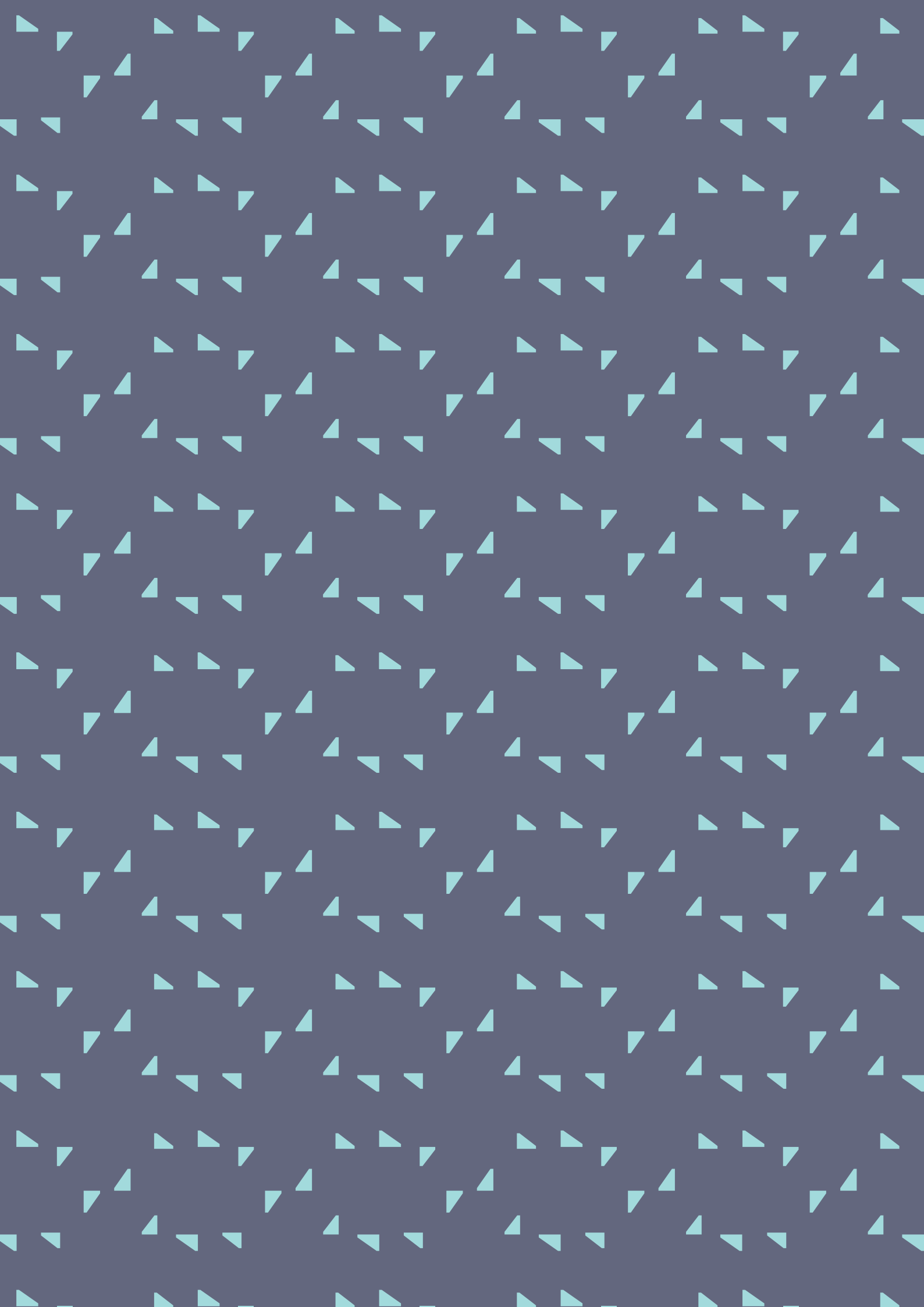




Perspectives on the Shrinking Space for Civil Society and Human Rights Defenders



KIOS Foundation was founded in 1998 to fund projects that promote human rights and development of democracy in developing countries. The foundation is an independent, non-political, non-religious and non-governmental foundation.

