the Declaration pointed out that States is the prime actor and are responsible, and has the duty to protect and promote all human rights including the fundamental freedoms, and in order to comply this duty and responsibilities, States must adopt laws to ensure the fulfilment of these rights (Ibid).

According to the foundational principles of the UN Guiding Principles of Business and Human Rights (UNGPs), business enterprises have the responsibility to respect human rights. They may also participate or create activities in supports and promotion of human rights (UN OHCHR 2011:13). The business sector has its role in actively participating in building a good and healthy society. This recognition is one way of saying that, in promoting and protecting human rights, everyone has her/his own part to do. This does not exclude CSOs as they can be a bridge to the states, business and HRDs to achieve a democratic and peaceful society.

With the Declaration and the UNGPs, both States and business are major actors that can respect, protect, or promote human rights including the fundamental freedoms of every person and groups. For these two actors to meet their commitment, civil society organizations must come in and actively participate. The question is, are there any current policies and practices that States, CSOs and or the business sector currently in place to help protect and secure the HRDs at risk? This paper will review some of the international and local initiatives in protecting HRDs and analyze their effectiveness and outcomes.

1.3 Research Objectives and Questions

The main objective of this study is to identify and discuss the existing international protection measures for human rights defenders at risk. This paper is guided by the following main question and three sub-questions:

⁴ Strategic Lawsuits Against Public Participation (SLAPP suits) are used to harass or silence HRDs, particularly the environmental and land rights defenders. These cases are filed in court, but their aim is not necessarily to win the case but to exhaust the resources and energy of the defendant even to the point of frustrating them to claim their rights for a certain land or a cause. See page 84. Murombo, T. and Valentine, H. (2011) 'Slapp Suits: An Emerging Obstacle to Public Interest Environmental Litigation in South Africa, *South African Journal on Human Rights* 27(1), 82-106

Main research questions

What international protection measures for human rights defenders at risk are extended by States, civil society organizations, and business?

Sub questions

1. Who are considered HRDs at risk and what types of risks are they facing?
2. How are actors like States, CSOs and business subject to human rights obligations vis-à-vis the protection of human rights defenders at risk?
3. What policies and practices do States, CSOs and business currently have in place for the protection of HRDs at risk?

1.4 Research Methodology and Methods

This study was conducted using qualitative research. Qualitative research according to Howard Lune and Bruce Berg is to find out answers by studying different social situations including the people who are involved with it (2017:15). This research seeks to identify the roles of states, CSOs and business in establishing international protection measures for human rights defenders at risk. Thus, qualitative approach is the most fitting method in order to gather the data and information that is vital for this study.

Primary and secondary data were applied in this research. The interviews were supplemented with secondary data such as the UN Declaration on Human Rights Defenders, the EU Guidelines on Human Rights Defenders, the Netherlands policy documents on human rights and their action plan on human rights defenders, as well as the UN Guiding Principles on Business and Human Rights including NGO programs and business companies statements in support of HRDs at risk, books, websites, journals and news articles. The research used two forms of interviews: the traditional face-to-face interview and the computer-assisted interview.

As I am a human rights defender at risk myself, I have the longing to know what protection measures and programs are available for HRDs to use when we are in a dire situation. It cannot be denied that many of the HRDs in the field do not really care about their safety and security first. A reason for this is that HRDs are too busy attending the needs of the victims of human rights violations. We forgot to put on the oxygen mask and the life vest first before saving the others. During the first week of studies as Social Justice Perspectives student at the ISS, the organization Justice and Peace-Netherlands (JP) together with two HRDs from Africa and Bangladesh spoke before us. They shared with us the situations in their countries and the reasons why they are in The Netherlands. I was ecstatic to know about the Shelter City Initiative. From then on, I followed their activities in social media. I decided to work on the narratives of the HRDs at risk in the Shelter City Initiative for my research paper, but it was later on developed into identifying the international protection measures. My research supervisor helped me connects through e-mail with the Dutch Ministry of Foreign Affairs and Justice and Peace - Netherlands. I happened to meet again the officers of JP and Shelter City in a Human Rights Defenders Conference organized by the ABN AMRO Bank in June 2019 in Amsterdam. My attendance of the conference was in replacement of my research supervisor who was not available on the date of the conference. JP and all others involved assured me of their willingness to participate in the research.

The respondents of this study are the following: the program officer of the Shelter City Initiative under Justice and Peace - Netherlands; the Environmental, Social and Ethical Risk

Adviser of ABN AMRO Bank; the Manager of International Labour Relations and Global Human Resource Center of Heineken Company; the Director and Secretary of the Hague Peace Projects; the Policy Officer for Human Rights Defenders of the Dutch Ministry of Foreign Affairs and the two African human rights defenders who were previous beneficiaries of Shelter City programme. I intentionally connected with Justice and Peace for this study as they have been implementing the Shelter City programme for HRDs for the past seven years already. The Shelter City programme is one of the programmes for HRDs at risk that receives financial support from the Dutch government, in particular the Ministry of Foreign Affairs and its local government or the host cities. JP is one of the clients of ABN AMRO Bank. Its funds for human rights defenders particularly the Shelter City programme are in the care of the Bank. They know how vital civic freedoms and protecting HRDs are. ABN AMRO has nineteen branches worldwide. They also give space for dialogues with and between business and human rights defenders. I visited one event organized to this end (in June 2019). Heineken company is one of the oldest and biggest Dutch companies with five hundred thousand suppliers around the globe. It is one of the companies that is financed by the ABN AMRO bank. The Hague Peace Projects on the other hand is a Dutch peace organization with two projects that are giving space for HRDs to express and be heard in relation to their country's human rights situations and their personal situations as HRDs at risk.

Prior to the interviews with JP, the ABN AMRO Bank, the Heineken company and two HRDs, an e-mail was sent to them including a set of questions. This was done in order for them to have a glimpse of the kind of topic that we were going to discuss during the interview. The interview request with the two HRDs was sent through the office of the Shelter City Program Officer. All of the respondents in this study were given ample time to reply to the interview request. They also chose their own date, time and place for the interview. Since the two HRDs were based in Africa, a computer-assisted interview was conducted with them. The others were face-to-face interviews. Although questions were prepared beforehand, still the interviews were in semi-structured form. Zina O'Leary wrote that a semi-structured interview is a non-formal type of interview and it has a flexible structure (2014:218). The Dutch Ministry of Foreign Affairs and the Hague Peace Projects during the communication period were not given a set of questions but the interviews were still in a semi-structured flow.

The following tables contain the profiles of the respondents of this study.

Table 1.1

Human Rights Defenders Participants

HRD name code	Theme of advocacy	Years of service	Date and time of interview	Form of interview
HRD 1	Social Justice Activist	12 years	13-09-2019; 10:00 A.M.	Online interview via Skype
HRD 2	Human Rights Lawyer	20 years	18-09-2019; 16:00 P.M.	Online interview via Skype

Table 1.2**Participants from Dutch government, CSOs and business sector**

Name of Office and Organization	Office Designation	Years of Employment	Date and Time of Interview	Place of Interview	Form of Interview
Justice and Peace (JP) - Netherlands	Shelter City Program Officer	3 years	28-8-2019; 14:00 P.M.	Justice and Peace Netherlands Riviermarkt 5, The Hague	Face-to-face
ABN AMRO	Environmental Social and Ethical Risk Adviser	3 years	2-9-2019; 15:00 P.M.	Circle Restaurant - Gustav Mahlerlaan, Amsterdam Zuid	Face-to-face
Heineken	Manager International Labour Relations, Global Human Resources	4 years	3-10-2019; 10:30 A.M.	Tweede Weteringplantsoen 21, Amsterdam	Face-to-face
The Hague Peace Projects (HPP)	Director, Secretary	5 years	17-10-2019; 9:00 A.M.	Paviljoensgracht 20, The Hague	Face-to-face
The Netherlands Ministry of Foreign Affairs	Human Rights and Political and Legal Affairs Division	1 year	23-10-2019; 10:00 A.M.	Rijnstraat 8, The Hague	Face-to-face

1.5 Ethical Considerations, Positionality and Challenges

The respondents were informed of the purpose of the interview and were assured that their anonymity is highly regarded as the topic is quite fragile particularly for human rights defenders. Hence, I did not mention also the country that they are coming from and the months in which they arrived and attended the Shelter City programme in the Netherlands. Prior to the formal start of the interview, I also asked the respondents' permission about the audio-recording to be done which they willingly allowed.

As I am likewise a human rights defender at risk, I provide a very brief background about myself and the reason why I took this topic for research. Due to a slow internet connection, the on-line interviews took a little longer compared to the one-on-one interviews. In this research, I tried to be objective in the whole process of the data gathering as I bore in mind that the information that I gathered should be of value, not only to my study, but most importantly, to the HRDs at risk around the world and the actors involved in helping elevate the human rights situation and protection of human rights defenders. This study is my humble contribution to the human rights community.

