



ASIA PACIFIC FORUM
ADVANCING HUMAN RIGHTS IN OUR REGION

Regional Action Plan on Human Rights Defenders



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Foreword

For Human Rights Defenders (**HRDs**), the Asia Pacific has become an increasingly dangerous place. As supporters of a robust civic space and advocates of the most vulnerable and marginalised, HRDs today face an extraordinary set of challenges. I will continue to raise with governments this erosion of civil and political rights in many national contexts. The COVID-19 pandemic continues to impact communities, with varied government responses across the region. Many defenders fear that the pandemic has offered a convenient foundation for governments to silence dissent and galvanise popular support for disproportionate restrictions on freedoms of assembly, association and movement.

These fundamental human rights are essential for HRDs to be able to work effectively and in safety. Regional organisations such as the APF will be crucial in advocating for greater protections for HRDs and responding effectively to violations.

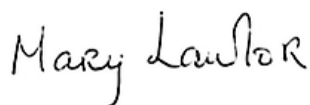
I am encouraged to see the commitment from NHRIs in this Action Plan to pursue a protection and promotion agenda that will greatly improve conditions for HRDs throughout the Asia Pacific.

In many places in the region, NHRI staff place themselves at enormous risk in their defence of human rights. Some have paid the ultimate price for their work. In June this year, two staff of the Afghanistan Independent Human Rights Commission – Fatima Khalil and Ahmad Jawed Folad – were assassinated by unknown assailants while travelling to the Commission's office in Kabul. Sadly, the attack in Afghanistan is not the first time a staff member of an NHRI has been killed for their involvement in the protection and promotion of human rights, with a number of other NHRI colleagues having lost their lives in similar circumstances. These incidents serve as a heartbreaking reminder of the courage of NHRI staff and the risks that they face every day in the fulfilment of their duties.

The situation of Women HRDs remains a great concern globally, as women defenders are often not only targeted for what they do, but for who they are. The situation of Women HRDs is highlighted throughout the Action Plan, with concrete actions proposed at regional and national levels.

Many HRDs work at a local level, often in remote and dangerous locations where the apparatus of state protection is limited. Many of the national actions proposed under this Action Plan – such as advocating for better legal protections at the local level, strengthening of defenders' networks, and the development of early warning systems to prevent violations – respond to the needs of these grass roots advocates, who have often been under the radar of many global and regional initiatives.

Over the course of my mandate, I look forward to working with the APF and its member NHRIs on the implementation of this Action Plan, including through supporting HRD engagement in the international human rights system. As allies in the protection and promotion of HRDs, I am convinced that together we will be able to strengthen the protection of HRD rights across the Asia Pacific, and provide a platform for defenders' voices to be heard.



Mary Lawlor

United Nations Special Rapporteur on the situation of human rights defenders

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The APF also extends its gratitude to members of a Reference Group of external stakeholders, which provided valuable comments on draft versions of the Action Plan. The Reference Group was comprised of the following members:

The United Nations Special Rapporteur on the Situation of HRDs
Asian Forum for Human Rights and Development (**FORUM ASIA**)
Asian NGO Network on National Human Rights Institutions (**ANNI**)
Global Alliance of National Human Rights Institutions (**GANHRI**)
Office of the High Commissioner for Human Rights (**OHCHR**)
International Service for Human Rights (**ISHR**)
United Nations Environment Program (**UNEP**)
United Nations Development Program (**UNDP**)
APF Special Envoy, Chris Sidoti

The APF would also like to express its gratitude to Covenants Watch for providing support with the Chinese translation of the Action Plan.

Glossary of Terms

AICHR	ASEAN Intergovernmental Commission on Human Rights
AIHRC	Afghanistan Independent Human Rights Commission
ANNI	Asian NGO Network on National Human Rights Institutions
APF	Asia Pacific Forum of National Human Rights Institutions
APTN	Asia Pacific Transgender Network
ASEAN	Association of South East Asian Nations
CA	Capacity Assessment
CAR	Capacity Assessment Review
CHR	Commission on Human Rights (of the Philippines)
CSO	Civil Society Organisation
DIHR	Danish Institute for Human Rights
EHRD	Environmental Human Rights Defender
EU	European Union
FORUM-ASIA	Asian Forum for Human Rights and Development
GANHRI	Global Alliance of National Human Rights Institutions
HRC	Human Rights Council
HRCM	Human Rights Commission of the Maldives
HRCSL	Human Rights Commission of Sri Lanka
HRD	Human Rights Defender
ICHR	Independent Commission on Human Rights of Palestine
IHCHR	Iraqi High Commission for Human Rights
ISHR	International Service for Human Rights
LGBTIQ	Lesbian, Gay, Bisexual, Transgender, Intersex and Queer
NGO	Non-government organisation
NHRI	National Human Rights Institution
NHRC	National Human Rights Commission of India
NHRCM	National Human Rights Commission of Mongolia
OHCHR	Office of the High Commissioner for Human Rights
PIFS	Pacific Islands Forum Secretariat
SAARC	South Asian Association for Regional Cooperation
SDG	Sustainable Development Goal
SLAPP	Strategic Lawsuit Against Public Participation
SUHAKAM	Human Rights Commission of Malaysia
UNDP	United Nations Development Program
UNEP	United Nations Environment Program
WHRDs	Women Human Rights Defenders



Executive Summary

The Regional Action Plan on Human Rights Defenders (**HRDs**) establishes an agenda for action on behalf of the APF and its members to champion the rights of HRDs across the region. The Action Plan also realises a key commitment of the APF and its members under the 2018 Marrakesh Declaration, which established a global framework of actions by NHRIs to support the rights of HRDs.

Since the onset of the COVID-19 pandemic, HRDs have faced increased threats to their security, wellbeing and ability to speak out against rights violations. The shrinking civic space across the region and its impact on the capability of defenders to work safely demands a collective and systematic response, in terms of advocacy, strategic partnerships and program development from NHRIs and their partners.

The Regional Action Plan highlights the increased risks faced by Women HRDs (**WHRDs**) and includes an engagement to focus support for defenders in key critical areas, including business and human rights; disability rights; Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (**LGBTIQ**) rights; and the right to a safe and healthy environment. Importantly, the Regional Action Plan recognises the central role that NHRIs play in defence of HRDs and as HRDs themselves.

The Regional Action Plan contains regional and national actions that the APF and its members will implement by 2025 to improve respect for the rights of defenders in the Asia Pacific. Regional Actions include:

- 1. Support regional policy making on HRDs;**
- 2. Engage with regional civil society actors and international partners;**
- 3. Facilitate collaboration between NHRIs;**
- 4. Facilitate relocation and respite for HRDs;**
- 5. Support the establishment of NHRIs;**
- 6. Develop regional data on HRDs; and**
- 7. Strengthen the capacity of NHRIs.**

National actions, which will be implemented by APF members with the support of the APF, include:

- 1. Advocate for national legal protections;**
- 2. Promote gender equality and mainstream the recognition of Women HRDs;**
- 3. Raise awareness of the rights of HRDs;**
- 4. Develop ‘early warning systems’;**
- 5. Monitor violations against HRDs;**
- 6. Report on violations against HRDs;**
- 7. Engage with the international human rights system; and**
- 8. Strengthen national networks of HRDs.**

These actions will be complemented by a detailed monitoring and evaluation framework that will track implementation over the life of the Action Plan and will include periodic and public reporting on progress. As a result of these commitments and the support of its partners, the APF is confident that the situation of HRDs will be strengthened across the region.