KIOS is a consortium of eleven Finnish organizations working for human rights and development issues: the Amnesty International's Finnish Section, Committee of 100 in Finland, Finn Church Aid, Disability Partnership Finland, Finnish League for Human Rights, Finnish Peace Committee, Finnish Refugee Council, UN Association of Finland, KEPA, Finnish National Committee for UNICEF and Finland National Committee for UN Women.

The mission of KIOS is to channel development cooperation funds of the Ministry for Foreign Affairs of Finland effectively and with good quality to human rights projects in developing countries. The KIOS office is located in Helsinki, Finland.

www.kios.fi

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Global Sustainable Development Requires Commitment to Human Rights

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Introducing Challenges — Insecurity and Closing Space for Human Rights Defenders

KIOS Autumn Seminar 2015 was arranged at the time of a refugee crisis in Europe. Thousands of people were fleeing from Syria and other conflict areas to seek a safe place to live in. During the four years of the armed conflict, more than 200,000 people have lost their lives in Syria¹. Europe truly awakened to the conflict as the refugee crisis intensified at the Mediterranean Sea.

During the same years, the space for human rights defenders (HRDs) and civil societies in general has been shrinking in various parts of the world. Human rights defenders face new kinds of risks due to more sophisticated methods that are used in order to control them. Over the past three years, more than 60 countries have passed or drafted laws to curtail the activity of non-governmental and civil society organizations². Ninety-six countries have taken steps to inhibit NGOs from operating at full capacity.

Furthermore, in numerous countries, including Bangladesh and Burundi, the human rights situation has been deteriorating. In Bangladesh, KIOS' partner organization Odhikar and many other NGOs cannot work freely, face severe restrictions to their activities and are under constant threat. In Burundi, the situation has

been alarming and close to be called as an armed conflict since May 2015.

Looking at Syria, Burundi and Bangladesh, we believe that the shrinking space for human rights defenders, worsened conflicts and the refugee crisis are all part of the same wider phenomenon.

This year's KIOS Seminar on the security and cooperation of human rights defenders was a continuation for the seminar KIOS organized in 2013. Back then, Hina Jilani, the former UN Special Rapporteur on the situation of human rights defenders, emphasized that human rights defenders cannot fulfil their responsibility to promote human rights, if they do not have a secure and enabling working environment.

Indeed, for KIOS, it has been important that its partners who work in the global South could understand the potential threats against them. Reasonable risk analyses can facilitate more strategic work for human rights.

Often human rights defenders are individuals, who, despite grave difficulties, want to stay in their countries, and work for the future of their societies. KIOS intends to work to strengthen their capacity to work in even more

challenging environments. However, it must be admitted that even the task of KIOS to fund and support its partners has become more difficult than previously.

“Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.”

— UN Declaration on Human Rights Defenders

The General Assembly of the UN adopted the Human Rights Defenders Declaration in 1998, after long negotiations. The unanimity of the General Assembly underlined the significance of the declaration. However, since the adoption of this text, the situation of human rights defenders has been deteriorating in many parts of the world.

Michel Forst, the UN Special Rapporteur on the situation of human rights defenders, has highlighted the risks of HRDs. In his report in December 2014, he underlines that the most exposed groups of HRDs are: “those working on economic, social and cultural rights and minority rights; environmental defenders; defenders of LGBTI rights; women defenders and those who work for wom-

en’s rights; defenders who work in the area of business and human rights; those who work in an area exposed to internal conflict or a national disaster; defenders living in isolated regions; and those working on past abuses, such as the families of victims of enforced disappearances”.

He also gives credit to human rights defenders for being active in ensuring that the protection promised by the Universal Declaration of Human Rights is extended to new kinds of threats to human dignity – for instance demanding that multinational corporations should be held both morally and legally liable for their actions.