1.6 Scope and Limitation, and Structure of the Paper

This study will tackle the Human Rights Guidelines of the European Union. The Netherlands is a State that implements the UN and EU Declarations on HRDs. Justice and Peace - Netherlands as an organization is based in the Hague. The organization is known as a leading implementor of the international programme Shelter City or the temporary relocation for HRDs at risk.

This paper is organized in four chapters. Chapter one contains the introduction and problem statement. The definition of the term human rights defender is explored. The research objectives and research questions, the methodology and methods that are used in this research paper are also presented. This chapter likewise presents the ethical considerations, positionality and challenges. Chapter two articulates the concept of integrated security. The theoretical framework focuses on the human rights obligations involved and on the duty to protect human rights defenders. These are discussed on the basis of the available literature on HRDs at risk and on protecting them, as well as the UNGA Declaration on Human Rights Defenders, the UN Guidelines and Principles of Business and Human Rights, and the European Union Guidelines on Human Rights Defenders. Chapter three will discuss the findings on the protection measures, policies and practices by the Netherlands, civil society organizations and the business sector including the analysis of the cooperation of the three actors in implementing the protection measures, policies and programs. Chapter four will review the experiences of the HRDs in the Shelter City Programme including their background as HRDs, their lives during and after the stay in the Shelter City Programme. This includes the suggestions by HRDs for improving the programme. Chapter five articulates the conclusion of the study.

Chapter 2 Conceptual and Theoretical Framework

In this chapter, the concept of integrated security will be the jump start in developing the theory on human rights obligations which is the basis to this Research Paper. Upon the established human rights obligation, a holistic approach is used in explaining its significance for human rights defenders, its necessity to be attended to by those who are in political authority, like governments; and its impact (if any) on the people and organizations (including business) in society as a whole. As the concept of integrated security is closely associated with the idea of human rights obligations, the conceptual framework of this paper will then be completed by a discussion on human rights protection including a specification of the bodies or organizations who are accountable for protecting human rights.

2.1 Integrated Security

For human rights defenders, human rights work is intensely personal. And when it is personal, it is fundamental because it is part of one's being. The "integrated security" concept came out of the study of Barry and Nainar with women human rights defenders (WHRDs) (2008:87). Although their study was about the security of women HRDs, it turned out that HRDs of other genders faced the same challenges in their work (Ibid:11). The women human rights defenders took their advocacy and their work very seriously and deeply personally. They brought with them their life experiences both as survivors or witnesses from the different kinds of violence they were exposed to like sexism, discrimination, repression, hatred and injustices. They engaged their whole being in their work physically, mentally and psychologically, including the effort to use their abilities, talents and resources. These personal engagements with human rights advocacy could obviously be observed and seen by their perpetrators. Thus, they were usually attacked on a very personal level, first in their reputation, followed by their credibility, their body and even their sanity. Their support systems, like their family, friends, relatives and communities were not spared either (Barry 2011:9). For these reasons, women human rights defenders in Colombia defined integrated security as:

"For us, security has to be integrated, which means employment, social well-being, development and national sovereignty in terms of natural resources. Security is not only for individual, but also for community" (Barry and Nainar 2008:8).

Thus, integrated security needs to be possessed by any group of human rights defenders before they can perform well in their task. Also, integrated security stresses "self-care and personal well-being" (Barry and Nainar 2008:87). This concept of integrated security has an important message to all human rights defenders, a message that encourages them to self-equip first with self-care and personal being before deciding to equip others through joining advocacies on human rights.

For Vanessa Kogan the "integrated security model takes as its central premise the notion that it is not the source of the activist's problems that should determine the merits of an intervention, but rather the effect of the problems on the activist's ability to continue their work" (2013:504). This also resonates in the definition of human security that includes the extent of "freedom from want and freedom from fear" (Bennett et al. 2015:884). It is a comprehensive definition of what security really means for human rights defenders. A human rights defender possesses security when the problems (s)he encounters in the field have no or little effect on the continuity of her/his tasks. Despite the possible feelings of fear due to

threats, the ability to continue the human rights work should not be disturbed. Any threatened life of a human being is a very significant subject for a human rights defender. This is also the reason why human rights work emerged because every human being's security is worthy to be defended and protected. Human rights and human security are revolving in the same sphere.

Integrated security is a necessity for all human rights workers because advocacy work is not inseparable from the real life or personal life of a human rights defender. They, the human rights defenders, are not immune or exempted from any possible abuses or violations from an outsider. In other words, the defender and the one defended have the same need of an integrated security in their lives. Just like the human rights principles themselves, this integrated security is interrelated, interdependent and indivisible. All aspects and undertakings of a person's life require an amount of security. Each human rights defender must possess it. If threats persist and the environment is not suitable for them to live, their livelihood and economic situation are affected, including their respective families who are their major support groups (Barry and Nainar 2008:88).

2.2 Human Rights Obligations

Each time States commit to international treaties, human rights law and non-binding international instruments like guidelines and principles (such as the Declaration on Human Rights Defenders), it is understood that States have obligations and duties to respect, protect and fulfil human rights. The agreed and signed treaties are binding materials and automatically put the states in the arena of accountability and responsibility and their coverage includes the entire nation and jurisdiction. Moreover, these treaties would also be a sound basis for any state to design and calculate their short-term and long-term development plan.

The Declaration on Human Rights Defenders was a collaborative effort of a number of human rights non-governmental organizations (NGOs) and some States delegations when it was adopted in the General Assembly on the 9th of December 1998 (UN OHCHR n.d & n.p). It contains a series of principles and rights based on other UN instrument like the International Covenant on Civil and Political Rights (ICCPR). It signifies a very strong commitment by States to its implementation. States are mandated to create a domestic law out of the Declaration (Ibid). The Declaration is to provide support and protection of HRDs in the context of their work. HRDs should keep in mind that in order for them to be called HRDs, they have the obligation under the Declaration to conduct their activities and work peacefully (Ibid). Articles 1, 5, 6, 7, 8, 9, 11 and 13 provide for specific protection of HRDs, while Articles 10, 11 and 18 are outlined as responsibilities for everyone to promote human rights. Articles 3 and 4 address the relationship of the Declaration to national and international law (Ibid).

The UN Special Rapporteur on the Situation of Human Rights Defenders provides for at least six obligations and responsibility of the States based on the Declaration on Human Rights Defenders (United Nations Special Rapporteur on the Situation of Human Rights Defenders n.d. & n.p). The first is to “protect, promote and implement all human rights” (ibid). It means that states must not do anything to prevent people from enjoying their human rights and guarantee that the social, economic, political and other rights and freedom of its constituents can be realized. Second is “to raise awareness on human rights” (Ibid) for people of all ages and all walks of life. States also have the obligation to create legislation and other forms of human rights related instruments in order for its constituents to know and be aware of, and exercise their fundamental freedoms. In creating legislation, people have to be consulted and solicited with ideas in order to maintain the public participation. Third, states

need “to ensure and support the creation and development of independent national institutions” (Ibid) for the promotion and protection of human rights. Institutions like an Ombudsman, human rights commission and others are important agencies for individuals and groups to be made aware of their State’s conduct on human rights issues. These agencies could also be used as indicators in evaluating how human rights obligations are implemented. Fourth, States must receive all reports of alleged human rights violations committed to human rights defender(s) and “provide an effective remedy” (Ibid) and conduct impartial investigations of alleged human rights violation(s) against HRD. Reporting could be a good source of documentation that would help improve the services for victims of human rights violations. Fifth, States have an obligation “to take all necessary measures” (Ibid) in providing detailed and effective protection to human rights defenders who are exercising their legitimate rights within the HRD Declaration against any threat, harassment and violence. Lastly, States shall “promote and facilitate human rights education” (Ibid) to its constituents including those who are in formal education and professional trainings. This also implies that States must allow its constituents to have access to lawyers and judges (United Nations Special Rapporteur on the Situation of Human Rights Defenders n.d. & n.p.).

The obligation to protect obliges the States to protect individuals and groups against human rights abuses by non-state actors (UN OHCHR n.d. & .np.). The United Nations Guiding Principles on Business and Human Rights were endorsed through a resolution in the UN Human Rights Council on 16th June 2011. They were drafted by the UN Special Representative on Business and Human Rights, Professor John Ruggie, during his mandate from 2005-2011 (Business and Human Rights Resource Center n.d. & n.p.). The UNGPs are based on the “Protect, Respect, Remedy” (Ibid) framework. A set of standards in guiding companies from not violating human rights during their course of operations to ensuring to provide adequate remedy when human rights violations occur. The UNGPs not only address the corporate responsibility to respect human rights, but also the State duty to protect against human rights abuses committed by third parties. States and companies are mandated to facilitate grievance mechanisms in the UNGPs (CLT envirolaw n.d.: 4).