Part 1:
Background

OBJECTIVE

The APF Regional Action Plan on HRDs (the **Action Plan**) is designed to demonstrate the collective commitment of the APF and each of its members to the protection and promotion of HRDs in the Asia Pacific region. It contains a range of actions that the APF and its members will implement at a regional and national level over a four-year period to recognise the inherent dignity of defenders and strengthen respect for their rights. The Action Plan also honours a core commitment made by the APF and its members to implement the 2018 GANHRI Declaration on “Expanding the civic space and promoting and protecting human rights defenders, with a specific focus on women: The role of national human rights institutions” (the **Marrakesh Declaration**) in the Asia Pacific region.

The Action Plan is not directed at governments, but rather is a collection of pledges by NHRIs that establish targets that will guide their activities with and for HRDs. To this end, the Action Plan is primarily a reference for APF member NHRIs to define and support their work, both individually and collectively. Additionally, the Action Plan provides guidance for external audiences, such as national governments, civil society, the private sector, international agencies, and defenders themselves. These different stakeholders are engaged by various components of the Action Plan and their contributions will be essential to the achievement of the Plan’s targets.

WHO ARE HUMAN RIGHTS DEFENDERS?

There is no strict definition of a Human Rights Defender. HRDs are usually described as those individuals, groups, or organisations, working individually or collectively, who seek to promote and protect human rights using peaceful means. They may be journalists, lawyers, grass roots activists, educators, community organisers, indigenous leaders, health workers or scientists, but must share a commitment to the fundamental principles of human rights. Defenders are not defined by who they are, but what they do.

Promotion and protection by HRDs takes place in myriad forms – HRDs may act on behalf of individuals to seek access to justice before courts, they may conduct investigations among groups of victims and bring attention to violations through advocacy with government, they may raise awareness of human rights among the community or private sector, or they may provide technical advice to governments on the implementation of international human rights treaties. HRDs might work at the regional or international level, advocating in the UN human rights machinery, or locally with government, community, and civil society actors.

Self-identification

The Regional Action Plan supports the principle of Self-identification of HRDs, which is also affirmed by the Marrakesh Declaration. This means that APF member NHRIs will support those individuals and groups who consider themselves to be HRDs. However, there are many individuals and organisations that work in support of human rights, particularly at the grass roots level, who may not be directly involved in the human rights community and/or do not think of themselves as defenders. This emphasises the importance of awareness raising of the rights of HRDs and advancing positive narratives on defenders across a diverse range of stakeholders.

Women HRDs

The Regional Action Plan places Women HRDs (WHRDs) at the forefront of its framework for protection and promotion. Women HRDs face a significantly greater risk of violence and reprisals than their male counterparts. They often work against patriarchal stereotypes and can be stigmatised for their work among family members, their community and society, leading to alienation and unequal access to justice and other informal protection mechanisms of HRD social networks.

A gendered narrative of HRDs often favours an archetype of the adversarial, aggressive and traditionally male defender with a strong public profile, which may exclude those WHRDs who do more work behind the scenes, rendering them more susceptible to disappearances, other violations or general alienation. APF and its members will work to combat these gender stereotypes in the HRDs narrative, ensuring that gender considerations and the work of WHRDs are considered during the design, execution, monitoring and evaluation of all activities implemented under this Action Plan.

Gender and LGBTIQ HRDs

Gender must be explicitly recognised when considering definitions of HRDs at the regional and national level. According to the APF's 2019 Gender Mainstreaming Guidelines:

'Gender refers to the social construct established around behavioural, physical and cultural attributes, expectations and norms associated with being female or male. The APF recognises that gender is non-binary and does not restrict its policies or activities to a female/male binary. It seeks to incorporate an inclusive understanding of gender into its policies and processes.'

The APF considers Trans women in its definition of WHRDs. However, the Regional Action Plan also recognises that Trans and non-binary HRDs face different and sometimes more complex protection challenges as a result of their gender identities. For this reason, it is essential to consider LGBTIQ defenders as separate sub-groups of HRDs that all warrant individual focus through targeted support initiatives.

Environmental and indigenous HRDs

The Regional Action Plan recognises the crucial role of Environmental Human Rights Defenders (**EHRDs**) and the challenges they face in the defence of the right to a safe and healthy environment. In his 2016 report to the UN General Assembly, the former UN Special Rapporteur on HRDs, Michel Forst, considered EHRDs to refer to:

'individuals and groups who, in their personal or professional capacity and in a peaceful manner, strive to protect and promote human rights relating to the environment, including water, air, land, flora and fauna.'

EHRDs are often sidelined in discussions on HRDs, as their work is typically framed in terms of environmental protection, rather than human rights.

Indigenous peoples are also commonly represented in struggles for land and political autonomy. Front Line Defenders' 2018 Global Analysis reported that 77% of the 321 HRDs murdered worldwide were defenders of land, environmental and indigenous peoples' rights.

Disability rights HRDs

Defenders who advocate for the rights of people with disability are recognised explicitly under this Action Plan. Hundreds of millions of people in the Asia Pacific region live with a disability, many of whom suffer from prejudice, discrimination and exclusion. Disability rights HRDs will feature prominently in the activities implemented under the auspices of this Action Plan. Importantly, the APF and its members will ensure that programs and any related documentation are accessible for people with a disability.

HRD families and community support networks

HRDs often place themselves at great personal risk as a result of their tireless defence of human rights. At times, these risks may also be experienced by their families and other community and informal support networks. For this reason, it is important that the APF's work acknowledges the families and communities of HRDs in the design of protection measures, ensuring that protection is made available and extended to defenders' personal support mechanisms, where needed. Promotion activities under this Action Plan will also ensure a focus on the risks faced by defenders' families and communities.

NHRIs as HRDs

Often overlooked in narratives on HRDs, NHRIs occupy a unique position as protectors, monitors and supporters of HRDs. In her report to the UN Human Rights Council in 2013, the former UN Special Rapporteur on the Rights of HRDs, Margaret Sekaggya, recognised that NHRIs operating in compliance with the *Principles relating to the Status of National Institutions* (**the Paris Principles**) can also be considered as HRDs themselves.

NHRI staff place themselves at risk of violence and reprisals every day, some paying the ultimate price for their commitment and dedication to human rights. The Action Plan affirms the essential role of NHRIs and their staff and includes the commitment to support NHRIs as HRDs.