This report aims to describe the speeches, discussions and the outcome of the KIOS Autumn Seminar, titled “Strengthening the Cooperation and Security of Human Rights Defenders” organized in Helsinki on September 29th, 2015. It introduces the work of a few KIOS’ partners from East Africa and South Asia, and offers insight on the recent developments affecting those who stand up to defend human rights. The report also gives background information for the analysis of processes related to the shrinking space for civil society in numerous countries. ■

1 Amnesty International Report 2014/15.
The State of the World’s Human Rights.

2 See Guardian: <http://www.theguardian.com/law/2015/aug/26/ngos-face-restrictions-laws-human-rights-generation>

The Shrinking Space for Human Rights Defenders



GERALD STABEROCK
SECRETARY GENERAL
WORLD ORGANIZATION AGAINST
TORTURE (OMCT)

Gerald Staberock, Secretary General at the World Organization against Torture (OMCT), in his keynote speech reminded the audience why we need human rights defenders: “If it was not for local organizations that document and report on the effects on the ground, we would not know what is happening”.

When talking about the shrinking space for HRDs, Mr. Staberock stated that sometimes he is challenged, because in some respect human rights work is a success story. Nonetheless, Mr. Staberock continued: “We see, I think, a counter reaction in parts to the successes of the globalized human rights community. Because HRDs are actors of change, states are nervous about it and they react”. He emphasized that these counter reactions are part of a global climate change which “now translates into various laws and practices that are adopted to shrink the space for HRDs and civil society”. The climate is changing not only in Asia and Africa, but also in countries considered democratic in Latin America and Europe.

States’ Measures to Restrict the Space for HRDs

In his speech, Mr. Staberock noted that countries are increasingly adopting models of laws that restrict the space for NGOs to operate. He regretted: “For me as a lawyer, something that I always find very depressing is that we think in the West of the law and the courts as the protectors of rights. What we see in reality, when it comes to HRDs and HRDs’ organizations in many parts

of the world is that the law is the weapon rather than the protector and the judges are part of the machinery that represses the HRDs”.

Mr. Staberock also talked about the negative effects of the international paradigm of counter terrorism on HRDs. Mr. Staberock pointed out that the laws adopted to fight against violent extremists are also used to restrict the work of HRDs and that with this regard, the West has also a responsibility to play: “What always strikes me, is that this is an international agenda, we are supporting states to set up these types of laws, but when they are abused, there is pretty much silence, and I think that too is something we have to address.”

Another alarming development Mr. Staberock addressed in his speech was funding restrictions. He explained how states are increasingly using foreign funding restrictions to contain the space for HRDs, despite the UN Declaration on HRDs and the Human Rights Council’s resolution, which both specifically endorse the right to seek funding. Mr. Staberock found this to be particularly dangerous: “It is also not only destroying the life line of the organization, [...] it is destroying the solidarity and the international protection of organizations.” In addition to funding restrictions, states are blacklisting undesirable organizations, including international ones, with the consequence that cooperation with them becomes criminal. Organizations and HRDs are also facing reprisals by the states after engaging with the UN treaty system, EU or Human Rights Council.

Fading International Commitment to Human Rights

Mr. Staberock argued that the above mentioned negative trends are possible, because there is a fading international commitment to human rights. The fading commitment plays out not only in political terms, by cracks in the human rights movement and the lowering



We see, I think, a counter reaction in parts to the successes of the globalized human rights community. Because HRDs are actors of change, states are nervous about it and they react.

commitment to human rights by governments across the world since the 9/11, but also in financial terms. “Many countries in Europe are reducing their support in civil society and this reduction of support comes right in the moment when probably civil society needs that support the most.” He reminded: “In that context, it is also about our commitment in European countries to human rights and HRDs’ protection,” and added: “So I think we too have a responsibility to play when it comes to this shrinking space. We too can do much more to protect that space”.

