

EU Guidelines on Human Rights Defenders Guidance Note for EU Missions

Support to human rights defenders (HRDs) is one of the major priorities of the EU's external human rights policy. The EU Guidelines on Human Rights Defenders (2004) have confirmed that HRDs are our natural and indispensable "allies" in the promotion of human rights and democratisation in their respective countries. Assistance to human rights activists is probably the most visible of the EU's human rights activities, having a direct impact on individuals. Since the adoption of the Guidelines, a growing number of common initiatives within the EU to protect and support HRDs is being reported and HRDs and civil society organisations are increasingly being recognised as key interlocutors of EU missions.

In parallel, the European Parliament has also positioned itself as an important actor as regards support to HRDs. The EP's Subcommittee on Human Rights regularly organises hearings and discussions with HRDs in view of the adoption of reports and resolutions. In 2010, the Report on EU policies in favour of human rights defenders ("Hautala Report") took stock of the hitherto implementation of the Guidelines and tabled several proposals for a more effective policy towards HRDs. The annual EP resolution on the EU Annual Report on Human Rights and Democracy in the World keeps scrutinizing the work of other EU institutions, formulating policy recommendations i.a. on the HRD Guidelines. Since 1988, the EP's Sakharov Prize for Freedom of Thought has been awarded to individuals or organizations that have made an important contribution to the fight for human rights or democracy. In October 2013 the prize was awarded to Malala Yousafzai, a Pakistani campaigner for girls' education.

Political support granted by the EU to HRDs goes hand in hand with dedicated financial assistance granted via the European Instrument for Democracy and Human Rights (EIDHR), which allows the EU to provide HRDs with tangible means to work, to reinforce their capacities and to grant them protection when needed.

This being said, there are still ways to make the implementation of the Guidelines more effective. Civil society organisations and the EP often point at the need to improve awareness about the Guidelines among EU diplomats, HRDs and other stakeholders. Despite better outreach to human rights activists and their organisations, NGOs still call upon EU diplomats to improve follow-up of individual cases, strengthen engagement with particularly vulnerable HRDs or to improve the procedures for granting emergency visas – just to mention a few points of criticism.

In this context, the present note aims at providing guidance for EU diplomatic staff on some practical aspects of the implementation of the Guidelines on the ground. The structure of the present paper follows the structure of the Guidelines, offering explanatory remarks on some of their aspects.

1. Who is a human rights defender?

The main international instrument in this field is the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (commonly known as the UN Declaration on HRDs), adopted by the UN General Assembly in 1998. On the basis of the UN Declaration, **a human rights defender is anyone who, either alone or in association with others, works peacefully for the promotion and protection of human rights.** This definition covers both individuals and groups who work to promote and protect human rights. What is most important is the **human rights character of the work** undertaken and its **non-violent character.**

The extent to which there are restrictions to human rights defenders' room for manoeuvre is an important indicator of the human rights situation and the political situation in general in the country concerned. In many countries, HRDs are subject to attack, threats and administrative and judicial restrictions. The personal credibility of HRDs is often being undermined through **state sponsored defamation campaigns**, in which they are routinely portrayed as agents of foreign interests. The introduction of **restrictive legislation** which limits both their work and their ability to seek, secure and use foreign funding is increasingly used to hamper their work. **Impunity** is an extensive and widespread problem in many countries, as the inability or unwillingness to investigate attacks on human rights defenders may be seen as acceptance of such attacks.

Besides, there is a need to pay specific attention to the **HRDs who are most at risk**, including women HRDs; LGBTI rights defenders; defenders of economic, social and cultural rights who challenge economic interests and are targeted by non-state actors (e.g. mining companies, armed groups, land owners and their gunmen, extremist religious groups, etc.), or HRDs in remote and rural areas. These groups are usually not so well connected to NGO networks or diplomatic representations, they are often isolated - from their families and communities, from the wider human rights community, and often being subject to a social stigma (e.g. in case of LGBTI rights defenders).