FURTHER READING

APF (2019): [*NHRI Guidelines for Mainstreaming the Human Rights of Women and Girls into Our Everyday Work*](#)

Protection International: [*Collective Protection of Human Rights Defenders – A collective approach to the right to defend human rights*](#)

UNDP & APTN (2017): [*Legal Gender Recognition: A Multi-Country Legal and Policy Review in Asia*](#)

Asia Pacific Forum on Women, Law, and Development (2007): [*Claiming Rights, Claiming Justice: A Guidebook on Women Human Rights Defenders*](#)

Destination Justice (2018): [*Revealing the Rainbow: The Human Rights Situation of LGBTIQ HRDs in Southeast Asia*](#)

APF (2019): [*Human Rights and Disability: A Manual for National Human Rights Institutions*](#)

Front Line Defenders (2018): [*Global Analysis*](#)

UN Special Rapporteur on HRDs (2016): [*Report of the Special Rapporteur on the situation of human rights defenders*](#)

OHCHR (2004): [*Factsheet 29 – Human Rights Defenders: Protecting the Right to Defend*](#)

UN Women (2018): [*Statement by Phumzile Mlambo-Ngcuka, UN Under-Secretary-General and Executive Director, UN Women on International Women Human Rights Defenders Day, 29 November 2018*](#)

UNEP (2018): [*Promoting Greater Protection for Environmental Defenders Policy*](#)

UN Special Rapporteur on HRDs (2016): [*Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms*](#)



THE ASIA PACIFIC CONTEXT

Unlike its counterparts in Africa, the Americas, and Europe, the Asia Pacific is the only region without a region-wide human rights framework or enforcement architecture. This is partly due to the profound cultural, ethnolinguistic and geopolitical diversity of the region. Some headway has been made to develop human rights mechanisms under regional intergovernmental mechanisms, such as the Arab League and Association of South East Asian Nations (**ASEAN**), although these mechanisms only cover a small part of the Asia Pacific region and lack the capacity to hear individual complaints and issue binding decisions against member states.

The institutional environment in the Asia Pacific presents a host of challenges for HRDs. It also limits the engagement potential of the APF to act on behalf of all its members collectively at a truly regional level. The absence of a clear regional audience for advocacy, policy-making and individual human rights dispute resolution impels the APF towards global and national responses to violations against HRDs. However, through this Action Plan, the APF will support innovative measures to strengthen protection and promotion of the rights of HRDs across the region, despite the challenges faced at a regional level.

Business and Human Rights

Private sector actors – most notably, multinational companies conducting business across borders – are frequent participants in violations against HRDs in the Asia Pacific. Violations by the private sector are undertaken in various forms; through outsourced private security firms and militias to intimidate defenders advocating against destructive local development, exploitation of migrant workers in high-risk industries such as garment manufacturing or fisheries, or judicial harassment of HRDs through heavily-funded legal action to prevent defenders from speaking out against violations. Private sector involvement in human rights violations is particularly common among EHRDs and grassroots indigenous defenders, who have taken on leading advocacy roles against large international corporations on behalf of communities affected by mining, logging, and other resource extraction projects.

In its March 2020 Annual Briefing, the Business and Human Rights Resource Centre reported a 48% increase in judicial harassment of HRDs investigating the conduct of business activities globally, with Southeast Asia a global hotspot for Strategic Lawsuits Against Public Participation (**SLAPPs**) – the manipulation of national legal systems to illegitimately target otherwise valid claims or protest movements. The OHCHR Commentary on the UN Guiding Principles on Business and Human Rights confirms this risk:

‘[States] should also ensure that the provision of justice is not prevented by corruption of the judicial process, that courts are independent of economic or political pressures from other State agents and from business actors, and that the legitimate and peaceful activities of human rights defenders are not obstructed.’

In **Thailand**, HRDs frequently face threats and intimidation from the private sector for speaking out against environmentally and socially destructive development projects. In April 2020, a group of local villagers from the Bamnejnarong community in central Thailand engaged in a peaceful protest against a large, foreign-owned potash mining company, which was planning to commence operations in the area. The protests were coordinated by local Trans activist and anti-mining campaigner, Sunthorn Duangnarong, who was arrested by police and held in detention without access to a lawyer.

Migrant workers across the Asia Pacific region face increasing threats of abuse from private sector employers that facilitate their migration, or those that employ vulnerable undocumented migrants or refugees in exploitative conditions. The situation of mobile migrant workers and the multinational corporations often involved in their exploitation demands cross border collaboration among NHRIs in the region to effectively monitor and report on violations.

FURTHER READING

Business and Human Rights Resource Centre (2020): *Defending Defenders: Challenging Malicious Lawsuits in Southeast Asia*

OHCHR (2011): *Guiding Principles on Business and Human Rights – Implementing the United Nations “Protect, Respect and Remedy” Framework*



VIOLATIONS AGAINST HUMAN RIGHTS DEFENDERS IN THE ASIA PACIFIC

Recent years have witnessed a sharp decline in the civic and democratic space in many national contexts across the Asia Pacific. In 2019, Front Line Defenders’ Global Analysis documented 69 killings of HRDs in the region. APF member NHRIs have first-hand experience of individual violations, either as victims themselves or documenting the stories of HRDs.

HRDs in **Iraq** continue to face threats to their safety and liberty as protests against the Government have continued in 2020. Peaceful protests across the country, led by prominent defenders, activists and journalists, have been met with violent resistance from security forces, including the use of live ammunition, sound bombs and rubber bullets. Frontline staff from the Iraqi High Commission for Human Rights (**IHCHR**) continue to conduct essential monitoring of government reprisals against the protests, identifying hundreds of incidents of killing, kidnapping and serious assaults of protestors. The IHCHR has reported 560 deaths and over 27,000 injuries as a result of the crackdown on protests, as well as 2,700 arrests and 328 individuals remaining in detention.

The Human Rights Commission of the **Maldives (HRCM)** has reported the disappearance of Ahmed Rilwan in 2014 and murder of Yameen Rasheed in 2017, both journalists and HRDs. Rilwan and Rasheed were targeted for speaking out against violent extremism and religious fundamentalism in the country. Rilwan was abducted and, subsequently, brutally murdered. Yameen was attacked in his home after leading an advocacy campaign for justice after Rilwan’s disappearance. Law enforcement agencies failed to respond to these attacks, with a special presidential commission confirming the deaths after a nine-month investigation in 2019.



In **Palestine**, HRDs face physical abuse, arbitrary detention and prosecution in connection to their practice of freedom of expression and peaceful assembly at the hands of authorities in both the West Bank and Gaza. In March 2019, peaceful movement under the slogan of “We Want to Live” was launched against the worsening economic situation in Gaza. Authorities in Gaza violently cracked down on the protests and prosecuted the activists, protesters and journalists. Two staff of the Palestine Independent Commission for Human Rights (**ICHR**) were physically attacked while performing their job in monitoring the events associated with the movement. Recently, in July 2020, 19 activists were prosecuted for their attempt to organize a peaceful protest against corruption in the West Bank. The ICHR continues to pay special attention to monitoring and documenting violations against HRDs, applying pressure on authorities to prevent further abuses.