Threats from Non-state Actors

Mr. Staberock also highlighted that HRDs are not only facing threats from states, but increasingly also from non-state actors, business, private security operators and others. He noted with regard to business sector that in many parts of the world the companies come from countries like China and Russia, and added: “This provides a real challenge. How do we bring those kinds of actors into a broader human rights dialogue and protection dialogue?”

“We should stand side by side as actors of change with the defenders we work with”

Finally, Mr. Staberock proposed a list of remedies for the situation. He suggested that we should build more effective counter strategies within the NGO community, do more coalition work and ensure that HRDs are not seen at the corners and margins of their societies, but as forceful actors and part of the public debate on human rights. He also suggested that we should have a recommitment by the states to human rights politically, financially and in all senses, and to commit to the support structure that defenders need. In addition, Mr. Staberock reminded that in the divisive world, any double standard would be exploited, so “we have to do better at home”.

Mr. Staberock concluded his speech with a reminder that expresses the fundamental role that HRDs play: “HRDs are inherently working for their countries. They care about their countries maybe more than anybody else”. ■

World Organization against Torture (OMCT) was created in 1985 and is today the main coalition of international non-governmental organisations (NGOs) fighting against torture, summary executions, enforced disappearances and all other cruel, inhuman or degrading treatment.

www.omct.org

East and Horn of Africa Human Rights Defenders Project (EHAHRDP)

East and Horn of Africa Human Rights Defenders Project (EHAHRDP) was established in 2005 to protect and defend HRDs in the East and Horn of Africa region, to build their capacity, and to advocate and raise public awareness and profiles of HRDs in the region. EHAHRDP serves as the Secretariat for the regional network of over 75 HRDs and their organizations. Currently the network works in 11 countries: in Burundi, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Somalia (together with Somaliland), South Sudan, Sudan, Tanzania and Uganda.

“ The legal environment, where we are working in now is very restrictive and specific legislation is being used against specific HRDs, not as a blanket rule, but to target specific organisations or individuals to send a specific message to civil society as a whole.

MEMORY BANDERA, EHAHRDP

EHAHRDP focuses on HRDs who due to their work are at particularly risky situation. These include women defenders, HRDs working in elections, extractive industries, and in conflict areas, as well as defenders working on issues regarding minorities, especially sexual minority groups, and impunity and corruption.

At the national level, EHAHRDP operates through the countries' national coalitions of HRDs in protection and advocacy. At the regional and international level, EHAHRDP works as a member at the Pan African HRDs Network and through it, cooperates with five other sub-regional defenders' networks in advocacy, especially at the African Union and the United Nations level, and in information sharing and strengthening cooperation between HRDs. Additionally, EHAHRDP has developed strategic relationships with diplomatic missions, regional and international NGOs as well as with national human rights institutions.

KIOS has supported EHAHRDP since 2006. KIOS first provided support to organize a regional conference on human rights work and human rights defenders' protection aimed at HRDs and journalists. Since then, KIOS has continued to support the work of EHAHRDP by providing assistance to extend the network and to strengthen the organisation's capacity in protection, advocacy and training. ■

www.defenddefenders.org

Human Rights Law Network (HRLN), India

Human Rights Law Network (HRLN) is a collective of lawyers and social activists dedicated to the use of the legal system to advance human rights in India and the sub-continent. Since the establishment of HRLN in 1989, its work has evolved into a nationwide network of lawyers, paralegals and social activists working for advancing human rights, struggling against violations and ensuring access to justice for all. The organisation's main activities are pro bono legal aid, Public Interest Litigations, advocacy, awareness raising on human rights, investigation and research of human rights violations as well as producing "know your rights" -publications and campaigning. The organisation's work is particularly focused on the following communities; women, children, persons with disabilities, senior citizens, sexual minorities, religious minorities, indigenous, labour, refugees and Dalits.

KIOS has supported Human Rights Law Network's (HRLN) free legal aid services as well as training and campaigning activities aiming to improve access to justice for the poor and most marginalised in India since 2007.