Furthermore, HRDs are increasingly victims of "**cyber insecurity**". Electronic means of storing and communicating information are more and more commonly used by HRDs. However, governments are also developing the capacity to manipulate, monitor and subvert electronic information, and to identify and target critical voices. In consequence, the lack of security for digitally stored or communicated information is becoming a major problem for HRDs in some countries.

2. Monitoring, reporting and assessment of the situation of HRDs

In line with the Guidelines, EU missions have an obligation to monitor and report on the situation of HRDs. While carrying out their reporting and monitoring duties, EU missions should establish in particular the following:

- Who the HRDs – both organisations and individuals – are. Are they part of a national or international network of human rights defenders?
- The conditions and general climate for human rights work, including any restrictions by the authorities, any reprisals against human rights defenders and any restrictive legislation, policies or practices.
- The extent to which there is a dialogue between the authorities, human rights defenders and civil society. Do the authorities facilitate the participation of civil society in public consultations, open debates etc.?
- The authorities' efforts to protect HRDs. Is there protection legislation in place? Is this legislation implemented, etc.?
- Whether there are legislative obstacles limiting human rights defenders' independence or the right to freedom of association, assembly, opinion and expression.

- The authorities' ability and willingness to investigate attacks against HRDs (degree of impunity).
- The extent to which local UN offices, other international and regional organisations and other countries' mission are working with this issue.

EU missions should consult the following sources:

- Local human rights defenders. National and regional networks of human rights defenders
- National independent human rights commissions
- UN offices in the country, in particular the Office of the United Nations High Commissioner for Human Rights (OHCHR), and/or UN human rights advisers
- Reports and recommendations from the UN human rights system, in particular the Special Rapporteur on the situation of human rights defenders, and the country's own Universal Periodic Review under the Human Rights Council
- Diplomatic missions of like-minded countries
- Reports and recommendations from regional mechanisms: the Council of Europe, the OSCE, the Inter-American and African Human Rights commissions (for details, see point 4 below)
- National public institutions (ministries, ombudsmen, commissions, etc.), national research institutions and universities
- Speeches and addresses by the authorities in national and international fora
- Reports on human rights in the local media and international press
- International human rights organisations working in the country in question.

3. Role of EU Missions in supporting and protecting human rights defenders

Embassies of EU Member States and EU Delegations are at the forefront of translating the Guidelines into concrete actions on the ground, given the fact that they are the main interface between the EU and HRDs in the host countries.

The process of adopting **EU Local Strategies on HRDs**, which has intensified since 2010, resulted in various activities which have been proposed in order to use the potential of the EU Guidelines to a maximum extent. In the meantime, most of these strategies have been integrated in the EU Human Rights Country Strategies (HRCS). While civil society organizations generally welcomed the inclusive manner, in which the Local Strategies were prepared, there has been some disenchantment among human rights NGOs about the fact that the content of Local Strategies and HRCS has not been made public.

In order not to undermine the effectiveness of our human rights policy, the general line is that **HRCS and EU Local Strategies on HRDs remain EU Restricted Documents**. However, bowing to the requests of

civil society COHOM decided that Heads of Delegations and Heads of Missions should communicate on the EU priorities in the field of human rights in their respective country, in a coherent manner, as identified in the HRCS, taking into account the specific local circumstances (overall climate, level of space for human rights discourse). Depending on local circumstances this could be done through the publication of a summary of the EU priorities in the field of human rights on the website of EU Delegation and embassies of MS (without referring to the local HRCS), and/or by an informal debriefing of civil society organisations on EU priorities. Communication on the content of the local HRCS should be avoided if it is assessed that this would be detrimental to the implementation of the local HRCS. Some elements of the strategies will figure in the Annual Report in the country specific section but without being identified as HRCS. Civil society organisations and international organisations in third countries, in particular those who have been consulted in the drafting process of HRCS, should be debriefed on EU priorities, e.g. in ad hoc meetings once the HRCS is finalized.