Staff of the NHRI of **Afghanistan** – the Afghanistan Independent Human Rights Commission (**AIHRC**) – face daily threats of violence from various state and non-state actors for their support of human rights. Tragically, a number of AIHRC staff have been murdered for their defence of human rights. On 3 September 2019, the AIHRC’s acting director of the Ghor Provincial Office – Abdul Samad Amiri – was abducted and brutally murdered while travelling to attend a family gathering. Two more AIHRC staff – Fatima Khalil and Ahmad Jawed Folad – were targeted by an explosive device while travelling to the Commission’s office in Kabul in June 2020, both dying from their injuries. These tragedies offer a stark illustration of the risk that NHRI staff face in their defence of human rights.

Systematic violations against HRDs

While individual violations against defenders continue, of equal concern is the erosion of the rule of law by all branches of government, often under the guise of national security, and the entrenchment of legislation, policy and government programs that hamper the capacity of defenders to work effectively and in safety.

In the **Philippines** – already plagued by widespread attacks against journalists and other grassroots defenders – the Congress has recently passed a new *Anti-Terrorism Act*, which contains extensive enforcement powers that will enable government to silence HRDs. The new law authorises the arrest and detention of suspects of terrorism offences without charge for 24 days and contains wide-ranging powers for law enforcement agencies to conduct surveillance of suspects of terrorism, including the interception and recording of telephone and electronic communications. Of most concern is the broad discretion conferred on law enforcement agencies in applying a vague definition of terrorism, which HRDs fear will be used to target their work.

In **Malaysia**, the Human Rights Commission of Malaysia (**SUHAKAM**) remains concerned with the ongoing use of specific laws by the police against activists, journalists and HRDs for exercising their freedom of expression. Restrictive laws are being used to censor, intimidate and silence critics and curtail freedom of expression and speech. In 2020, an online news portal and its editor-in-chief have been charged with contempt of court for the readers’ comments relating to the judiciary on its site. SUHAKAM is currently conducting a watching brief on the case.

In **New Zealand**, HRDs that pursue advocacy and law reform activities were denied legal status as a charity on the basis of the ‘political’ dimension of their work. This rejection by government of charitable status applications by advocacy organisations blocked access to important taxation and other administrative benefits by HRD organisations, which imposed significant funding limitations. A number of environmental and other HRD organisations have been able to successfully challenge registrations of government, reinstating tax exemptions that provide a financial lifeline.

FURTHER READING

Front Line Defenders (2019): [Global Analysis](#)

UN Human Rights Council (2020): [Report of the Special Rapporteur on the Situation of Human Rights Defenders](#)

FORUM-ASIA (2019): [Defending in Numbers](#)



HUMAN RIGHTS DEFENDERS AND COVID-19

The development of this Action Plan has been accompanied by the spread of the COVID-19 pandemic throughout the world, causing unprecedented challenges for human rights and the operation of NHRIs. Governments across the Asia Pacific region have introduced sweeping restrictions on freedom of movement, assembly and communication, among other basic rights, ostensibly to limit the transmission of the virus. While these restrictions purport to pursue legitimate public health objectives, many emergency measures have been used by government as a means to crack down on political dissent or target HRDs with increased surveillance.

Defenders operating in the COVID-19 era have had to respond to the challenges of government lockdowns and other restrictions that impact on their work. These circumstances place considerable strain on support networks and have demanded adaptation to new modes of communication and assembly. Many HRDs in the Asia Pacific are facing heightened threats to their wellbeing and security as a direct result of COVID-19. Regional NGO, FORUM-ASIA, documented over 60 cases of violations against defenders related to COVID-19 between February and May 2020.

In **Malaysia**, SUHAKAM has reported the arrest and placement of several hundred undocumented migrants in detention by authorities. The arrest and detention of those migrants have caused persistent fears to remain among the migrants on possible negative repercussions resulting in the reluctance of many to come forward for COVID-19 testing. The Malaysian Government also deported a Bangladeshi HRD – Mohammad Rayhan Kabir – allegedly for his role in providing false information on the Malaysian Government’s treatment of migrants in Malaysia.

HRDs are resilient, continuing to work tirelessly throughout the public health crisis, with many drawing attention to the plight of frontline health workers and others whose rights have been impacted. The COVID-19 pandemic has sharpened the focus on the essential work undertaken by HRDs during crisis situations and reinforces the impact of shrinking civic space.

FURTHER READING

Front Line Defenders (2020): [Defending rights during a pandemic: Impact of Covid-19 on the safety and work of human rights defenders](#)

FORUM-ASIA (2020): [Human Rights Defenders in the Face of Covid-19](#)

SUHAKAM (2020): [Press Statement No. 15 of 2020 – Suhakam Urges Authorities to Cease Arrest of Undocumented Migrants during Covid-19 Crisis](#)



A COMPLEMENTARY PROTECTION AND PROMOTION FRAMEWORK

The Regional Action Plan is designed to complement the established global protection landscape, filling a gap in the Asia Pacific region. In doing so, the APF acknowledges the core international instruments that establish the normative protection framework of the rights of HRDs. While most of these rights are established by international human rights treaties, separate overarching commitments have also been made by States, NHRIs and defenders' networks on HRD rights. These include:

- The 1998 UN General Assembly *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms* (the **HRDs Declaration**);
- The 2018 GANHRI Marrakesh Declaration;
- The 2018 Human Rights Defenders World Summit Action Plan;
- The 2019 UN General Assembly Declaration on Implementing the Declaration on Human Rights Defenders;
- The 2013 UN General Assembly Declaration on Protecting WHRDs;
- The 2019 UN Human Rights Council Resolution on the Contribution of EHRDs;
- The 2008 European Union Guidelines on Human Rights Defenders; and
- The 2030 Agenda for Sustainable Development, particularly Sustainable Development Goals (**SDG**) 5 on achieving gender equality and empowering women and girls, and SDG 16 on peace, justice and strong institutions.

The Action Plan will also support the implementation of these commitments in the Asia Pacific, both regionally and nationally.



FURTHER READING



GANHRI (2018): *The Marrakech Declaration “Expanding the civic space and promoting and protecting human rights defenders, with a specific focus on women: The role of national human rights institutions”*

United Nations General Assembly (2019): *Implementing 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*

United Nations General Assembly (1998): *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*

United Nations General Assembly (2013): *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: protecting women human rights defenders*

United Nations Human Rights Council (2019): *Resolution Recognizing the contribution of environmental human rights defenders to the enjoyment of human rights, environmental protection and sustainable development*

Human Rights Defenders World Summit (2018): *Action Plan*

United Nations Special Rapporteur on the Situation of HRDs (2011): *Commentary to 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*

European Union (2008): *Guidelines on Human Rights Defenders*

ISHR (2017): *Model Law for the Recognition and Protection of Human Rights Defenders*

Protection International (2018): *The Time is NOW for effective public policies to protect the right to defend human rights*



Part 2: Regional Actions

The unique institutional landscape of the Asia Pacific and the diversity among members of the APF demand a strategic response at the regional level. Regional actors, including the APF, play an essential role in supporting HRDs; by deploying technical assistance to NHRIs and civil society in response to acute violations, mobilising political support for defenders and NHRIs to bring attention to violations and protection gaps at the regional level, and facilitating the exchange of ideas across the region to strengthen protection and promotion capacity locally.