The project KIOS is currently funding has an even wider coverage. It is about sharing the organization's knowledge and expertise by training judges, lawyers, paralegals and social activists in Pakistan, Bangladesh, Nepal, Sri Lanka, Afghanistan as well as the Tibetans in India

▼ In India, the government has made it very difficult for both NGOs and funding agencies to exist.

KRANTI L.C., HRLN

in human rights and constitutional law. The project has a specific emphasis on access to justice for the poor through the use of Public Interest Litigations. Simultaneously, the project aims to create a support network of human rights defenders in South Asia and to strengthen the use of the legal systems to defend their rights. ■

www.hrln.org

Strengthening the Cooperation of Human Rights Defenders



**MEMORY
BANDERA**
EHAHRDP



**GERALD
STABEROCK**
OMCT



KRANTI L.C.
HRLN

What are the challenges and difficulties that you face in your work?

MEMORY BANDERA — Firstly, the legal environment where we are working is very restrictive and specific legislation is being used against specific HRDs, not as a blanket rule, but to target specific organizations or individuals to send a specific message to civil society as a whole. We have Ethiopia which came up with drastic laws in 2009 and we have seen a trend across the

region of other countries, neighbouring countries, adopting some of the clauses that were used by Ethiopia to restrict civil society organizations. In Uganda as we speak, there are on-going discussions in the parliament on the NGO bill, which of course will change the environment that civil society organizations work in.

Secondly, we work with national coalitions, which are on different levels regarding resources and the access they have to different mechanisms. So working to strengthen the coalitions requires differentiated strategies for each coalition. Finally, we need to constantly re-evaluate the environments where we are working to find out the priorities in specific countries at different times.

KRANTI L. C. — In India, the government has made it very difficult for both NGOs and funding agencies to exist. Another concerning issue is the coming to power of the right wing, referred to as RSS, and their clear message that if need be they will even use brute force to effect their agenda. Additionally, the unfortunate reality is that countries are investing heavily in India and we have a very unhealthy nexus between industry, the state and non-state actors.

Regional cooperation and the work of HRDs have to be seen in this

context. Government, partly because of its alliances with the Western powers, is now anxious to technology that was unheard of before, and civil society will really need to understand that, when it chooses technology. I agree that transparency might be your best protection at times, but we should also understand that the right wing in India today is very boorish.

In your opinion, what are the innovations that would be needed for more effective cooperation?

GERALD STABEROCK — Cooperation is not a goal in itself, it has to be practical in pursuing human rights. Secondly, I think it is important that when we speak about regional cooperation, we speak about cooperation in a much broader sense. We have seen a lot of advances in the national level cooperation in the past few years. At the moment we have also regional networks, which we did not have some years back, and which are a great value. However, we also have the global dimension, and we have to think how we connect globally and this is something that can be very concrete. For example, we [OMCT] worked on two countries last year, where we had workshops that brought HRDs in Libya and in Cambodia together

“ I would say that one element is to see local, national, regional and global, not in isolation of each other, but together.

GERALD STABEROCK, OMCT

with our partner organizations to discuss what we could do better to protect. As a result of these discussions, there is now a HRDs’ network in Libya and a global network community of land right defenders in Cambodia. I would say that one element is to see local, national, regional and global not in isolation of each other, but together.

Which level of cooperation would you prioritize? What are the issues that are important for the national, regional and global cooperation?

KRANTI L. C. — The level of cooperation depends on the issues and players involved. For example, in political issues, you should look at a more global area of engagement. Then again when it comes to, for example, emergency response mech-

anisms, then you are looking at regional cooperation. In India today, the national mechanisms would only kick in when the issues are not so explosive. At the moment, the courts are independent in India and national issues can be dealt with in them, but the Indian government is aiming to end the independence of the courts.

What is the best way for foreign partners to support LGBTI rights in very difficult circumstances?