2.3 Duty to Protect Human Rights Defenders

The European Union and its 28 member States incorporated promotion and protection measures for human rights defenders in the context of its Common Foreign and Security Policy. In this way, the European Union recognizes the importance of the work of human rights defenders. Acknowledging that there is a current trend of shrinking space for civil society, the EU considers HRDs as valuable allies in the promotion of human rights and democratization (European Commission n.d. and n.p.). The EU thus provides political support to HRDs through public statements about the situation of human rights and the situation of HRDs, it creates political dialogues with partner countries and initiates visits to HRDs who are at risk to express their solidarity. It also provides financial grants for emergency, medium and longer-term support to HRDs through the European Instrument for Democracy and Human Rights (EIDHR). Between 2014 and 2020, 20 to 25 percent of the EIDHR has been available for these financial grants amounting to 200 to 250 million euros (Ibid).

For emergency grants, the EIDHR provided up to 10, 000 euros per grant. Since 2010 and up to January 2017, it provided already 330 grants amounting to over 3 million euros, disbursed to 500 HRDs and organizations in over 50 countries. These grants were for provisional assistance for legal fees; medical needs and rehabilitation, for example for HRDs who are victims of torture and inhuman and degrading treatment; procurement of security equipment for local organizations; temporary support for the family of imprisoned or

deceased HRDs. The key component of this mechanism is the temporary relocation of HRDs who are forced to vacate for security reasons (Ibid).

The EIDHR also supports project designs that aim to protect HRDs, and related individuals and organizations through medium and long-term support. Medium-term support can cover the monitoring of the situation that HRDs are in and trainings on risk prevention including digital security (Ibid). For long-term support the EIDHR includes expenses on advocacy and lobbying work and the development of strategies to counter restrictions (Ibid).

The European Union Guidelines on Human Rights Defenders were adopted by the EU Council in 2004 and revised in 2008 (Ibid). The primary purpose of the Guidelines is to enable the European Union Missions such as embassies and consulates of EU Member States and EU Commission Delegations to tackle the specific needs and concerns of human rights defenders (EU Guidelines on HRDs 2008:1). The Guidelines also provide direction for the EU Missions in identifying who are the HRDs based on the UN definition for them to understand clearly why they need to support and protect HRDs (Ibid:2-3). Human rights defenders in UN definition are as those “individuals and in groups who seek the promotion and protection of civil and political rights as well as the promotion, protection and realization of economic, social and cultural rights” (UN OHCHR n.d. and n.p.). EU Missions are requested to provide periodic human rights situation reports on the countries that they are accredited to. The human rights situation reports should contain information about the situation of HRDs and particular incidents and occurrences such as threats or attacks against HRDs. When the report is done, the Head of Mission (HoM) must make a recommendation to the Council Working Party on Human Rights (COHOM) for possible EU actions towards the HRD cases. The HoM should also report on the effectiveness of the action that the EU took (Ibid:4). EU Missions should take a proactive policy towards HRD related cases. They should be aware that certain actions of EU Missions might harm HRDs. Therefore, EU Missions should consult HRDs before taking action on HRD related cases (Ibid:5). The objective of the EU is to influence non-EU countries to fulfil their obligations to respect and protect HRDs and to protect them from attacks and threats by non-state actors (Ibid:6). The EU Guidelines also expressed support for the Special Procedures of the UN Human Rights Council, including the UN Special Representative on Human Rights Defenders, and for protection mechanisms for human rights defenders at the regional level (Ibid:6-7).

While, contrary to states, strictly speaking Civil Society Organizations (CSOs) are not under a legal obligation as such to protect HRDs, CSOs do play a key role in protecting the human rights of HRDs. The term CSO is broadly and commonly defined as “the area outside the family, market and state” (World Economic Forum 2013:8). For the European Union, civil society refers “to all forms of social action carried out by individuals or groups who are neither connected to, nor managed by, the State” (European Union Law n.d. and n.p.). According to Vinod Prakash Gupta, in his writing on the “Role of Civil Society and Human Rights”, according to the United Nations Development Program (UNDP), the term CSO “includes community groups, academics and research institutions, NGOs, cultural groups, professional association and religious groups” (Gupta 2011:363).

CSO groups and networks have different sizes, structures and platforms ranging from international non-governmental organizations, to mass social movements, to small and local organizations (Cooper 2019:2). Civil society roles in relation to human rights include the following: service provider through community service; advocate/campaigner for certain human rights or environmental issues; watchdog by monitoring government compliance with human rights treaties; building active citizenship by engaging with the activities of civil engagement, local governance and others; and participating in global governance processes (Ibid).

In the UN, CSOs were recognized as important partners because they promote the “Organization’s ideals” and support its work (United Nations n.d. and n.p.). For a long time, CSOs participated in the drafting, creating and championing of UN human rights instruments such as the Declaration of Human Rights Defenders and the UNGPs. The UN described civil society as the ‘third sector’, along with government and business. It comprises civil society and non-governmental organizations” (Ibid).

Some Civil Society Organizations also work hand-in-hand with the EU on supporting human rights defenders. More in particular, the EU and twelve civil society organizations created a web portal called “ProtectDefenders.eu” where HRDs at risk can access the protection mechanism 24/7 and 365 days a year. The web portal has a helpline run by the organization Front Line Defenders to support human rights defenders who are facing immediate risk. Organizations who are working for the protection of HRDs can likewise apply to the EU temporary relocation platform. The objective of the platform is to make the organizations lead the interventions in crisis situations for human rights defenders at risk and facilitate and ensure temporary relocation in every way.⁵

Materially, the duty to protect human rights is everybody’s business. That is why in this research paper we will look into the collaboration of States, CSOs and Business in protecting and promoting the rights of human rights defenders.

⁵ The ProtectDefenders.eu started its operations on 1 October 2015. The twelve partner organizations are: Front Line Defenders, Reporters Without Borders, OMCT, FIDH, ESCR-NET, ILGA, Urgent Action Fund, Protection International, Peace Brigades International, EMHRF, Forum Asia and EHAHRDP. For more information, see <https://www.protectdefenders.eu/en/supporting-defenders.html>

Chapter 3 Protection Measures, Policies, and Practices

This chapter will elaborate on existing concrete international protection measures, policies and practices that States, Civil Society Organizations and Business extend to human rights defenders at risk. It will review the Netherlands HRD policy and program, CSOs practices in implementing their protection programs and the involvement of Dutch business in respecting human rights and the rights of the HRDs. This is to be done in order to know how they implemented it and better understand the cooperation of these three actors in realizing the commitments to protect human rights defenders.

3.1 The Netherlands HRD Policy and Program

The Netherlands is one of the European Union member states that explicitly supports human rights defenders based on the 2008 EU Guidelines on Human Rights Defenders. The Netherlands Action Plan for Human Rights Defenders adopted in 2012, works to ensure that HRDs are physically safe and free from intimidation in order for them to continue their work in their respective countries and regions (Action Plan for Human Rights Defenders 2012:1). According to the Dutch Ministry of Foreign Affairs' Policy Officer of Human Rights Defenders, the Netherlands can extend at least four protection measures to human rights defenders.

First there is the option of diplomatic efforts through multilateral and bilateral work. The Dutch Ministry of Foreign Affairs (MFA) is actively participating in multilateral forums, particularly the EU and the UN including the Human Rights Council and the General Assembly. These fora might issue statements regarding reprisals or other cases against human rights defenders. In order for their statements to be more credible and powerful, they cite cases including the name(s) of (a) human rights defender(s) who is/are involved. But this will occur on a case-by-case basis as the Ministry will first seek the permission of the human rights defender(s) involved. Dutch missions or embassy representatives are guided to do bilateral conversations with the authorities of other countries. Human rights are the high priority issue that the missions have to bring to the table during the meetings. Dutch missions can make a point to the authorities of the country they are in about the general theme of the Dutch human rights policy and/or bring particular human rights violations including issues of human rights defenders to the fore. This multilateral and bilateral work is not often made public, nor are the results of the meetings released publicly. The Dutch Ministry of Foreign Affairs often receives criticism from civil society organizations for not releasing the results of the meetings publicly. Thus, the Dutch MFA Policy Officer for HRDs answered on this issue:

“it is not always effective to publicly share our views on the human rights situation of the country because it can be a shame for a government and that will make them become more defensive and not wanting to change anything. We need to be very careful and pursue balance in every action that we take. We need to think about what the consequences will be, not only politically speaking but also for the safety of the people that we are talking about and how our action can impact them” (Interview PO-HRD 2019).

Multilateral and bilateral meetings are very important, but it would also be good if the Dutch mission shared its feedback with the concerned HRDs, groups, or CSOs who support the victims of human rights violations (HRVs).