Key regional allies in the support of defenders include regional civil society actors, such as FORUM-ASIA, and international civil society organisations (**CSOs**) active regionally, themselves also HRDs and HRD advocates; the regional presence of international organisations, particularly OHCHR, UNDP, and UNEP; and foreign embassies and delegations, including the European Union (EU), many of which have established HRD support programs.

REGIONAL ACTION 1: Support regional policy making on Human Rights Defenders

- Advocate regionally for the rights of HRDs
- Engage with intergovernmental mechanisms on the rights of HRDs

APF members, both collectively and individually, are committed to supporting the development of regional policy on HRDs. As mentioned above, a unique aspect of the Asia Pacific region is the absence of a pan-regional human rights framework, unlike counterpart arrangements in Africa, the Americas and Europe. There is also no region-wide specialised intergovernmental mechanism through which APF members can collectively engage on human rights. Accordingly, advocacy and regional policy making in support of HRDs in the region requires a dynamic and creative approach. The APF will support its members or groups of members to engage with intergovernmental mechanisms that exist wholly or partially within the Asia Pacific region, such as the ASEAN Intergovernmental Commission on Human Rights (**AICHR**), the Pacific Islands Forum Secretariat (**PIFS**), South Asian Association for Regional Cooperation (**SAARC**), and the Arab Human Rights Committee. Sub-regional and regional policy making can be the mechanism through which many other actions and support initiatives for HRDs are realised.

REGIONAL ACTION 2: Engage with regional civil society actors and international partners

- Build and strengthen relationships with CSOs at a regional level
- Engage with regional representatives of the international community

As in national contexts, civil society in the Asia Pacific region occupies a fundamental role in the protection and promotion of the rights of HRDs. CSOs are often HRDs themselves and, at the regional level, also support an important advocacy and networking function on behalf of national HRDs. The APF will work in partnership with key regional CSOs and regional HRD networks – as well as international CSOs active at the regional level – in the implementation of this Action Plan, including through facilitating relationships between these CSOs and APF members. This may involve collaboration on policy development, joint resource mobilisation, data collection and analysis on violations, programs for the protection of HRDs at risk, and NHRI collaboration initiatives. The APF and many of its members maintain robust and productive relationships with many civil society allies, which will be strengthened as part of this Action Plan.

Key international partners – UN agencies, Human Rights Council (**HRC**) Special Procedures mandate holders, embassies, research institutes and international donors – will also be engaged for their technical, political and financial support for the rights of HRDs at the regional level.

REGIONAL ACTION 3: Facilitate collaboration between NHRIs

- Digital community of practice on HRD protection and promotion
- Peer-to-peer networking among NHRI staff
- Support cross-border HRD protection casework

Collaboration between different NHRIs across the APF membership and broader Asia Pacific region is an important mechanism to share experience on national protection and promotion activities, building skills and strengthening systems. APF will support this collaboration through a number of key regional activities over the course of the Action Plan.

NHRIs will be supported to showcase their national work and lessons learned through a digital community of practice on HRDs, where APF members can learn about national initiatives elsewhere in the region. The online APF Community will be a member-only platform to allow individual members of the APF to build on the experience of other members to support the implementation of many of the national actions in the Action Plan.

Cross-border collaboration between NHRIs is also an important mechanism to support protection casework on HRDs. This arises, for instance, in the case of private sector violations where a company ordinarily resident in one jurisdiction commits violations against defenders in another. Cross-border NHRI collaboration in these contexts will be crucial in monitoring the violations and bringing the perpetrator to justice. To strengthen its digital presence and respond to the need for greater remote service delivery, the APF is also developing an 'APF Community' as an online space for knowledge, learning, and peer-to-peer engagement. The APF will facilitate cross border collaboration through its professional networks and the APF Community.

The APF will also support collaboration between APF member NHRIs through a professional network of legal and policy officers. The APF has established professional networks for other functional areas of NHRIs, including communications, education, and senior executive officers. Building a professional network for NHRI staff responsible for the legal and policy functions of their NHRI will provide a platform for peer-to-peer collaboration and experience sharing on HRDs support initiatives.



REGIONAL ACTION 4: Facilitate relocation and respite for Human Rights Defenders

- NHRI support to existing relocation and respite for HRDs at risk
- APF support to NHRIs to develop NHRI-led national relocation and respite programs

The APF and its members will support regional relocation and respite for defenders at risk, where deemed safe. This will include facilitating support to HRDs through established initiatives, such as the EU Temporary Relocation Platform, Urgent Action Fund for Women’s Human Rights – Asia Pacific rapid response grants, Front Line Defenders’ Protection Grants and Rest and Respite Fellowships, and FORUM-ASIA’s Protection Plan for defenders at risk. APF will work closely with counterparts at EU Delegations, Embassies, civil society representatives and international organisations to ensure these global programs are available to defenders at risk locally and publicised through APF member NHRIs.

To complement existing global initiatives and recognising the risks faced by NHRI staff as HRDs themselves, the APF will support its members to develop their own HRD relocation or respite initiatives, where safe to do so and appropriate in the national context. These may be integrated into early warning systems described in National Action 4, using mechanisms such as witness protection programs for HRDs.

REGIONAL ACTION 5: Support the establishment of NHRIs

- Provide technical assistance to governments to establish new NHRIs
- Support existing institutions to expand their mandate to become an NHRI

The APF commits to continue its support for the establishment of NHRIs across the Asia Pacific region. As HRDs themselves, NHRIs occupy a crucial role in the protection and promotion of human rights in their respective national contexts. Through their own initiatives and unique position within the national rule of law architecture, NHRIs also deliver protection for HRDs and raise awareness of their rights among a diverse range of national stakeholders. Of the 57 UN member states that comprise the Asia Pacific region (the APF’s geographical remit), only 25 have NHRIs that are accredited with GANHRI and are members of the APF. This means that less than half of states in the region have a recognised NHRI to support the protection and promotion of HRDs, which is a significant human rights deficit. Over the course of the Action Plan, the APF will commit to supporting the establishment of five additional NHRIs and advising on institutional structures compliant with the Paris Principles, which will improve the overall protection and promotion landscape for HRDs. This work may involve working directly with governments to provide advice on the establishment of a new institution or, where appropriate, supporting an existing body (such as an Ombudsman institution with a good governance mandate) to expand its mandate to include the protection and promotion of human rights.

REGIONAL ACTION 6: Develop regional data on Human Rights Defenders

- Build regional framework of data on violations against HRDs
- Ensure consistency and comparability of NHRI collected Data on HRDs

Robust and relevant data on violations against HRDs is essential to enable all support for HRDs to be effectively targeted and responsive. Data from countries with NHRIs will also establish an important evidence base for policy development and advocacy work at the regional level. Gender disaggregation of this data will be important to understand the impact of violations against WHRDs.