Annual meetings between EU diplomats and HRDs have become an established practice in third countries, increasing visibility of HRDs where appropriate and allowing for in-depth analysis of their working environment. In this context, some NGOs have complained that such meetings are often aimed at getting information from the HRDs about the human rights situation in the country and do not always include an exchange on the risks faced by HRDs and how the EU could support and protect them. In some instances, there is no feedback provided on what the EU has done on the basis of information provided by the HRDs. Such one-way communication meetings can lead to frustration and discourage HRDs to pursue their contacts with the EU missions. **Therefore, it is of key importance to make these meetings as inclusive (involving a wide range of HRDs, working on various issues and also outside the capital) and participative as possible, as well as to provide feedback where possible and appropriate of action taken on the basis of previous information provided by HRDs.**

Insufficient awareness about what the EU does on HRDs is often mentioned as our policy's Achilles heel. Therefore, it is of paramount importance to widely disseminate the EU Guidelines, including their translation into local languages where applicable. In this regard, EU missions might consider reaching out to local media in order to explain the EU's policy on HRDs and the importance of the role played by HRDs and publishing op-ed articles by EU ambassadors in leading newspapers. A good example of making our HRDs policy visible is the 2008 COHOM decision which mandates the local EU Presidency to organize a reception to honour the recipient of the Martin Ennals Award. The Martin Ennals Award for Human Rights Defenders, created in 1993, is granted annually to activists who have demonstrated an exceptional record of combating human rights violations by courageous and innovative means. The jury of the Martin Ennals Award consists of the world's leading human rights NGOs, including i.a. Amnesty International, Human Rights Watch and the International Federation of Human Rights. The laureates themselves are very appreciative of the public attention they are getting in this context, in particular given the fact that public recognition often provides them with increased physical safety. Similarly, the involvement of laureates of the EP Sakharov Prize for Freedom of Thought (see p. 1) in public activities organized by EU missions could also contribute to a better awareness of the HRD Guidelines.

Public support to HRDs by EU diplomats is widely perceived as the most effective way to acknowledge the human rights work carried out by individuals. In broader terms, **public support/visible recognition to human rights defenders** and a raised profile is most likely to deter threats or violations against them. However, there are cases, of course, where for local HRDs, contact with or support from the EU is problematic, possibly leading to them being targeted for harassment, stigmatised as “foreign agents,” or worse. The Guidelines on HRDs recognise this, when they state that “in certain cases EU action could lead to threats or attacks against HRDs.” **In such situations, it is up to HRDs to assess whether and how visible contact with EU missions will make them safer.**

In particular, HRDs might need public support when:

- their legitimacy or the legitimacy of their work is publicly challenged;
- they are subjected to smear campaigns or public attacks;
- local authorities are expected to respond favorably to public pressure or are sensitive regarding their own public legitimacy;
- confidential approaches or “quiet diplomacy” have been already tried but have been ineffective;

Forms of public support are diverse and overlap with methods of maintaining contact with HRDs. Forms of public support might include:

- Public statements or declarations.
- Visible contact or recognition;
- Trial observation (see in particular *Trial Monitoring – A Reference Manual for Practitioners* published by the OSCE’s Office for Democratic Institutions and Human Rights. It is probably the most comprehensive handbook of that kind and can be also used in countries which are not OSCE participating States, the manual can be downloaded at <http://www.osce.org/odihr/94216>).
- Observation of demonstrations or other public activities organised by HRDs;
- Visits to HRDs in detention or under house arrest; visits to the family of the HRD
- Physical accompaniment.

Below three case studies of public support to HRDs by EU diplomats:

Good practice: EU action on the arrest and conviction of Mr Faustin Ndikumana in Burundi.