Second is the presence of the Dutch missions by attending case hearings of human rights defenders. In situations where HRDs are facing a trial related to their work and advocacy, the Dutch mission will extend its solidarity by attending the hearings. But this does not always happen for there are cases that are too politically sensitive for the Netherlands. Sometimes, if the Dutch missions are not allowed to attend because of the situation, they will ask another EU member states to do so on behalf of the EU. In this scenario, the Dutch mission and EU member states missions are cooperating to fulfil their commitment to the EU Guidelines on Human Rights Defenders.

There are some positive outcomes of attending HRD trials. The HRDs can be treated well (or better) in detention; they can have a shorter sentence; charges may be dropped or the defendant may be found innocent; and there is a higher possibility that the sentence will be reviewed and the defendant will be released (Amnesty International 2018:4). Nevertheless, only few HRD cases are attended by the Missions. The reasons are multiple. The Dutch Mission may simply not be able to attend the trial of a HRD due to lack of information about the case. Especially cases of HRDs from rural areas may not be publicized or highlighted in the media. Also, it may not be realistic for the Missions to attend case hearings to far flung areas in view of security issues as was the case in relation to the case against the T'boli-Manobo S'daf Claimants Organizations (TAMASCO)⁶ in the province of South Cotabato in Mindanao, the Philippines, 1,700 kilometers away from the capital city Manila.

Third is the Human Rights Tulip Award, which is handed out annually on 10 December, the annual Human Rights Day. The award started in 2008 in the Hague, and then it was extended to other places where the Dutch missions or embassies can award a local HRD, may it be individually, group-wise or organizationally. This award recognizes the value of the work of a HRD. It is also a statement of support to motivate the HRD(s) to continue their work. This type of international recognition shows the local authorities that the HRD involved is known internationally and that the Dutch government is aware of the situation of the human rights defenders. "The most important thing for us is protecting HRDs and empowering them by supporting them in their work" (Interview PO-HRD 2019).

This human rights award may not always be a good development for the HRDs. Sometimes, the vulnerability and risk of the HRDs may even intensify when (s)he gets home. This can also increase the tensions among the HRD communities and organizations on which the HRD(s) relies on for survival (Savage and VeneKlasen 2018: n.p.).

Finally, there is the temporary relocation option through the Shelter City Initiative. The Netherlands supports the European Shelter City Initiative which was formulated during 2009 under the Czech presidency (Government of the Netherlands 2012:2). The programme offers rest and respite to HRDs, including temporary relocation to those who are at risk. This programme is implemented by a Dutch non-governmental organization, Justice and Peace. The Ministry of Foreign Affairs provides funding support and guidance of the organization on how it will be implemented. The Dutch Ministry of Foreign Affairs also collaborates with the immigration department under the office of the Ministry of Justice for visa processing of the HRDs who are to stay in the Netherlands for three months under temporary relocation status. The Shelter City programme is expanding not only in the Netherlands but also in other regions. This expansion is supported by the Dutch government through the embassies. The latter were given funds by the government to support local organizations for Shelter

⁶ On 3 December 2017, members of TAMASCO died in an alleged encounter between the Armed Forces of the Philippines and the rebel group New Peoples' Army (NPA). TAMASCO has been fighting for their ancestral lands' domains for decades. Months after the bloody incident, the coffee company that encroached on their ancestral domain filed charges against its leaders and members. For more information, see <https://www.lrcksk.org/single-post/2018/11/29/JUSTICE-for-the-TAMASCO-8-Killings-Now>

Cities in Georgia, Costa Rica, Tanzania and Benin. The expansion is necessary as the number of HRDs that is in need of a Shelter City is rising. The programme does not only offer rest and temporary relocation but different activities and trainings for the HRDs as well. These will be tackled below, in the CSO section of this paper.

The Netherlands does not have a domestic law to support and protect human rights defenders. The policy that they have only states that they are committed to implementing the European Union Guidelines on Human Rights Defenders and to the Declaration on Human Rights Defenders. Despite of this programs and implementations some are critical about the policy of the Ministry of Foreign Affairs most specifically the programme in the Shelter City Initiative. The Ministry of Foreign Affairs might approve the application of a HRD who will attend the Shelter City programme. If the immigration office might see a reason for which the HRD might stay longer in the Netherlands or seek asylum after the three months relocation program, there is a chance that the HRD might be denied in their visa application or will not qualify to the program. When I asked this question to the Policy Officer for the HRDs, she said that the immigration office is under the office of the Ministry of Justice and not of the Ministry of Foreign Affairs. The two ministries can request information, work together and collaborate on some cases of HRDs but they have also different policies that need to be implemented.

3.2 Civil Society Organization Protection Initiatives

The Shelter City Programme was established by the NGO Justice and Peace - the Netherlands in 2012 in the city of the Hague. This was followed by the Dutch cities of Middelburg, Nijmegen, Maastricht, Utrecht, Amsterdam, Tilburg, Groningen, Zwolle, Harlem, Rotterdam and Deventer. They are now expanding to other cities, such as Tblisi and Batumi in Georgia for the Caucasus region; San Jose in Costa Rica for Central America; Dar es Salaam, Tanzania for the Great Lakes; and Benin for French speaking activists in Africa. The Shelter City Programme provides a three months temporary break to HRDs who are at risk, including experiencing a burn out from their work. This entails their temporary relocation. Every year, the Dutch Shelter City programme accommodates around 25 HRDs in the 12 cities involved. Gender, thematic and geographical balance is considered in the selection of HRDs for the programme (Justice and Peace n.d. and n.p.). The host cities, together with local organizations, universities and civil society organization partners work to accommodate the HRDs by making arrangements for housing, local transportation, and guidance, and by organizing a set of activities for the HRDs. The latter can involve speaking at a conference or university, attending public forums and gatherings to raise awareness of the plight of HRDs and/or the human rights situation in their country of origin, and networking to build or reinforce partnerships. In the Shelter City Programme, HRDs are also given trainings for their wellbeing and self-care such as yoga, meditation and psychological support as well as digital and physical security and empowerment training for lobbying and advocacy work (Shelter City n.d. and n.p.).

HRDs who want to apply for the programme must fill up the form that is provided online during the call of application (Justice and Peace n.d. and n.p.). Application forms are in English, French and Spanish. Along with the application form, a referral or endorsement letter from a partner organization of Justice and Peace (JP), stating the plan of return of the HRD involved is highly recommended. According to the Program Officer of Shelter City, Justice and Peace will validate the applicants with the Dutch embassies of the countries from where the applicants comes from. There are about 230 to 290 applicants per round. There are two rounds in a year (for the Spring and Autumn programme respectively). Justice and Peace will pre-select candidates for the programme and send it to the independent committee

composed of different organizations and partners of JP in the Netherlands. A shortlist of applicants will be made, and JP will then do an online interview process. After the interview, JP will compile a final list of HRD participants in the programme. JP will cover the airfare and insurance during the stay of the participants. They will also endorse the applicants to the relevant Dutch embassies in view of acquiring a visa (Interview PO-Shelter City 2019).

The Justice and Peace - Netherlands responded to the call of the international organizations to establish Shelter City in the Hague, the Dutch government also did not hesitate to partake the challenge. Both the national government and the local government through the twelve municipalities of the Netherlands including civil society organization and universities cooperate to make Shelter City Initiative fully implemented.

Another example of a CSO protection measure is that of the Protection Grants for human rights defenders at risk of the Irish NGO Front Line Defenders, which started in 2001. The organization is based in Dublin, Ireland. They provide financial and practical support for protecting and improving the security of HRDs and their organizations. They offer digital, communication and physical security support. Front Line Defenders provides legal fees for HRDs who face legal cases related to their work, advocacy and medical support for HRDs who were attacked or have medical problems, and aid for the family of HRDs who are imprisoned or for family members of HRDs who are at risk themselves because of the activities of the HRD (Front Line Defenders n.d & n.p). For HRDs to recover from their stressful and difficult situation and/or burn out, Front Line Defenders will invite HRDs for their Rest and Respite Fellowship. While being in that programme, HRDs are given time to attend trainings, such as for physical, digital and communication security or hone their work-related skills in order to become more effective when they get back to their work (Ibid 2017: n.p.). In order to tackle the risks and threats, Front Line has developed a program of training for security and protection. Workshops for risk assessments, threat analysis, developing responses to security incidents, and production of practical security and organizational plans are included (Ibid 2017 n.p).