MEMORY BANDERA — The argument that we have always been putting forward as an organization is that we have different priority areas and one of them is LGBTI. When we provide emergency or any kind of assistance for the HRDs we work with, we are not looking at their background, we are not asking them about their sexuality, or that kind of detailed information. We have been trying to engage governments, especially at the local level, to look at human rights issues as a whole, and not one specific issue and single it out. Quiet diplomacy is the first best step for foreign governments to intervene. I believe financial support to organizations working with sexual minority groups will help them cope with the stigma and difficulties they face as a result of their work.

KRANTI L. C. — In the Indian context, the situation is very peculiar as the Supreme Court has re-criminalized homosexuality, and at the same time, transgender people are provided with affirmative action. In India, transgender is considered as part of the culture, but LGBTI is thought of as something foreign. It is important to ensure that LGBTI organisations get all the help and exposure they need to take their struggle forward. ■

Human Rights Defenders and Finnish Foreign Policy



RAUNO MERISAARI
HUMAN RIGHTS AMBASSADOR
THE MINISTRY FOR FOREIGN
AFFAIRS OF FINLAND

Fundamentals of Finnish Human Rights Policy

Rauno Merisaari, Human Rights Ambassador at the Ministry for Foreign Affairs of Finland, assured that the fundamentals of Finnish human rights policy remain also during the current government's term. The fundamentals consist of the founding principle of the universality of human rights, the cross-cutting objectives of reducing and eliminating discrimination and improving transparency and possibilities for civil participation. "The fundamentals are not only a question of internationally binding commitments, but also elementary parts of Finnish identity and values," he summed.

"Civil society is an engine in human rights protection and promotion"

Ambassador underlined that civil society is a key partner for the Finnish Foreign Ministry in protecting and

promoting human rights, both in Finland and abroad. An active civil society is needed besides the states' commitment to legally binding international human rights law, treaty bodies and intergovernmental dialogue. He accentuated that the role of human rights defenders is growing while the current situation in the world, including economic crisis and regional conflicts, bring challenges to the implementation and monitoring of human rights. "Human rights defenders bring attention to the human rights violations and encourage their authorities to correct matters," he stated but also reminded of the states' primary role: "In the end it is always the states that need to ensure the enjoyment of human rights".

Supporting Women Human Rights Defenders

Ambassador Merisaari emphasized that "women human rights defenders generally face more challenges and obstacles to their work, in particular if they work in patriarchal societies". He regretted that "sometimes human rights violations, like domestic violence against women, are regarded as taboos or private family matters and not as structural societal issues". With this regard, Ambassador Merisaari acknowledged that violence against women is a major challenge also in Finland. He remarked that the Finnish government highlights the significance of women and HRDs who are defending women's rights



Support to women HRDs strengthens
and empowers women to participate in
public life and benefits all.

❖ In the end it is always the states that need to ensure the enjoyment of human rights.

in the human rights policy. “Support to women HRDs strengthens and empowers women to participate in public life and benefits all,” he summed.

Finnish Public Guidelines on Human Rights Defenders

Public Guidelines of the Foreign Ministry of Finland on the implementation of the European Union Guidelines on HRDs were launched in 2014. “[The purpose of Finland’s own Guidelines] was to make even more effective spell out of our commitment to support HRDs. The guidelines present a strong message of encouragement to all our staff members of our Foreign Services to actively engage with human rights actors,” Ambassador Merisaari explained. Since the adoption of the Guidelines, Ambassador Merisaari noted that the Ministry’s and its embassies’ initiatives with regard to HRDs have increased, and that the Ministry has been receiving more information on the protection and support of HRDs as the issue has become an elementary part, for example, in the regional meetings’ agenda between the Ministry and the embassies.

Ambassador Merisaari regretted that the cuts in the Finnish development aid budget will unfortunately also lead to cuts in the government’s financial support to HRDs. However, he emphasized: “the decision is based on financial facts, not on the political reassessment in our human rights policy”.