On 7 February 2012, Faustin Ndikumana, an anti-corruption campaigner in Burundi, was arrested and charged with “making false declarations.” The EU Delegation knew Faustin Ndikumana and his organisation well and attended some of its events. On its own initiative, the EU took diplomatic action, including raising the case with the government during a political dialogue meeting. It is believed that this contributed to Faustin’s release on bail two weeks later. Subsequently, several EU missions attended his trial. On 24 July 2012, he was sentenced to five years imprisonment. The EU Head of Delegation sent an urgent request to meet the President to discuss his case. When the request was rejected, the EU sent a joint statement to the Government and the media the following day. Faustin Ndikumana is currently free, pending an appeal in his case. Action by the EU, one of Burundi’s major donors, is believed to have contributed to keeping him out of prison.

Good Practice: Physical accompaniment of HRDs at the airport in Sri Lanka

In March 2012, threats were made to HRDs from Sri Lanka who participated in the 19th session of the UN Human Rights Council in Geneva. Some of these HRDs feared retaliation when they arrived at the airport on returning to Sri Lanka. Diplomats from the EU and other like-minded Missions monitored their arrival at the airport. Some were monitored discreetly, while one female HRD was met publicly and accompanied out of the airport by diplomats. On another occasion, diplomats in Colombo accompanied to the airport an HRD who had previously been detained and released after an international campaign. At the airport, the HRD was questioned again and almost arrested, but it is believed the immediate intervention of the diplomat enabled the HRD to proceed.

Good Practice: Trial observation, raising the case and public statement in Thailand

Mr Somyot Prueksakasemsuk is a labour rights activist in Thailand, campaigning for legal reforms and the editor of “Voice of the Oppressed” magazine. He was detained on 30 April 2011 and it was later alleged that he published articles which made negative references to the monarchy in his magazine and he was charged with defaming, insulting or threatening the royal family. The EU Delegation attended the first hearing in his case, in November 2011. In February 2012, FORUM-ASIA met the EU Delegation to lobby for further action on the case. The EU Delegation and the embassy of Finland sent observers to a trial hearing in April. Representatives from a number of EU missions attended another trial hearing in May. In September, the EU raised the case with senior officials of Thailand’s Ministry of Foreign Affairs. It also requested to visit Mr Prueksakasemsuk and other prisoners convicted under the same laws, though no permission was given and no visit took place. The verdict was finally announced at a hearing on 23 January 2013. Observers from the EU Delegation as well as the embassies of six member states (United Kingdom, Denmark, Finland, France, Luxemburg and Sweden) observed the hearing. On the same day, the EU issued a local statement in which it said it was deeply concerned about the conviction which “seriously undermines the right to freedom of expression and press freedom.”

The HRD Guidelines also commit EU missions to appoint an **EU Liaison Officer on Human Rights Defenders. In line with the EU Action Plan on Human Rights, the name and contact details of the EU Liaison Officer on Human Rights Defenders should be published on the website of the EEAS and the respective EU Delegation.**

The role of a EU Liaison Officer on HRDs is two-fold. Firstly, to provide HRDs with the contact details of an EU diplomat, who is their immediate interlocutor to discuss issues of concern for them. He/she has the role of first "entry point to the EU" and he/she is able to discuss the issues raised by HRDs with all concerned EU colleagues, trying to find a common EU stance or promote individual actions (from deciding to observe a trial, to facilitate the provision of visa to a HRD in danger, etc.). Secondly, to coordinate the work on HRDs within the EU in the host country; i.e. to facilitate the organisation of the annual meeting with HRDs, to ensure that issues concerning HRDs are raised in the appropriate EU meetings (e.g.: EU human rights groups), etc. EU missions are strongly encouraged to appoint EU Liaison Officers on a burdensharing basis.

The Liaison Officer should:

- maintain contact with human rights defenders;
- coordinate the implementation of the EU Guidelines on HRDs;
- act as “entry point to the EU” for HRDs;
- refer HRDs to appropriate diplomats;
- facilitate procedures for issuing a EU emergency visa for a HRD at imminent risk;
- discuss cases with colleagues at other EU Missions;
- promote EU action to support and protect HRDs;
- ensure that the EU raises cases at meetings with host country authorities;
- organise an annual meeting between EU Missions and local HRDs.