The World Organisation Against Torture (OMCT), based in Geneva (Switzerland), and the International Federation for Human Rights (FIDH) based in Paris (France) are known international organizations that extended support and programs for human rights defenders at risk by collaborating. In 1997 the OMCT and FIDH established the Observatory for the Protection of Human Rights Defenders. Its mission is to support individual and groups of HRDs, allowing them to be heard and not being left behind or marginalized (International Federation for Human Rights n.d. and n.p.). The Observatory, through the OMCT, was able to be involved in the creation of the mandate for the United Nations framework to protect human rights defenders. Likewise, it has raised the inclusion of the topic in regional organisations such as the European Union, African Commission, Inter-American Commission and others (World Organization Against Torture n.d. and n.p.). Another action that the Observatory has developed, through FIDH, is the issuance of urgent alerts in six languages. An urgent alert is a written statement with regards to the dangerous situation of an HRD, a group of HRDs or an organization. It will be sent to partner organizations to raise alarm of the situation, which might influence the state or non-state actor involved to stop or act on the human rights violations that is affecting the HRD(s). Aside of the urgent alert, the Observatory provides emergency grants for medical, legal and/or psychological and for the relocation of HRDs at risk. It also offers capacity grants, jail visits, attendance of case hearings, fact finding missions, national and international advocacy and campaigns and others (International Federation for Human Rights n.d & n.p). In 2015, the Observatory became a partner of the EU mechanism ProtectDefenders.eu. FIDH and OMCT are board members of this mechanism, along with Front Line Defenders and Reporters without Borders (ProtectDefenders.eu n.d. and n.p.).

Organizations like OMCT, FIDH and Front Line Defenders are already implementing projects in protection and promotion of the rights of HRDs prior to their partnership with the protect.eu of European Union. CSOs and NGOs are mostly the lead initiative in establishing measures, policies and programs to protect the HRDs. They collaborated their efforts with different States for the Declaration of Human Rights Defenders in 1998 be declared officially (UN OHCHR n.d. & n.p. and ISHR 2013: n.p). It is good that organizations can do in their initiatives but working with the government is another level of commitment to the human rights.

The Hague Peace Projects is a Dutch peace organization that has two projects that involve human rights defenders. The first project is the Freedom Bookfair. This activity gathers HRDs from different parts of the world to connect with each other together with the Dutch audience, to bring their messages or concerns about human rights situations in their country or elsewhere. The Book Fair provides a venue for unpublished or banned books to get publicity. In this way, the Dutch audience will come to know more about the human rights situation of other countries. The Hague Hacks Conference is another project that is held annually during human rights week. It is an event that bridges technology and human rights. Tech experts help HRDs and the victims of human rights violations in improving their safety and freedom using technology programs (The Hague Peace Projects n.p. & n.d). The Hague Peace Projects is an alternative venue for these HRDs to share their current conditions and the human rights situation in their countries. Their task is important as there are foreign residents in the Netherlands who are persecuted in their country and now found a home in the Netherlands seeking asylum or refugee status.

3.3 The Involvement of the (Dutch) Business Sector

The Dutch business sector has become involved in matters relating to HRDs as well. In line with the UN Guiding Principles of Business and Human Rights, an informal network of companies (also known as the Business Network on Civic Freedoms and Human Rights Defenders)⁷ convened in 2016 at the initiative of the following organizations: Business & Human Rights Resource Centre (BHRRC), The B Team, and the International Service for Human Rights (ISHR). The Network understands the importance of respecting human rights, supporting civil society and human rights defenders, and most especially in exercising civic freedom such as the “freedoms of expression, association and peaceful assembly and the right to participate in public affairs” (Freeman et al. 2018:6). In 2018, the Network released a document called Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders. The document provides guidance for companies in responding to human rights challenges as well as to the circumstances to support civil society and HRDs. The documents positions HRDs as valuable allies to help business actors in identifying problems and risks to achieving sustainable business practices and challenges businesses to act responsibly, defend civic freedoms and protect HRDs (Ibid:5).

The Dutch bank ABN AMRO acknowledges the importance of engagement with HRDs. In a statement released in 2017, the ABN AMRO communicated, that feedback and reports they acquired from the CSOs and NGOs about certain business companies' responses to valuing human rights are very important. These reports and feedback are vital information as one of their bases in knowing the background of their clients (companies), whether or not these clients are adhering to human rights. Also, these feedback and reports

⁷ The following companies are members of the Business Network on Civic Freedoms and Human Rights Defenders: Adidas, Anglo American, Unilever, ABN AMRO, Investor Alliance for Human Rights, Leber Jeweler Inc., Domini and Primark.

are very helpful to ABN in maintaining their full adherence to human rights and to UNGP as they operate as a business institution. (ABN AMRO 2017). The bank stated that these reports can give them a more fully informed idea on the kind of clients they (will) have like the business companies. The latter should adhere to the UNGP and the human rights in general:

“Civic freedom is very important to us because we rely on information from journalists and NGOs. If there is no free reporting, we don’t have the information that we want to have...” (Interview ABN AMRO 2019).

The Dutch Heineken company said that, since the establishment of the company, they do business with respect for people’s dignity and fundamental rights. Their first human rights policy was in 2012 and it was revised and updated in 2018 with the help of an organization named SHIFT.⁸ Heineken identified ten standards for human rights as their foundation for understanding, avoiding and addressing any other human rights related risks. The “freedom of association and the right to collective bargaining” (Heineken 2017) is one element of this standard. This one part of civic freedom is a valuable focus as this recognizes the importance of trade unions in the company. Part of Heineken’s human rights policy also is a statement that they are against threats against or intimidation of HRDs for they believe that the role of HRDs is important for them to implement human rights in their global operations (Ibid). This was also reiterated by the Manager of International Labour Relations of Heineken on his interview:

“We do not have a policy, but we have a clear statement. We do not accept that HRDs will be a victim of the fact that they are HRDs. That can be anybody like a labor union member. It’s a general approach based on our values. Respect for people is one of our values. We want to walk the talk” (Interview Heineken 2019).

In response to the UNGPs, the business sector has to respect human rights. Accordingly, some created an explicit human rights policy and some others, like Heineken, updated their pre-existing policy. The business sector has to be true to their commitment to respect human rights and in relation to protecting HRDs. However, most companies do not yet have an HRD policy. Instead, they only express their support for respecting civic freedoms such as the freedoms of expression, association and peaceful assembly, and/or recognize the important role of HRDs through a company statement. In the conference on Business and HRDs held in Amsterdam in 24 June 2019, a representative of a company said that it takes a lot of time to implement their human rights policy because they are a big company with thousands of supplier and local business partners. They need to orient, and do a lot of workshops with, their workers and business partners for them to fully comprehend the company’s human rights policy. Based on this statement, it is important to consider that it might take a lot of time for companies to update their human rights policy and incorporate the protection and promotion of the rights of HRDs. This is really a big challenge for the business sector to step up and fulfil their commitment not only to the UNGPs but also for them to have a sustainable business for the next generation.

⁸ Shift is a non-profit, mission-driven organization based in New York working on the UN Guiding Principles on Business and Human Rights. The organization helps companies and business to align their programs to respect for human rights. For more information, see <https://www.shiftproject.org/>.

3.4 The Cooperation of States, CSOs and Business

In this study, the different roles and commitments of States, CSOs, and the business sector in the protection and promotion of the rights of HRDs were presented. States and CSOs have the most evident collaboration of work as is clear in the joint efforts between the Netherlands government and the Dutch NGO Justice and Peace in the Shelter City programme, and also between the European Union and the NGOs Front Line Defenders, OMCT, and FIDH. The State partnered with CSOs and provided funding for the programs for the protection and promotion of the rights of the HRDs. CSOs implemented the programs like the temporary relocation, digital and physical trainings, among others. On the other hand, CSOs also partnered with the business sector in formulating human rights policy and statements in support to HRDs. Although the business sector already expressed their concerns about the current situation of HRDs, the challenge for them is to concretize their statements into an actual policy and then implement it. This will make them more effective in delivering on their human rights commitment, not only in relation to the UNGPs but also on other international human rights standards, such as the International Labour Organization (ILO) and the Universal Declaration of Human Rights.

Chapter 4 Human Rights Defenders in the Shelter City Programme

This chapter is more focused on the Shelter City programme and the experiences of human rights defenders. The narratives will provide an idea for other HRDs at risk on what is to be in the programme. This will also provide awareness to the readers regarding the life of the HRDs. It discusses the reasons behind the applications of human rights defenders for temporary relocation through the Shelter City Programme in the Netherlands. Similarly, it will bring up information about the processes they went through in applying and life after the three months period of temporary relocation.

4.1 The Background of Human Rights Defenders at Risk

According to the UN Special Rapporteur on Human Rights Defenders, the term human rights defenders has been used to refer to a broad range of individuals and collectives seeking to uphold human rights. However, several human rights defenders are unaware of the term or are hesitant to use it. They refuse to be referred to as such until they really encounter serious risk and uncertainties in their lives leading them to ask for protection. This then requires them to engage with the Declaration of Human Rights Defenders and the protection regime (Forst 2018:8). This is certainly the case for the HRDs that previously attended the Shelter City programme whom I interviewed.