With improved information on national violations disaggregated across the region, NHRIs in the Asia Pacific will be able to review the incidence of attacks against defenders in their national context by reference to regional trends and the experience of other NHRIs. Comparable data across the region will also allow for regional support mechanisms, such as relocation and respite programs, to be targeted when and where they are needed the most.

Developing effective data on violations on HRDs at a regional level will require national data sets collected by NHRIs to contain comparable information, using an agreed set of indicators and other metrics. Where data on violations against HRDs is collected by NHRIs, APF will work with its members to ensure it can support a broader data set on violations across the Asia Pacific. The APF and its member NHRIs will work collaboratively with other stakeholders – particularly CSOs – that gather data on violations against HRDs, building on existing data to develop complementary statistics and avoid duplicating other initiatives. This includes data collected for the purposes of reporting against SDG indicator 16.10.1 on violations against journalists, media personnel, trade unionists and human rights advocates.

REGIONAL ACTION 7: Strengthen the capacity of NHRIs

- Develop resources on protection and promotion of the rights of HRDs
- Ensure HRDs feature in APF Capacity Assessments and Capacity Assessment Reviews
- Enable members of the APF Community to access capacity development opportunities on HRD rights

Supporting member capacity to more effectively deliver their mandates is one of the central objectives of the APF. The APF will work at a regional level to support its members to increase their knowledge of HRDs and implement the various national actions in this Action Plan. The APF is developing a foundation for this work with an online learning program on HRDs, with the support of the NHRI.EU Phase 2 Project.

The APF will develop a package of resources that covers all aspects of this action plan, ensuring that its members are fully equipped and effectively supported to deliver on National Actions and participate in Regional Actions, where required. The APF will also ensure all resources on HRDs are made available to its members through the APF Community.

The APF's flagship capacity development activity has been its support for Capacity Assessments (**CAs**) and Capacity Assessment Reviews (**CARs**). These rigorous programs support APF members to undertake an internal review of their functional and operational capacity, identifying areas that should be prioritised for strengthening and improvement. The APF will ensure that HRD protection and promotion features prominently in its support to members through CAs and CARs, ensuring its methodology places HRDs on the agenda.





Part 3:
National Actions

Actions at the national level by individual APF members are the bedrock of this Action Plan. They will involve operational initiatives developed within NHRIs to strengthen internal capacity on HRD protection and promotion, and externally facing programs and engagement with partners to enhance the enjoyment of rights by defenders. In recognition of the geographical and cultural diversity of the APF membership, the Regional Action Plan does not impose a pre-determined program of work that will be locally applicable in each national setting. Rather, national actions will accommodate differences among APF members, allowing for contextualised national responses that are adapted to local conditions.

NATIONAL ACTION 1: Advocate for national legal protections

- Undertake review of national protection systems
- Advocate for national legislation to protect HRDs
- Support government policies and programs on HRD rights

The explicit recognition of the rights of HRDs in law, policies and programs of government is a fundamental protection mechanism in any national context. APF members will continue to advocate for national legal protections for HRDs in their respective jurisdictions. This will serve to counter the trend of restrictive legislation being developed across the region that has sought to silence and restrict the rights of HRDs.

Under the HRDs Declaration, States have committed to supporting legislative, administrative and other steps to ensure the rights and freedoms provided for in the Declaration are effectively guaranteed in national systems. Although the content of domestic legislation and policy is outside the direct control of NHRIs, they play a crucial advocacy and advisory role with parliaments, governments and other stakeholders to ensure that national law, policy and programs on HRD protection is consistent with the Declaration and other applicable international human rights standards.

The most suitable method of safeguarding legal protection and the role of the NHRI will be different in each national context. The approach will be shaped by the relationship between the NHRI and its government interlocutors, as well as the political climate and breadth of the civic space. Some NHRIs in the Asia Pacific region have enjoyed success in supporting relevant government ministries with technical advice on the development of standalone legislation to protect HRDs. This will typically require a constructive and collaborative engagement with the judiciary, police, and other impacted independent agencies (such as Ombuds institutions). Model legislation based on the standards in the HRDs Declaration, developed by the ISHR and a group of experts, has proved an important tool in this process. Where there is an appetite for collaboration and engagement from government, NHRIs have also supported the development of policy and programs that are delivered by government to protect HRDs. For those APF members yet to engage in advocacy on national legislation, undertaking a systematic review of national legislation to define protection gaps will be a key first step.

Other NHRIs have actively pursued alternative advocacy strategies to secure legal protection for HRDs, including through public interest litigation, national inquiries and other measures permissible within the scope of their mandate. These adversarial techniques may be more appropriate where government or other political actors are hostile to the rights of HRDs.

Members of the APF commit to supporting legal protections for HRDs using methods of advocacy and technical advice that are best suited to their national context. To this end, it will be essential for APF members to build on the achievements and lessons learned by other NHRIs in the Asia Pacific and elsewhere, for which collaboration and experience sharing will be essential.

CASE STUDY

National Human Rights Commission of Mongolia – HRD Legislation

In response to a marked gap in domestic legal protection of HRDs, the National Human Rights Commission of Mongolia (**NHRCM**) has supported the development of standalone legislation for the protection of the rights of HRDs. The process involved rigorous consultation and open collaboration between the NHRCM, government, civil society and international actors to determine the content of the legislation and balance the interests of different stakeholders. This culminated in 2019 in a National Workshop on the draft law, attended by the former Special Rapporteur on the Rights of HRDs and international CSOs. Much of the draft was built on the Model Law on the Recognition and Protection of HRDs, elaborated with the support of ISHR. The draft was submitted to the Mongolian parliament for approval and, if passed, will be the first specialised legislation for the protection of HRDs in the Asia Pacific region.



NATIONAL ACTION 2:

Promote gender equality and mainstream the recognition of Women Human Rights Defenders

- Support explicit recognition of women HRDs in protection and promotion activities
- Ensure data on violations against HRDs is disaggregated according to gender
- Recognise, ensure agency of, and deliver protection for trans and non-binary HRDs

The public acknowledgement in the HRDs Declaration of the special consideration required for WHRDs is an essential first step to mainstreaming their rights and delivering better protection outcomes. APF member NHRIs will work actively to support this recognition with their respective government counterparts. WHRDs will also be a central feature of awareness-raising campaigns, advocacy programs for national legal protection and other national actions supported by APF members. APF members will ensure that data on violations is disaggregated according to gender to document the extent to which gender contributes to a greater risk of violations.

In accordance with the APF's 2019 Gender Equality Strategy, APF members will also support gender mainstreaming in the context of diverse gender identities. Trans and non-binary HRDs face even greater threats of violence and intimidation than WHRDs. To ensure these protection risks are mitigated and trans and non-binary HRDs are also given a voice, APF members will ensure that gender mainstreaming work includes targeted components on trans and non-binary HRDs.