4. Promotion of respect for human rights defenders in relations with third countries and in multilateral fora. Support for Special Procedures of the UN Commission on Human Rights, including the Special Rapporteur on Human Rights Defenders

Mechanisms aiming and promoting and protecting the work of HRDs have been set up within the UN, as well as by regional organisations. EU missions are encouraged to promote the work of mechanisms for the protection of HRDs, i.a. by calling upon host countries to accept requests for country visits by these mechanisms and by facilitating contacts between protection mechanisms and human rights activists.

United Nations

In order to support the implementation of the Declaration on human rights defenders and also to gather information on the actual situation of human rights defenders around the world, the **United Nations Human Rights Council** appointed a **Special Rapporteur on the situation of Human Rights Defenders** (currently Mrs Margaret Sekaggya, former Chairperson of the Uganda Human Rights Commission).

The Special Rapporteur's main roles are:

- to seek, receive, examine and respond to information submitted on the situation of human rights defenders;
- to establish cooperation and conduct dialogue with governments and other interested actors on the promotion and effective implementation of the UN Declaration on HRDs;
- to study trends, developments and challenges in relation to the situation of HRDs;
- to integrate a gender perspective throughout the work of his/her mandate, paying particular attention to the situation of women human rights defenders;
- to recommend effective strategies to better protect human rights defenders and follow up on these recommendations; In the fulfillment of its mandate, the Special Rapporteur i.a.: presents annual reports to the Human Rights Council and the General Assembly on particular topics or situations of special importance regarding the situation of human rights defenders; undertakes country visits; takes up individual cases of concern, asking the authorities at stake to take action to address the alleged events and to communicate the results of its investigation and actions.

Website: <http://www.ohchr.org/EN/issues/SRHRDefenders/Pages/SRHRDefendersindex.aspx>

As regards multilateral developments within the EU, every second year the 3rd Committee of the UN General Assembly and the Human Rights Council adopt resolutions devoted to the situation of HRDs (next ones due in 2014) with Norway as the traditional main sponsor.

In the case of HRDs being refugees themselves or working on refugees, the Office of the United Nations High Commissioner for Refugees is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees. It strives to ensure that everyone can exercise the right to seek asylum and find safe refuge in another State, with the option to return home voluntarily, integrate locally or to resettle in a third country. It also has a mandate to help stateless people.

In the field, UNHCR's core work is managed from a series of regional offices, branch offices, sub-offices and field offices. The High Commissioner's representatives head operations in the countries where the agency works, while there are also a number of regional representatives.

Website: <http://www.unhcr.org>

African Union

The African Charter on Human and Peoples' Rights (2009) provides for the creation of the **African Commission on Human and Peoples' Rights (ACHPR)** which is a mechanism of monitoring of the implementation of the Charter by State parties. The ACHPR holds two sessions per year to examine country reports and communications on human rights violations brought to its attention. Since a couple of years, the ACHPR has adopted specific resolutions on the protection of defenders in Africa, which confirm the protection of their rights in application of the Charter. In 2004, the Special Rapporteur mandate on the protection of HRDs was created within the ACPHR.

Website: <http://www.achpr.org/mechanisms/human-rights-defenders/>

Organisation of American States

In 2001, the **Inter-American Commission on Human Rights (IACHR)** decided to create a Human Rights Defenders Functional Unit within the Office of the Executive Secretary to coordinate the activities of the Executive Secretariat in this field. Apart from country visits and press releases, the Human Rights Defenders Unit has various means at its disposal to carry out its work, including asking the Inter-American Commission to issue precautionary measures to prevent irreparable harm to persons "in serious and urgent cases, and whenever necessary according to the information available". In many of the instances where precautionary measures are granted, the authorities must enter into contact with the beneficiaries to agree upon the kind of protection to be afforded. The Commission has granted precautionary measures in cases involving attempted killings, death threats, other kinds of threat, harassment, physical attacks, breaking and entering into offices and homes, individuals identified as military targets by paramilitary forces, and human rights workers accused of belonging to guerrilla organisations.