HRD1 said that he started to realize that he is a human rights defender when the government of his country started its crackdown against activists in the period of 2009 to 2010. He is working as social justice activist in East Africa since 2007. He is 33 years old and advocating for the rights of informal settlers. The key issues he is working on are poor housing conditions, poor health and sanitation, police brutality and killings of the leaders of the informal settlers. He documented these cases and submitted reports to independent institutions such as the Ombudsman and Human Rights Commission in his country. Because of his work, he was arrested many times for expressing his views and the police tried to demolish the informal settlements where he lives. His last arrest was in December 2016. The police filed five cases against him for creating disturbance when participating in a local demonstration, for incitement of violence and using bad language against the police. A local NGO bailed him out for USD 3,000 and helped him to move from one place to another as he could not stay in his own house due to the threats that he received. He was blackmailed, profiled as terrorist or sympathizer of the opposition of the government or as a criminal, because he opposes the police's excessive use of force when handling demonstrations. He was banned to return from his home and was threatened to die. Due to the unstable political situation of his country, he applied to the Shelter City programme late 2017. Prior to that application, the organization, Peace Builders International already knew about his risky situation. He was advised to apply to Front Line Defenders for temporary relocation, but he and his family were not ready for him to leave the country yet. By the time he and his family were ready, he applied for the Shelter City Programme and got a recommendation from the NGOs Amnesty International and Peace Brigade International, and the Human Rights Commission of his country. HRD1 was especially interested in the trainings that he would attend, particularly the digital and physical security trainings.

HRD2 recounted that it was around the year 2000 when he realized that he is a human rights defender. He is a human rights lawyer and originates from West Africa. He is 44 years

old and has been working in human rights for 20 years. His thematic area of advocacy is on civil and political rights, police brutality, unlawful arrest, torture, extra-judicial killings and prolonged detention without trial. He was personally targeted by the authorities, assaulted and beaten up by the police on several occasions when he tried to stop them from extorting money from the small businessmen and traders in his area. He was been tear-gassed. The latest assault on him was on 26 March 2019. He filed a complaint and pursued an administrative sanction against the police. The case was brought up to the highest authorities of the police and they apologized to him. The police official promised that they will enforce a sanction against the police officers who committed the act. He said that the punishment mechanisms in his country is terribly weak though. Before he became a human rights lawyer, he was working in a commercial district in one of the states of his country. He saw the movement of the people and goods from one point to another and saw the rampant cases of the police abusing traders by extorting, unlawfully arresting and incarcerating the small-time businessmen and demanding a certain amount of money to regain their freedom. He came to know a civil organization which is quite famous in his country and affiliated himself to it. He became the secretary of the organization in one of the chapters of his country. That started his formal human rights work. He began to notice the huge gap of legal interventions among the victims of human rights violations and the lawyers. Lawyers charge a large amount of money before they will intervene a case. Most of the victims are poor and have a hard time to raise money for their case. This encouraged him to study law and become a lawyer. He is now a legal secretary of the organization and helps victims of human rights violations. In 2017, Amnesty International told him about the Shelter City Programme in the Netherlands. A weblink was sent to him and he thought the programme is good. He thought that it was an opportunity for him to rest for a while from the advocacy work. He applied and was contacted for an interview. He said that he did not need any recommendations or referrals from other organizations to be accepted in the programme. Prior to his travel to the Netherlands he was looking forward to the capacity development trainings, especially the digital security training. He was also hoping to gather funds for his organization. His organization is in need of huge funding to continue the work that they are doing.

When asked about if they know any regional protection measures for HRDs in Africa, HRD1's reply was:

“We have protection measures, but they only accommodate NGOs. Social movement activists like me do not have a proper office to report too. It's very hard to be in contact with them. Unlike Shelter City and Front Line Defenders, they do not ask for the NGO that I am working with. They only asked for my case” (Interview HRD1 2019).

HRD2 on the other hand, did not know any protection measures for human rights defenders in his region. He also did not apply to any temporary relocation program in other organizations except the Shelter City Initiative.

4.2 Life in the Shelter City Programme

After being selected as participants for the Shelter City programme, the human rights defenders received a recommendation letter from Justice and Peace for them to process their visa in the Dutch embassies. For HRD1 it was easy to process and get the visa and he did not pay anything for it. In the case of HRD2, the process of his visa application was complicated. It took him a while to get the visa. The Netherlands embassy in his country does not process Schengen visa and thus he was advised to go to the Belgian Embassy. His visa application was then rejected for the reason that his documents were incomplete. He informed Justice and Peace about it. JP then liaised with the Dutch Ministry of Foreign

Affairs and the Ministry contacted the Belgian Embassy. The Belgian Embassy then contacted HRD2 to re-apply for his visa. He submitted the same documents as previously and his visa was approved. To him the visa application was long and tedious. When they arrived in the Netherlands, HRD1 was housed in the city of Groningen where he lives alone in an apartment, while HRD2 lives in Amsterdam. There are interns and volunteers in the Shelter City Programme that helped them in adjusting to their new lives. HRD1 said that the first three weeks of his stay were a struggle for him as he was not used to living alone in a house and cooking by himself. He felt lonely for there was a big contrast between his life back in his country and life in the Netherlands. He missed the camaraderie he used to have at home. Some other challenges that he faced during his stay are the language barrier, the weather and culture. In contrast, when HRD2 arrived in the Netherlands his life in the city was never boring for him. He had many activities lined up for him: “I was not just hibernating inside, but I was also socializing and meeting other people” (Interview HRD2 2019). Both HRDs were able to keep on functioning in their work, even though they were far away. HRD1 submitted reports and information about the human rights situation in his community to the independent institutions of his country. Peace Builders International and Shelter City were able to organize a speaking engagement for him in the Netherlands and one in Paris, France. HRD2 was in constant communication with his office and put up some suggestions for the office needs. He attended forums, conferences and meetings. He has used the opportunity to visit interesting sites and places in the Netherlands.

For HRD1, the best part of the Shelter City Programme was the trainings on security for physical, digital and communication and for well-being and welfare. He said that the Shelter City Programme “gave us good training about the well-being and welfare of human rights defenders. As HRDs, you should be safe and look for your health, family and life” (Interview HRD1 2019). He was able to meet different people and created a network. His meetings with fellow HRDs in the program were one of the joyous moments in the Programme. He felt encouraged to continue on his advocacy and work and he did not feel alone anymore. For him, the three months program was enough to have a little break and regain his inner strength, allowing him to get back to his work again. HRD2 elaborated the things he liked in the programme. First was the experience when they all stayed in a monastery for, he found friends and had fellowship with them. Second were the trainings because they did not go by the usual set-up of trainer and trainees. He felt belongingness through feeling that his stories and experiences were valid and counted. Third was their visit to the International Criminal Court where they had a productive meeting and opportunity to engage with the top officials of the Court. Likewise, he rated highly his meeting with top officials and authorities in the Netherlands. And lastly, his meetings with the Shelter City staff were appreciated and the interaction with fellow HRDs for they lived like real brothers and friends. He said that they were excited when they saw each other. HRD2 said that the three months programme for him was already enough to recover from his burn out in work.

4.3 Life After the Shelter City Programme

The HRDs recounted that the trainings and experiences that they acquired were very much helpful and encouraging to them. HRD1 is very much careful now in his handling of his digital life in the social media most especially Facebook and WhatsApp. He is more capable in taking care of his life and his family now, using the knowledge that he got during the security trainings. He created some distractions and tricks to cut off the pattern that he previously created in his daily activities. He is taking care of himself and his well-being too. Whenever he needs help, he is sure that he can ask someone other than his network in his country. He is still in touch with fellow Shelter City guests and some of his networks in the

Netherlands. HRD2 is so thankful for the three months programme. To him it was amazing, and he enjoyed so much in participating the activities and trainings. For him the Shelter City programme journey is worth the time spent. He was able to make a strong connection with other HRDs and partners in the Netherlands.