NATIONAL ACTION 3:

Raise awareness of the rights of Human Rights Defenders

- Mainstream HRD rights in NHRI promotion activities
- Develop specific campaigns about HRD rights
- Conduct awareness-raising campaigns among HRDs
- Make key resources available in local languages

APF members commit to strengthening the promotion of HRDs through activities that raise awareness of their rights. ‘Awareness-raising’ in this context will be considered as broadly as possible, particularly acknowledging and countering the vilification, defamation and smear campaigns often endured by HRDs. It will ensure that the role of HRDs is mainstreamed in promotional activities on different thematic issues, advancing positive narratives on HRDs. It will also involve standalone activities that focus on the rights of HRDs, including a specific focus on women HRDs.

Awareness-raising and promotional activities will include public information campaigns using different media and targeting a range of different stakeholder groups, including government, civil society, the private sector, and members of the international community.

Outreach and awareness-raising among HRDs is also an important exercise for NHRIs. This will build a stronger understanding of protection mechanisms available to HRDs, strengthening access to justice, and will also serve to strengthen HRD networks. APF members will support greater awareness of rights among HRDs by convening workshops and other informal dialogues for the human rights community, and by ensuring the HRDs Declaration and other key resources are available in national and local languages.

NATIONAL ACTION 4:

Develop ‘early warning systems’

- Establish HRD focal point staff at NHRIs
- Develop and equip rapid response teams
- Set up national hotlines and other communication channels for HRDs at risk

APF members will develop and strengthen a range of early warning systems to deliver protection directly to HRDs, with a view to preventing violations before they occur. Identifying and responding to isolated incidents at an early stage will allow NHRIs and their partners to prevent larger-scale violations from taking place. NHRIs also play an essential role in bringing these incidents to the attention of the international community – through the Human Rights Council and other reporting mechanisms – which will contribute to the prevention of systematic violations.

There are various features of early warning systems. The most appropriate design will be determined by the context in which the NHRI operates. These systems may involve HRD ‘focal point’ staff or commissioners at NHRIs, emergency hotlines for HRDs to report violations and threats, rapid response teams among NHRIs and defender networks, special protection mechanisms when responding to individual complaints from HRDs, national respite and relocation programs for HRDs at risk, among other features. APF members will work closely with HRDs and their networks nationally to determine the most suitable mechanisms, seeking technical support and guidance from the APF and international stakeholders where required. The development of guidance on HRD early warning systems will feature in the APF’s regional capacity development on HRDs as described in Regional Action 7.

CASE STUDY

National Human Rights Commission of India – HRDs Focal Point



The National Human Rights Commission of India (**NHRC**) has set up a focal point on human rights defenders as a support mechanism for the HRD community in India. The focal point is comprised of a team of dedicated staff primarily tasked with responding to incidents reported by HRDs. The focal point has a dedicated contact phone number, fax and email address and is available on a 24-hour basis to register incidents and address them on a priority basis, separately from the NHRC's more routine complaints-handling work. The HRDs focal point also conducts training and sensitisation among other NHRC staff to raise awareness of the rights of HRDs and ensure that cases relating to HRDs are directed to the focal point for handling.

Having a dedicated HRD focal point has resulted in complaints from HRDs being addressed expeditiously, often in a matter of hours, depending on the nature of the complaint and the required response. The NHRC uses statistics of complaints processed by the HRD focal point to generate reports on the number of violations committed against HRDs, which it includes in a chapter on HRDs in its annual report.

NATIONAL ACTION 5: Monitor violations against Human Rights Defenders

- Identify HRDs in complaints-handling systems
- Monitor government implementation of the 1998 HRDs Declaration
- Collect disaggregated data on violations from HRDs networks and other community sources

APF members will conduct monitoring of violations against HRDs in their national jurisdictions. NHRIs perform a unique protection function for HRDs and their networks. Through this function and their regular contact with HRDs, NHRIs are well placed to document violations that HRDs experience, which include killings, enforced disappearances, detention, threats of violence, restrictions on funding, limits on freedom of association with colleagues, and other acts of hostility. Many NHRIs already collect data on violations against HRDs in their complaints-handling systems, by identifying whether a complainant identifies as an HRD. Some NHRIs may also monitor violations against HRDs through their relationships with defender networks and other civil society partners, where they have the capability to do so.

Monitoring violations according to an established framework will enable the creation of national statistics on violations against HRDs, which will be essential for the development of a data set at the regional level. National monitoring and data will be an essential foundation for other core national activities contemplated by this Action Plan, including advocacy and reporting. Monitoring will also trigger investigations and broader inquiries by NHRIs where patterns of violations are identified, with a view to reporting violations publicly.

The APF will support its members with the technical assistance required to establish effective data collection and analysis, which will also include monitoring of the implementation by government of the HRDs Declaration. Protocols will be established to ensure the identities of defenders and their families are protected during the collection and storage of data. Reported data will not include personal information of victims or their families.

NATIONAL ACTION 6: Report on violations against Human Rights Defenders

- Conduct context-specific or national inquiries on violations against HRDs
- Prepare special reports on the situation of violations against defenders
- Include HRDs chapter in NHRI annual reports

APF members commit to developing national reporting on violations against HRDs. 'Reporting' in the context of the Regional Action plan is understood broadly to encompass public reports of specific incidents and violations committed on a larger scale. Reports of NHRIs will be informed by evidence and other information collected during monitoring of violations and will contain analysis of data assessed against regional benchmarks.

Reporting by APF members will continue to be responsive to violations where and when they happen. These reports will be standalone initiatives and also form part of the NHRIs' core reporting mandate, featuring violations against HRDs in annual and other mandate reports published by the NHRI. Some APF members have reported on patterns of violations against HRDs using their investigation or inquiry mandate, as explained in the case study below.

CASE STUDY

Commission on Human Rights of the Philippines – National Inquiry

The Commission on Human Rights of the Philippines (**CHR**) received an increasing number of complaints concerning killings, disappearances, threats and other forms of harassment from human rights campaigners throughout the country. On the basis of the increasing volume of these complaints and indication of the systemic nature of the violations, the CHR decided in September 2019 to conduct a National Inquiry into the situation of HRDs. The Inquiry proceedings were conducted between 9 and 12 September 2019, establishing a public dialogue between HRD victims and the NHRI. These proceedings were open to the public and live streamed on the Commission's YouTube channel. Government officials, members of the international community and other stakeholder groups were also invited to participate in the Inquiry proceedings.

After the conclusion of proceedings, the CHR considered submissions made to the Inquiry and prepared a Report on the Situation of Human Rights Defenders in the Philippines, which was released in July 2020. The Report outlined the key concerns raised by HRDs during the Inquiry proceedings and made a number of recommendations to the Executive, Legislature and Judiciary, as well as to civil society, to respond to the violations and enforce the rights of HRDs. The Report will feature prominently in the CHR's domestic advocacy for law and policy reform, as well as its reporting to the international human rights system on the rights of HRDs.