Website: <http://www.oas.org/en/iachr/defenders/default.asp>

Council of Europe

The protection of HRDs and the development of a safe and enabling environment for their activities are at the core of the mandate of the **Council of Europe Commissioner for Human Rights**, an institution set up in 1999. The Commissioner's role has been reinforced through the Committee of Ministers' 2008 Declaration on Council of Europe action to improve the protection of human rights defenders and promote their activities.

The Declaration invites the Commissioner for Human Rights to strengthen his role and capacity of his Office in order to provide strong and effective protection for human rights defenders by:

- acting upon information received from human rights defenders and other relevant sources, including ombudsmen or national human rights institutions;
- meeting with HRDs during his country visits and to report publicly on the situation of human rights defenders;
- intervening, with the competent authorities, in order to assist them in looking for solutions to the problems which human rights defenders may face, especially in serious situations where there is a need for urgent action;

Website: http://www.coe.int/t/commissioner/Activities/HRD/default_en.asp

Organisation for Security and Cooperation in Europe

In 2007, the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE/ODIHR) established a Focal Point on Human Rights Defenders and National Human Rights Institutions. The Focal Point monitors the situation of human rights defenders, the environment in which they operate, and facilitates capacity building activities, provides training and, where appropriate, intervenes in individual cases. Currently the OSCE/ODIHR is developing Recommendations on the protection of human rights defenders in the OSCE region, aiming at assisting participating States in fulfilling commitments they have made to protect human rights defenders.

Website: <http://www.osce.org/odihr>

5. EU financial assistance - EIDHR comprehensive operational EU Human Rights Defenders mechanism

The EU Strategic Framework on Human Rights and Democracy states that “*As a leading donor to civil society, the EU will continue supporting human rights defenders under the European Instrument for Democracy and Human Rights and make funding operations more flexible and more accessible*”. As a consequence, the EU Action Plan on Human Rights and Democracy (AP) entails several actions for which the European Commission has committed to deliver before 2014.

A comprehensive operational EU Human Right Defenders mechanism was jointly presented by the Commission and the EEAS, in early 2013 to COHOM, the European Parliament and civil society. It entails several components.

Support to HRDs organisations

The EC has just launched 25 new key initiatives funded under EIDHR, worth € 20 million. These new additional actions add to the already on-going 130 specific projects defending Human Rights and their Defenders where they are the most at risk, already worth €100 million. Implemented by civil society

organisations, they were selected through the 9 calls for proposals launched from HQs since 2007 and at least 14 local calls with HRDs as a priority.

There are different although complementary ways of providing direct financial or material assistance to local HRD organizations or individuals under an EIDHR project.

Actions may include a very open although specific activity at the same time aimed at providing **direct support to HRDs**. This activity must be linked in their overall budget to a specific heading or sub-heading. Applicants may provide any kind of assistance to defenders (financial, legal, material, etc.) financially backed by documents justifying the expenses.

When beneficiaries of EIDHR funds for HRDs projects have **local partners (“co-applicants”)**, these also incur expenses when doing their HR work. They participate in the implementation of the project by undertaking activities that facilitate the achievement of the goals of the project.

A third way to provide support to local HRDs is the "sub-granting" or of **financial support to third parties**. These are grants given in the form of lump-sums by the beneficiary to "third parties" of the project in the largest sense of the word, that is, the community of HRDs as a whole, who will benefit from the effects of the projects in the long term.