Ambassador Merisaari praised that the work of HRDs has become more visible globally, but continued by regretting that “at the same time unfortunately also intimidation, harassment and direct violence against HRDs and their work have gained more ground”. With this, Ambassador Merisaari concluded his speech: “You [HRDs] must be protected and your work supported. Our Ministry and the staff of the Foreign Ministry are prepared to cooperate actively with HRDs around the world”. ■

FINNISH HUMAN RIGHTS POLICY — CONCRETE MEASURES TO PROTECT AND SUPPORT HRDS

Political measures

Supporting the effective implementation of the EU Guidelines on HRDs, the UN Declaration on HRDs and the OSCE/ODIHR’s guidelines on HRDs

Promoting the protection of HRDs in the UN and other international organizations

Taking into consideration the situation of HRDs in the Universal Periodic Review process

Strongly supporting the access and interaction of HRDs with international organizations, including the treaty bodies

Supporting the work of the UN Special Rapporteur on the situation of HRDs as well as other UN special procedures

Supporting the activities of the Council of Europe’s Commissioner for Human Rights

Through political and diplomatic dialogue, taking up the situation of HRDs, the space they have to operate in and violations of their rights with relevant authority

Cooperating with the UN and other like-minded communities for enhancing the effectiveness of the work

Financial measures

Supporting local NGOs and HRDs in developing countries through Finnish embassies’ Local Cooperation Funds (LCF)

Funding and cooperating with Finnish and international NGOs for the protection of HRDs



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Liisa Jaakonsaari



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"The human rights defenders put their health, and even their lives at risk.

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*– Heidi Hautala, member of
the European Parliament*



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Odhikar — The Profile of a Persecuted Organization



ADILUR RAHMAN KHAN
SECRETARY
ODHIKAR

The Crackdown of Civil Society in Bangladesh

Adilur Rahman Khan is a rewarded Bangladeshi human rights defender, as well as a founder member and current Secretary of the human rights organization Odhikar. He is also an Advocate of the Supreme Court of Bangladesh and a former Deputy Attorney General.

Mr. Khan explained the extremely difficult situation in Bangladesh for human rights defenders. He referred to the seminar's previous speaker, Ambassador Merisaari, when he explained the Bangladeshi government's view on civil society: "This morning we have heard that civil society is a partner for the government for bringing development in human rights, but in Bangladesh civil society is seen as cancer from the top". Furthermore, Mr. Khan pointed out that the question of shrinking space for HRDs and civil society addressed by Mr. Staberock in his speech is not relevant in Bangladesh, because the situation is even worse: "The question of shrinking space is not there in Bangladesh, in fact, there is no space to shrink".

Mr. Khan accentuated that human rights work has never been easy in Bangladesh. Odhikar has been under pressure from all the regimes. However, the situation deteriorated further after the approval of the 15th Amendment to the Constitution in 2011. The Amendment inter alia removed the possibility to hold elections under the Neutral Caretaker Government, which had been achieved by the people's movement, and which worked

to ensure free and fair elections. After the Amendment, the government became even more repressive. The situation culminated in 2014, when Bangladesh's ruling party Awami League declared to have been elected in the elections, which were boycotted by all the opposition parties, and which led to violence. Consequently, the current government in Bangladesh became elected without any electoral contest.

"Bangladesh is a Dangerous Country for Human Rights Defenders"

Bangladesh is constraining the work of HRDs, for example by restrictive legislation. A draft NGO law, not yet enacted, is already being applied by the government against human rights organizations like Odhikar. The government requires NGOs to apply for permission from the authorities and without the permission NGOs cannot access funds. Since February 2014, Odhikar has not been able to access its funds, which has led to a situation, in which the organization is unable to provide salary to its staff and the continuity of the organization's work is uncertain.

Another piece of legislation, Information and Communication Technology Act, is being used against HRDs, journalists and dissenting voices. The implementation of the Act has resulted in arrests of journalists and closing down of newspapers. Furthermore, "in the name of counter-terrorism, the government is using all its forces. It has a special police to silence dissenting voices," Mr. Khan described. This has translated into hundreds of political detainees.