NATIONAL ACTION 7: Engage with the international human rights system

- Report on violations against HRDs to international human rights machinery
- Monitor implementation of recommendations of international bodies
- Engage innovatively with UN Human Rights Council Special Procedures mandate holders, especially the UN Special Rapporteur on Human Rights Defenders

The international human rights system – notably the UN Human Rights Council, including its special procedures and Universal Periodic Review, and treaty-monitoring bodies – plays a crucial role in protecting and promoting the rights of HRDs. APF members will ensure they report to all relevant mechanisms on violations against HRDs. Ideally, NHRIs will include a separate section on violations against HRDs in all international reports, which will support the mainstreaming of the HRD narrative in the work of the international human rights machinery. Reporting will include following up on recommendations of international bodies, to ensure any concerns relating to the protection of defenders have been addressed satisfactorily by government. NHRIs play a crucial role in supporting dialogue with government and civil society on the implementation of recommendations, which must feature in reporting to the international human rights system.

The United Nations Special Rapporteur on HRDs is also an important ally of NHRIs in their support for defenders. APF members will engage directly with the Special Rapporteur in cases where the national situation warrants. This may be in cases of violations against individual defenders, where the Special Rapporteur may be engaged in an advocacy role, for example in lobbying for the release of an arbitrarily detained defender. Additionally, the Special Rapporteur may also be engaged by APF members in support of other national programs on the rights of defenders generally. For instance, in the context of advocacy for national HRD protection legislation. The APF will support this national action through strengthening member capacity in engagement with the international human rights system, with a specific focus on special procedures of the HRC.



NATIONAL ACTION 8: Strengthen national networks of Human Rights Defenders

- Establish, host and resource HRD networks
- Develop outreach programs with existing networks, where they exist
- Support joint programs and partnerships with HRD networks
- Build linkages between HRD networks and other stakeholders

As the interface between civil society, government, and the international community, NHRIs are uniquely placed to build and strengthen networks of HRDs and support their agency among political actors. Many defenders may not consider themselves as HRDs or part of the human rights movement. In some contexts, HRDs working in remote locations or through clandestine associations may not have access to the protection enjoyed under more cohesive defender networks.

Complementing awareness-raising of rights among HRDs, APF members commit to strengthening national HRDs networks. Depending on the circumstances and security environment, NHRIs may host networks of HRDs themselves or support national HRD peak bodies to conduct essential outreach to develop networks and expand membership. Where robust networks already exist, APF members will work in partnership with those networks to enable them to strengthen the protection and other activities they deliver to HRDs. NHRI facilitated networks may also include other stakeholders to participate in activities, including international agencies, the private sector, security institutions and other CSOs.

CASE STUDY

Afghanistan Independent Human Rights Commission – HRD Network Outreach

In 2016, the Afghanistan Independent Human Rights Commission (**AIHRC**) established a National Action Plan for the Protection of HRDs. Under the framework of the National Action Plan, the AIHRC developed an outreach initiative to build a network of HRDs across the country. In 2017 and 2018, the AIHRC identified 546 defenders (195 women and 351 men) for protection support, who were subsequently targeted with a series of 3-day regional workshops, where AIHRC conducted essential training on self-protection and raised awareness of the support available from the AIHRC. Through this network development, the AIHRC has built a database of HRDs around the country, which has allowed the commission to track violations against defenders and maintain robust communication channels with individual defenders at risk, enabling AIHRC field staff to respond quickly to violations against HRDs when and where they arise.





Part 4:
**Framework for
Implementation**

METHODOLOGY

The Regional Action Plan establishes a framework of performance indicators to measure the implementation of each national and regional action. It sets ambitious but achievable targets and will rely on reporting from its members as a single data source to monitor progress, keeping monitoring and evaluation contained and efficient.

The Action Plan will not measure the performance of States in implementing the HRDs Declaration or other international standards relevant to HRDs. While States have a fundamental role in the protection and promotion of HRDs, their performance is beyond the direct control of NHRIs. Measuring State performance would also require more complex and onerous data collection, placing a considerable burden on NHRIs, when similar data is already being collected and analysed elsewhere, including within the framework of SDG indicator 16.10.1.

A baseline assessment will be conducted by the APF at the commencement of the Action Plan, which will assist in the establishment of suitable targets for each indicator. Some of this data can be sourced from the recent global NHRI survey already conducted by the Danish Institute for Human Rights (DIHR), as well as the APF's member survey conducted after the Marrakesh Declaration. APF will monitor the Action Plan using an annual survey of members and conduct an end-line evaluation to determine whether the targets have been met. This data will provide the foundation for a final evaluation report, assessing the state of protection and promotion of HRDs by NHRIs in the Asia Pacific in 2025.

PERFORMANCE INDICATOR FRAMEWORK

The performance indicator framework will enable the APF to track the implementation of the Regional Action Plan. Indicators are based on regional and national actions that the APF and its members have committed to implement over the course of the next five years. Baselines and targets are not yet defined and will be subject to the initial baseline survey to be conducted by the APF in 2021. Follow up online surveys with APF members will be conducted each year to track progress against the targets set by the Action Plan.

The APF will establish a Human Rights Defenders Working Group of APF member representatives that will meet annually to review progress against each indicator and make recommendations to the APF Forum Council and General Assembly that may be necessary to strengthen the implementation of the Action Plan.

Regional Actions	
Action	Indicators
Regional policy making on HRDs	# of APF NHRIs that engage with regional intergovernmental mechanisms on HRDs
Engage with regional civil society	# of partnerships between APF and regional CSOs that include HRDs program
Collaborate between NHRIs	# of communities of practice on HRDs operational
	# of peer-to-peer networks operational
Facilitate relocation and respite for HRDs	# of HRD relocations / respite supported
Support the establishment of new NHRIs	# of NHRIs in the Asia Pacific with GANHRI accreditation
Develop regional data set on violations against HRDs	# of regional data sets
	# of NHRIs in contributing to regional data set

National Actions	
Action	Indicators
Advocate for national legal protections	# of APF NHRIs with advocacy programs on HRDs protection legislation
	# of APF NHRIs providing advice to government to support the implementation of the 1998 HRDs Declaration
Promote gender equality and mainstream the recognition of women	% of national HRDs programs by APF member NHRIs that include a gender component
Raise awareness of the rights of HRDs	# of APF member NHRIs with public information campaigns on the rights of HRDs
	# of APF member countries with Declaration on HRDs available in local language
Develop early warning systems	# of APF NHRIs with established HRD early warning systems
Monitor violations against HRDs	# of APF NHRIs with data sets on violations against HRDs
	# of APF NHRI data sets with gender disaggregated data on violations against women HRDs
	# of APF NHRIs with active monitoring of 1998 HRDs Declaration
Report on violations against HRDs	# of APF NHRIs that include section on HRDs and violations suffered in their annual report
	# of APF NHRIs with special reports / publications on violations against HRDs
Engage with international human rights system	# of APF NHRIs reporting to Human Rights Council and treaty bodies on HRDs
	# of APF NHRIs with HRD sections in reports to international mechanisms
Strengthen national networks of HRDs	# of APF NHRIs with programs to support national HRDs networks

Note

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the APF concerning the legal status of any country, territory, city or area, or of its authorities, or concerning the delimitation of its frontiers or boundaries.

Regional Action Plan on Human Rights Defenders

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