4.4 HRDs Suggestions for the Shelter City Programme

HRDs put their lives at risk as they work peacefully to achieve the fundamental rights of their fellow citizens. This is true in the lives of the HRD respondents in this research. After all, a large number of human rights defenders in the world today are themselves victims of rights violations such as the indigenous peoples who protect the environment and their ancestral lands. For these reasons, HRDs need to reflect on ways to handle this situation and to find solutions to their problems. For HRD1 and HRD2 it was not easy to decide to attend the programme of Shelter City for three months. One of the main considerations that they thought of was that of their families who will be left behind. Both of them said that they were having a great time attending the programme but that they had a hard time also providing for their families back home. HRD1 is a self-financed activist and the only source of his income is his small computer business and small farm. Both of the HRDs are the bread winners of their families. During the interview they shared their suggestions for the programme. They said that it would be much better if the allowance that they got during the programme period would not only cover their stay in the Netherlands but also to pay rent and provide for the daily needs of their families back home. A separate monthly financial support for the families would be a great help for them. This is part of the integral security that they wanted not only for themselves but also for their families:

“They need to think about the allowance to be given to the HRDs because the purpose of my coming is to rest.... There should be funding to support my family. The allowance that we get should be considered” (Interview HRD2 2019)

The Shelter City Programme provides varied activities and interventions to make the three months relocation period of the human rights defenders worthwhile. In the case of HRD1, he was not affiliated with a relevant organization or a paid human rights worker. However, he was able to access the programme due to his wide connections and knowledge about the internet and technology. This provides an answer to the critics of the program who claim that the Programme is only for those people who are well-known or who have high exposure and value as an HRD. However, it is probable that those who would access the program are only those HRDs who are not very much at risk. It is likely that HRDs who face higher risks would not expose themselves, and by entering the program, would face a greater chance of making their stories public in the internet and intensify the risk they are facing. Going abroad, particularly to Europe or the Netherlands, is a big milestone for a person who comes from a struggling community in the South. This might also create jealousy among members of the community that the HRD comes from. The community or organization of the HRD might also expect that the HRD who went abroad now has more money and that the community deserves to receive something from the trip abroad. HRDs who are indigenous peoples and farmers who are at risk and live in communities where there is a struggle might have difficulty accessing the relocation program. Their low educational attainment level may hinder them from fulfilling the technical requirements, e.g., filling out online forms, reading and writing in English, in applying for the program. This means that in fact the programme is limited to those HRDs who are professionals in human rights like lawyers and paid human rights workers.

Chapter 5 Conclusion

The objective of this study has been to identify and discuss the existing international protection measures for human rights defenders at risk. The answers that the study generated to the research questions are presented below.

The study found that States such as the Netherlands established and implement their own action plan to support, promote and protect the rights of human rights defenders. This action plan was created after the European Union Guidelines on Human Rights Protection. These guidelines and action plan triggered programs that currently are being practiced and implemented including by some international non-governmental organizations. The business sector has issued some statements in support of civic freedom and protection of human rights defenders, and has developed some guidelines for companies in responding to human rights issues as well as in supporting HRDs.

Front Line Defenders provides legal fees for HRDs who are facing legal cases related to their work. While they are in the program, HRDs are invited to attend trainings, join the Rest and Respite activities and possibly access a Fellowship. Through the International Federation of Human Rights, the Observatory for the Protection of HRDs issues urgent alerts with regards to the dangerous and difficult conditions of HRDs. These urgent alerts are written in six languages relating to HRDs in different parts of the world. The Hague Peace Project concentrates on the dissemination of unpublished or banned books through conducting a Book Fair. Through this initiative, the Dutch general public can get to know about human rights (defenders') situations in other countries.

As part of the business sector too, the Business Network on Civic Freedoms and Human Rights Defenders released a document on 'Shared Space Under Pressure: Business Support for Civic Freedoms' and HRDs that presents guidelines for companies on what and how to support in relation to the civic space, HRDs and human rights protection. In response to the UN Guiding Principles of Business and Human Rights, the business sector established its own human rights policy and also updated it like the example of the Heineken company that I presented earlier.

Human rights defenders at risk are those who are exposed to danger, threats and/or unsafety because of their human rights work. Human Rights Defenders (HRDs) are important actors in today's socio-political condition of the world where human rights violations are visible in many states. They are directly involved in advocating and protecting human rights which eventually might expose them to danger and risks. Thus, they need protection and legal, physical, psychological and/or financial support among others. Their worth to be protected lies within their sufferings: they are criticized, stigmatized, threatened, tortured, humiliated, suppressed and/or criminalized. Having families whom they support, HRDs are not only to be treated as mere individuals but should also be considered as persons who have closely-knitted individuals around them. Whatever support and protection is provided for the HRDs, some support may also need to be extended to their families. After all, in many cases both the HRDs and their families are in need of protection and legal, physical, psychological and/or financial support among others.

States, Civil Society Organizations and Business have certain features in common. They are organized structures and part of that structure is related to people who are considered constituents for the States, beneficiaries for the civil society organizations; and clients for business entities. HRDs possess human rights which are internationally recognized. When States commit to international treaties, it is understood that they have the obligation to adhere to and fulfil human rights. Though States have their respective national constitutions

that operate within their territories, they are still obliged to follow international law, including law concerning the promotion and protection of human rights. The Declaration on Human Rights Defenders, which was adopted by the General Assembly on 9 December 1998 is a product of a collaborative effort of many States, with inputs by non-governmental organizations. The UN Special Rapporteur on the Situation of Human Rights Defenders derived six obligations and responsibilities of States from this Declaration.

For the UN, Civil Society Organizations are important partners and supporters for many human rights initiatives: as community groups carrying out social action, mass social movements active through different platforms, or service provider through NGO community service. Some of these CSO activities are associated with academics and research institutions, cultural or religious groups or professional associations. Community service may extend to advocating or campaigning for human rights and environmental issues, to building active citizenship or to monitoring the government's compliance with human rights agreements.

Business actors understand the importance of respecting human rights especially the importance of exercising civic freedom. They believe that HRDs are good allies and partners to help them identify problems and risks to achieve productive and sustainable business initiatives. In order for them to fully comply with their obligation in protecting human rights, they need feedback and reports about their possible clients from the CSOs and NGOs. Some business actors believe that these reports and feedback could give them a better informed idea of what kind of clients they will have. Adherence of clients to human rights protection initiatives could be one of their bases in choosing their clients.

In line with the protection measures for the HRDs, there are policies and practices followed by States, Civil Society Organizations and Business to reinforce the implementation of protecting the HRDs who are at risk. Aside from the observed practices, a set of policies or mechanics are followed by these three actors in accommodating HRDs at risk. To ensure that the HRDs are secure and free from intimidation while doing their advocacy in their respective countries, the Netherlands Action Plan for Human Rights Defenders in 2012 is in place. Diplomatic efforts for the HRDs are done through multilateral and bilateral efforts. The Dutch Ministry of Foreign Affairs participates in multilateral forums that issue statements regarding cases against human rights defenders. To further encourage HRDs, international recognition for worthy HRDs is created through the Human Rights Tulip Award which is done yearly every December 10, synchronizing with the celebration of Human Rights Day. This effort is one way to empower HRDs.

Moreover, the Shelter City Programme is implemented in the Netherlands by a Dutch non-government organization facilitated by the Dutch Ministry of Foreign Affairs through assistance with acquiring visa and preparing activities for the HRDs during their 3-months stay in the Netherlands under a temporary relocation status. The Netherlands commits to implementing the policies covered by the European Union Guidelines on Human Rights Defenders and to the Declaration on Human Rights Defenders. The Shelter City Program is now expanding to other cities such as T'Blisi and Batumi in Georgia, Costa Rica, Dar es Salaam in Tanzania, and Benin. The participants in this program are selected with gender, thematic and geographical balance. The application forms, endorsements and interviews are facilitated by the Dutch NGO Justice and Peace. The host cities, together with involved Civil Society Organizations, work together in hosting the HRDs for housing, local transportation or activities.

In addition, Front Line Defenders, the World Organization Against Torture and The Hague Peace Projects have their own respective motives and policies in implementing their support to HRDs at risk. Many forms of support (financial, security, legal, psychological,

social or medical) are extended to the HRDs by these CSOs. They collaborated their efforts with different States to level-up their commitment in protecting the HRDs.

Through the policies under the UN Guiding and Principles of Business and Human Rights, the Business sector assures the rights of HRDs to freedom of expression, association and peaceful assembly and the right to participate in public affairs. The practice of acquiring feedback and reports from the HRDs concerning the communities where their clients are dwelling is manifesting a good partnership between the HRDs and the Business actors. The challenge being faced by the Business sector at present is on how to fully implement their responsibility in protecting the HRDs.