Support to international HRD mechanisms

As planned in the EIDHR AAP 2012 & 2013, new supports were delivered to the Office of the High Commissioner for Human Rights (10 ml€), to the ICC (2ml€), to the OAS (1ml€). It helped these institutions to work on thousands of cases. It is completed by other EU funding to the Council of Europe. Support to the African Union HRD mechanism is being prepared to be proposed for funding under AAP 2014.

Several National Human Right Institutions (NHRI) got supported through the EIDHR local schemes. One good example is, this year, our support for the establishment of a NHRI in Chile. In addition, specific programmes to help NHRI address case of torture were developed in Asia, Yemen, Bahrain, and the Pacific. A new specific comprehensive support programme for NHRI is being prepared to be proposed for funding under AAP 2014.

Small direct support to HRDs at risk

The EIDHR Regulation foresees the possibility for the Commission to provide small grants up to 10,000 Euro, on an ad hoc basis to HRDs in need of urgent support. This mechanism has been in place since 2010 and the increasing frequency of requests has confirmed its success.

Indeed, more than 400 HRDs and organisations in over 30 countries have received this type of direct support, totalling just over 1 million Euro. Examples of support include coverage of legal fees (Belarus, China, Uzbekistan); medical expenses including rehabilitation of torture victims (DRC, Russia, Syria); operational survival for local organizations (Ethiopia, Libya), or urgent relocation of HRDs at risk (Colombia, Yemen). There is no exhaustive list of activities that the Commission can finance under this emergency scheme. The priority for selection depends on the gravity and the urgency of the situation of HRDs.

Requests by Delegations to use the small grants mechanism or emergency facility for HRDs should be addressed to DEVCO B Director, providing us with some information about the particular case to assist:

name of the defender(s), background on the case(s), amount requested, and for what purpose. The note should also entail a budget for the action. NGOs and individuals can apply directly at europaaid-eidhr@ec.europa.eu, with identical requirements.

The individual requests are reviewed by DEVCO B1, the EEAS geographic and human rights desks and the Delegation, usually in less than 48 hours.

The funds are given as a lump-sum. All in all, the funds should reach the defender in a matter of days.

It has to be underlined that these emergency grants are being managed with the utmost confidentiality in order to ensure the safety of the defenders.

Good practice: EIDHR urgent support grant to a HRD at risk

The Guinea Bissau League of Human Right (GBLHR) is a very active organization in the field of human rights promotion in Guinea Bissau. It strongly opposed the coup d'état perpetrated by the military in April 2012 and since then it has denounced repeatedly human rights violations all around the country. In a context characterized by continuous intimidations and aggressions by the military against opponents, the President of the GBLHR reacted publicly to a declaration made by the spokesperson of the Armed Forces against the organisation. When he saw a group of military being deployed around his office, he left the building and came to the EU Delegation asking for support and protection. Thanks to the use of art. 9.1 of the EIDHR Regulation, 48 hours later the EU had mobilised the necessary means to allow the President of the GBLHR to leave the country and so preserve his physical integrity.

Temporary relocation of HRD at risk

The EU Action Plan on Human Rights and Democracy foresees the development and implementation of a voluntary initiative to facilitate the provision of temporary shelter for HRDs at risk.

A pilot phase of this initiative is being implemented and the EIDHR is already providing financial support to individual cases of relocations through its emergency fund for HRDs. Since early 2012, over 250.000 € were already disbursed for the urgent relocation of 42 HRD individuals and families.

This pilot phase will be consolidated in 2013 leading to (i) a comprehensive database of all available existing programmes and identifying new potential actors (e.g. new cities, universities, etc.) and (ii) a digital platform allowing the safe exchanges of information among the members of the initiative, to ensure "best-fit" matching of demands and resources.

A fully-fledged EU temporary relocation initiative involving a range of stakeholders including cities and universities should be embedded in the broader Human Rights Defenders Mechanism to be put in place under the new EIDHR instrument from 2014 onwards.

