

Latin American Consultation on Human Rights Defenders (Mexico City, 13 to 15 June 2001)

Final Declaration

We, over forty human rights defenders from 18 countries of the Americas, representing hundreds of human rights non-governmental organizations, have met in Mexico City for a Latin American Consultation on Human Rights Defenders to identify and analyse the problems and hazards faced by human rights defenders in the hemisphere and develop a joint agenda with the Special Representative of the Secretary-General of the United Nations on Human Rights Defenders, Ms Hina Jilani, so as to provide a better response to the urgent challenge of protecting and promoting the work of the human rights movement in the region.

Human rights defenders are men and women who act on their own or collectively to contribute to the effective elimination of all violations to the fundamental rights of peoples and individuals. This includes the search for truth and justice in the case of human rights violations, the struggle for gender and racial equality, the protection of economic, social and cultural rights and the rights of indigenous peoples, and the struggle against hunger, poverty, and discrimination, among others. Defenders work in various spheres of society and their work is inspired and guided by human rights standards. This is defined by the very Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

According to the Secretary-General of the United Nations, “Human rights defenders are at the core of the human rights movement the world over... They form the base that regional and international human rights organizations and mechanisms, including those within the United Nations, build upon in the promotion and protection of human rights.” Moreover, the Assistant Secretary General of the Organization of American States (OAS) defined them as “essential actors of our time”. Defenders are the voice of the voiceless, crucial instruments for safeguarding the rights of victims.

However, as also noted by the Secretary-General of the United Nations, “For their involvement in the struggle for human rights, the defenders are often the first victims of human rights violations perpetrated by State officials or non-State entities.”

We, the participants in this Consultation, note with utmost concern the veracity of these words on our American continent, where the safety of defenders and their work continues to face severe risks, which have increased dramatically in several countries in the region. We therefore welcome the decision by the Special Representative on Human Rights Defenders to accept the invitation to participate in this regional consultation.

I. Situation of human rights defenders in the region

While we recognize that in a large number of countries in the region defenders can still carry out their important tasks, this entails increasing difficulties, including legal and practical obstacles, that in some countries can now be characterised as an emergency, since the very lives of human rights activists are at risk. For instance, in Colombia and Guatemala the situation has deteriorated seriously in the past year, and in Brazil as well as Cuba serious problems persist for defenders.

We note with grave concern that in many parts of the region there is a marked tendency towards militarisation as a response to social and political crises. In particular, we are concerned over the regional impact of the aggravation of the Colombian armed conflict within the framework of the implementation of “Plan Colombia”, promoted by the government of that country and approved by the U.S. Congress, which entails massive internal displacement of people and the outflow of refugees, and severe degradation of the security of human rights defenders and their work in Colombia.

We likewise note in much of the region a weakening of the rule of law that gives rise to growing and alarming levels of corruption, erosion of institutions, and criminal practices, including assaults against defenders.

In the field of the administration of justice, there prevails in the region the most complete and dire impunity for human rights violations, and an increase has taken place in the use by States of the institutions in charge of the administration of justice to thwart the work of defenders by means of electronic espionage and telephone surveillance on one hand, and the prosecution of activists on the other.

II. Plan of Action

We, the participants in the consultation, have identified a series of challenges for key stakeholders concerning the protection of the work of human rights defenders in the region. We are certain that carrying out the following actions will contribute to protecting, guaranteeing and promoting in an effective way the indispensable work of defenders throughout the continent.

A. The Special Representative on Human Rights Defenders

Given the severity of the situation faced by human rights defenders in the region, we call on the Special Representative of the Secretary-General of the United Nations on Human Rights Defenders, Ms Hina Jilani, to:

Institutionalise a process of periodic consultations with organized civil society in the region;

Guarantee the continuity of cooperation and coordination efforts with the human rights movement;

Strengthen the mechanism for urgent actions and communications so as to provide effective protection to defenders;

Produce a special report on the impact of impunity and another on the impact, on the work of defenders, of current restrictions to freedom of association;

Strengthen the effectiveness of her work through coordination with regional and international organs including the Inter-American Commission on Human Rights, the International Labour Organization and the various United Nations mechanisms for the promotion and defence of human rights.

B. The governments of the region

Considering the severe shortcomings in the protection of human rights defenders by States, and the responsibility of governments to protect the rights of defenders, we call on them to:

Acknowledge the legitimacy and value of the work of human rights defenders;

Apply effectively the Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Defenders), adopted by the General Assembly of the United Nations on 9 December 1998;

Support the mandate of the Special Representative on Defenders and cooperate diligently with her, implementing her recommendations and inviting her to carry out in-loco visits;

Facilitate the communication between the Special Representative on Defenders with State organs responsible for human rights protection and the administration of justice;

Strengthen the Inter-American human rights protection system and the universal human rights protection system by timely payment of dues, the granting of greater resources, and compliance with the resolutions of their organs.

C. The Inter-American Human Rights Protection System

Bearing in mind the fundamental role of the Inter-American human rights protection system for the protection and promotion of defenders and their work, we call on it to:

Appoint a Rapporteur on Human Rights Defenders and produce a thematic report on the hemispheric situation of human rights defenders by the Inter-American Commission on Human Rights (IACHR);

Strengthen the mechanism for urgent actions and precautionary and provisional measures, in particular by means of timely follow-up in close coordination with the victims and defenders;

Coordinate and work jointly with other local, regional and international agencies for the protection of human rights defenders, particularly with the Special Representative on Defenders.

D. The Human Rights Movement

In view of the key role of the human rights movement for the advancement of democracy, the full rule of law, and the prevalence of human rights in the region, and deeply concerned about the worsening of the human rights situation in various countries, particularly concerning the attacks against human rights defenders reported in the continent, we call on organized civil society to:

Step up the work in the indispensable task of defending the victims of human rights violations and increase the use of the protection mechanisms offered by domestic laws and the utilization of the protection mechanisms provided by international law;

Continue to prioritize the detailed gathering of verifiable information of cases, situations and patterns of violation of human rights, for ensuring the best impact on States and local and international agencies entrusted with their protection;

Disseminate as widely as possible the mandate of the Special Representative on Defenders and the resolutions and recommendations of the Inter-American system and other international organs concerning defenders.

Organising Committee of the Latin American Consultation on Human Rights Defenders: Comité de Defensa de Defensores, Red Nacional de Organismos Civiles de Derechos Humanos “Todos los Derechos para Todos”, Mexico; Comité Ad-Hoc para Defensores, Colombia; Amnesty International; and Human Rights Defenders Office, International Service for Human Rights, Switzerland.

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Front-Line: The International Foundation for the Protection of Human Rights Defenders and the Foreign and Commonwealth Office of the British Government, through the Human Rights Defenders Office of the International Service for Human Rights; *The Ford Foundation*, through the Comité Ad-Hoc para Defensores, Colombia; *Amnesty International*; *Rights and Democracy*, Canada.

Mexico City, 15 June 2001