References

- ABN AMRO (2017) 'Partnering with human rights defenders'. Accessed 30 October 2019
<https://www.abnamro.com/en/about-abnamro/in-society/sustainability/newsletter/2017/special-edition/partnering-with-human-rights-defenders.html>
- Amnesty International (2018) 'Attending Trials Involving HRDs in Russia, A Handbook for Diplomats'. Accessed on 12 November 2019
<https://www.amnesty.nl/content/uploads/2017/01/AI-trial-attendance-handbook-for-diplomats-Russia.pdf?x76903>
- Barry, J. (2011) 'Integrated Security: Manual'. Accessed 26 August 2019
http://www.integratedsecuritymanual.org/sites/default/files/integratedsecurity_themal.pdf
- Barry, J. and Nainar, V. (2008) 'Women Human Rights Defenders' Security Strategies: Insiste, Persiste, Resiste, Existe'. Ottawa: Urgent Action Fund for Women's Human Rights; Kvinna Till Kvinna; Front Line Defenders. Accessed 26 August 2019
<https://urgentactionfund.org/wp-content/uploads/downloads/2012/06/Insiste-Resiste-Persiste-Existe-WHRDs-Security-Strategies.pdf>
- Bennett, K. (2015) 'European Union Guidelines on Human Rights Defenders: a review of policy and practice towards effective implementation'. *The International Journal of Human Rights*, 19(7): 908-934. Taylor & Francis. Accessed 23 June 2019
<https://doi.org/10.1080/13642987.2015.1075303>
- Bennett, K., Ingleton, D., Nah, A.M., Savage, J. (2015) 'Critical perspectives on the security and protection of human rights defenders'. *The International Journal of Human Rights*, 19(7): 883-895. Taylor & Francis. Accessed 23 June 2019 <https://doi-org.eur.idm.oclc.org/10.1080/13642987.2015.1075301>
- Business & Human Rights Resource Centre (n.d) 'Policies & statements on human rights defenders & civic freedoms by companies & investors'. Accessed 30 October 2019
<https://www.business-humanrights.org/en/policies-statements-on-human-rights-defenders-civic-freedoms-by-companies-investors>
- Business and Human Rights Resource Center (n.d & n.p) Accessed 5 August 2019
<https://www.business-humanrights.org/en/successful-globalization-is-only-possible-if-all-voices-are-heard-7-increase-in-attacks-on-defenders-damages-prospects-of-stable-equitable-future>
- Business and Human Rights Resource Center (n.d.) 'Background and History of Guiding and Principles'. Accessed 15 November 2019 <https://www.business-humanrights.org/en/un-guiding-principles/background-history-of-guiding-principles>
- CLT envirolaw (n.d.) 'Comparative table explaining the key differences between the UN Global Compact and the UN Guiding Principles on Business and Human Rights'. Accessed 14 November 2019 [https://www.business-humanrights.org/sites/default/files/documents/Comparative UN Global compact and UNGP.pdf](https://www.business-humanrights.org/sites/default/files/documents/Comparative%20UN%20Global%20compact%20and%20UNGP.pdf)
- Cooper, R. (2018) 'What is Civil Society, its role and value in 2018?'. Accessed on 15 November 2019
https://assets.publishing.service.gov.uk/media/5c6c2e74e5274a72bc45240e/488_What_is_Civil_Society.pdf
- Donders, Y. (2016) 'Defending the Human Rights Defenders'. *Netherlands Quarterly Human Rights* 34(4): 282-288. Netherlands Institute of Human Rights. Accessed 1 July 2019
<https://journals.sagepub.com/doi/pdf/10.1177/016934411603400402>

- European Commission. Accessed 15 November 2019 https://ec.europa.eu/europeaid/sectors/human-rights-and-governance/democracy-and-human-rights/human-rights-defenders_en
- European Union Law ‘Glossary Summary’. Accessed 15 November 2019 https://eur-lex.europa.eu/summary/glossary/civil_society_organisation.html
- European Union, Ensuring Protection – European Union Guidelines on Human Rights Defenders (revised 2008). Accessed 2 September 2019 https://eeas.europa.eu/sites/eeas/files/eu_guidelines_hrd_en.pdf
- Forst, M. (2018) ‘World Report on the Situation of Human Rights Defenders’. Accessed 13 July 2018 https://www.protecting-defenders.org/sites/protecting-defenders.org/files/UNSR_HRDs-World_report_2018.pdf
- Freeman, B., Thorgeirsson, S., Barselay, A., Reed, B. (2018) ‘Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders’. Accessed 20 October 2019 https://www.business-humanrights.org/sites/default/files/documents/Shared_Space_Under_Pressure_-_Business_Support_for_Civic_Freedoms_and_Human_Rights_Defenders_0.pdf
- Front Line Defenders (2017) ‘Rest & Respite and Fellowship’. Accessed 30 October 2019 <https://www.frontlinedefenders.org/en/programme/rest-respice-and-fellowships>
- Front Line Defenders (2017) ‘Risk Analysis & Protection Planning’. Accessed 30 October 2019 <https://www.frontlinedefenders.org/en/programme/risk-analysis-protection-training>
- Front Line Defenders (n.d) ‘Protection Grants’. Accessed 30 October 2019 <https://www.frontlinedefenders.org/en/programme/protection-grants>
- Global Witness (2019) ‘Enemies of the State? How government and business silence land and environmental defenders’. Accessed 1 August 2019 <https://www.globalwitness.org/en/campaigns/environmental-activists/enemies-state/>
- Government of The Netherlands (2012) ‘Action plan for Human Rights defenders’. Accessed 5 August 2019 <https://www.government.nl/documents/reports/2012/06/15/action-plan-for-human-rights-defenders>
- Gupta, V. (2011) ‘Role of Civil Society and Human Rights’, Indian Political Science Association 72 (2): 363-375. Accessed 15 November 2019 <https://www.jstor-org.eur.idm.oclc.org/stable/pdf/42761421.pdf?refreqid=excelsior%3Ad470151194eee7bd95bbf6c30d9637b3>
- Heineken (2017) ‘Respecting human rights’. Accessed 30 October 2019 <https://www.theheinekencompany.com/Sustainability/Values-and-Behaviours/Respecting-human-rights>
http://www.integratedsecuritymanual.org/sites/default/files/integratedsecurity_themanual.pdf
- International Federation for Human Rights (n.d) ‘Human Rights Defenders’. Accessed 30 October 2019 <https://www.fidh.org/en/issues/human-rights-defenders/>
- International Service for Human Rights (2013) ‘UN Declaration on Human Rights Defenders’. Accessed 13 November 2019 <https://www.ishr.ch/news/un-declaration-human-rights-defenders>
- Justice and Peace (n.d) ‘Shelter City’. Accessed 20 November 2019 <https://www.justiceandpeace.nl/initiatives/shelter-city-human-rights-support/>
- Kogan, V. (2013) ‘Policy and Practice Note, Protecting Human Rights Defenders in the North Caucasus: Reflections on Developments from 2009 to the Present’. Journal of Human Rights Practice, 5(3): 500–511. Oxford University Press. Accessed 11 September 2019 <https://doi.org/10.1093/jhuman/hut015>

- Lune, H. and Berg, B. (2017) *Qualitative Research Methods for the Social Sciences*. England: Pearson Education Limited. Academia. Accessed 15 September 2019.
- O'Leary, Zina (2014) *The Essential Guide to Doing Your Research Project*. 2nd Edition. London: Sage.
- Office of High Commissioner for Human Rights (2011) 'Guiding Principles on Business and Human Rights (Implementing the UN "Protect, Respect and Remedy Framework")'. Accessed 20 August 2019
https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf
- Office of High Commissioner for Human Rights (n.d) 'International Human Rights Law'. Accessed 9 September 2019
<https://www.ohchr.org/en/professionalinterest/pages/internationallaw.aspx>
- Office of High Commissioner on Human Rights (n.d) 'Declaration on Human Rights Defenders'. Accessed 13 November 2019
<https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Declaration.aspx>
- Office on High Commissioner on Human Rights (2004) 'Human Rights Defenders: Protecting the Right to Defend Human Rights, Fact Sheet No. 29'. Accessed 4 August 2019
<https://www.ohchr.org/Documents/Publications/FactSheet29en.pdf>
- Office on High Commissioner on Human Rights (n.d) 'Who is a defender?'. Accessed 1 July 2019 <https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx>
- ProtectDefenders.eu (n.d) 'International Civil Society Implementing The EU Human Rights Defenders Mechanism. Accessed 20 November 2019
<https://www.protectdefenders.eu/en/about.html>
- Savage, J. and VeneKlasen, L. (2018) 'Power and safety: rethinking protection for human rights defenders'. Accessed 14 August 2019 <https://www.openglobalrights.org/power-and-safety-rethinking-protection-for-human-rights-defenders/>
- Shelter City (n.d.) 'About Us'. Accessed 20 November 2019 <https://sheltercity.nl/en/about-us/>
- The Hague Peace Projects (n.d.) 'The Hague Hacks'. Accessed 1 November 2019
<https://thehaguepeace.org/countries/the-hague-hacks/>
- United Nations (1999) 'Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms'. Accessed 2 September 2019 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/770/89/PDF/N9977089.pdf?OpenElement>
- United Nations Special Rapporteur on the Situation of Human Rights Defenders (n.d) 'What are the Obligations of the States?'. Accessed 2 September 2019 <https://www.protecting-defenders.org/en/content/what-are-obligations-states>
- World Economic Forum (2013) 'The Future Role of Civil Society'. Accessed 18 November 2019 http://www3.weforum.org/docs/WEF_FutureRoleCivilSociety_Report_2013.pdf
- World Organisation Against Torture (n.d) 'The Observatory for the Protection of Human Rights Defenders'. Accessed 30 October 2019 <https://www.omct.org/human-rights-defenders/observatory/>