Further improving synergies and economies of scale

The current negotiations on the new EIDHR have concluded to the set-up of a reinforced Human Rights Defenders Mechanism for 2014-2020. This mechanism of operational coordination will have the objective to increase the efficiency of assistance, ensuring geographical and thematic coverage, urgent support to HRDs in the field 24/7, medium and long-term support to HRDs. There is, in particular, a need to ensure

synergies between long and short-term support, continuity in the provision of protection, and optimal coordination with other stakeholders and activities. It is also necessary to improve operational management and enhance the EU profile.

The strengthened HRD operational Mechanism will ensure progress around three axes regarding the human rights defenders:

- ✓ **Urgent support** including physical/digital protection, legal support, medical support, trial and prison monitoring, urgent advocacy, urgent relocation, support to families, urgent monitoring and reporting,...
- ✓ **Medium-term support** including monitoring of HRDs situation, early warning, reinforcement of capacities, trainings on risk prevention and security (including digital security), international, regional and national advocacy, temporary relocation and legal support to lengthy judicial procedures
- ✓ **Long-term support** including support to national/regional networks, support to international and regional human rights mechanisms to protect HRDs and support to independent National Human Rights Institutions.

This reinforced EU HRDs Operational Mechanism will include calls for proposals for thematic and geographic coverage, direct grants for most at risk countries and to support targeted projects. Moreover, a call to support a consortium of specialized NGOs and other actors should be launched in 2014, aiming at providing stable and comprehensive coordination of the EU support to HRDs worldwide, including temporary relocation.

ANNEX: CHECKLIST - EU TOOLBOX FOR THE PROTECTION OF HRDs

Nature of threat or violation	EU Action	Main institution in charge
Public Support		
Case requiring urgent intervention (physical attack, arrest, conviction, killing, death threat, etc.) as well as structural and/or systemic issues (restrictive laws, impunity, etc.)	EU Local Statement	EU Delegation (subject to clearance by all EU missions)
Structural/systemic issues; also very serious urgent cases or cases demonstrating some worrying patterns of HR violations	EU Declaration or Statement	HR/VP or HR/VP Spokesperson
(Death) threats, attacks, stigmatization, other types of harassment	Visible contact or recognition	Representatives of EU missions
Risk of unfair judicial proceedings, trumped-up charges	Trial observation (other forms of non-public/public support also apply)	Representatives of EU missions
Risk of violent dispersal of peaceful assembly; risk of use of excessive use force.	Observation of public demonstrations/activities (other forms of non-public/public support also apply)	Representatives of EU missions
Detention, risk of torture or ill-treatment in detention, house arrest	Visit, attempt to visit (other forms of non-public/public support also apply)	Representatives of EU missions
Immediate threat of attack, arrest, harassment	Physical accompaniment	Representatives of EU missions
Non-public support		
Case requiring urgent intervention	Informal information request from host country authorities (telephone call) as a first step EU <i>demarche</i> / raising case with authorities Member State <i>demarche</i> / raising case with authorities	Head of EU Delegation, EU Liaison Officer on HRDs and/or Ambassadors/human rights specialists at embassies of Member States
Individual cases and structural/systemic issues; not requiring urgent intervention	Raising case or issue in political dialogue	EEAS Desk Officer(s), Head of EU Delegation, Liaison Officer on HRDs, Ambassadors/human rights specialists at embassies of Member States
Temporary Relocation		
Grave threats/violations constituting immediate danger to life/physical integrity	Exploring short-term relocation possibilities in the region or issuing short term Schengen or Member States emergency visa on humanitarian grounds	Consulates of EU Member States, sponsoring organizations in EU Member State, European Commission DEVCO B1
EIDHR emergency funding		
Threats and violations such as break-ins, surveillance, physical attacks, arrest and detention, trumped-up charges, etc.	Funding for legal or medical expenses, security measures at homes/offices, temporary relocation etc.	EU Delegation; EIDHR staff at European Commission, European Commission DEVCO B1