In this environment, Mr. Khan and his colleagues have been facing tremendous pressure from the regime currently in power. Odhikar publishes a monthly report based on the monitoring of the human rights violations in Bangladesh. This report has become a challenge for the government: "Since the beginning of its publi-



It is a real challenge to defend democracy and human rights for the people of Bangladesh. The question of shrinking space is not there in Bangladesh, in fact, there is no space to shrink.

cation in 2007, the government is trying to stop it, and that's why Odhikar has come under more surveillance, all our activities are monitored, and the funds have also stopped," Mr. Khan explained. Odhikar has also faced reprisals after engaging with the UN Universal Periodic Review process by providing shadow reports. The law enforcement agency has also prevented some of the events organized by Odhikar to take place.

The Lack of International Attention

Mr. Khan underlined the depth of the situation, by emphasizing the invisibility of Bangladesh in the eyes of the international community: "Bangladesh is not referred anywhere, Bangladesh is under the carpet and that's why Bangladesh government can do anything. The international community does not see Bangladesh as a case". Mr. Khan pointed out that Bangladesh was elected for the third time in the UN Human Rights Council and asked the audience with disbelief: "Can you imagine?"

Mr. Khan regretted that due to the restrictive legislation, many donors consider that human rights work cannot be done in Bangladesh. "It is a real challenge to defend democracy and human rights for the people of Bangladesh," he said. Mr. Khan urged donors to understand that in Bangladesh, where there are repressive laws and the government is violating the rights of the people, legal process is not the only way. He also strongly encouraged the HRDs' community to take action: "It is important to be innovative and it is important to bring Bangladesh as a case under the radar of the international community".

Conclusion

At the end of his speech, Mr. Khan noted some of the human rights violations that the Bangladeshi government has been guilty of. He referred to more than 1200 extra-judicial killings and 215 victims of enforced disap-

pearance since 2009. Mr. Khan was arrested in August for publishing a report on extra-judicial executions and is currently on bail. He concluded his speech: "After I get back, please support our struggle, and if I am not there, then support our friends". ■

Odhikar

Odhikar (meaning "rights" in Bangla) was established in 1994 with the goal to uphold the civil and political rights of the people of Bangladesh along with social, economic and cultural rights. The organisation's activities today include documentation and fact-finding on human rights violations, advocating and networking, monitoring elections and regularly reporting on human rights violations, through, for example, media campaigns. Odhikar's office is situated in the capital of Bangladesh, but it works across the nation through the assistance of over 500 human rights defenders, which it has trained.

Odhikar has been a partner organisation of KIOS since 2010. KIOS has supported the organisation's work in the documentation and fact-finding of human rights violations, as well as in advocacy. The KIOS-funded projects have especially focused on the promotion of the rights of women and strengthening the network of human rights defenders.

www.odhikar.org

Democratic Commission for Human Development (DCHD), Pakistan

The Democratic Commission for Human Development (DCHD) is a civil society organization founded in 2003. DCHD strives to create a tolerant, democratic and pluralistic Pakistani society based on human rights principles and ideals. The organization aims for these goals through human rights education and awareness raising, research and documentation, advocacy and campaigning, as well as networking and building alliances.

The organization has conducted a first of its kind baseline survey on the situation of HRDs' organizations in

Pakistan. Through the survey, DCHD was able to collect information on security issues from over 400 human rights organizations across the country. The research gathered important data on the current security threats the organizations are facing, the perpetrators of the threats and the security measures that the organizations have in place. With the help of this data, DCHD is able to assess the risks and capacities of the HRDs' organizations as well as to build their capacities for risk mitigation and to develop their security plans. Ultimately the goal of the research is to develop a local mechanism or national network for HRDs' protection.

■ HRDs are at risk in Pakistan. They face harassment, arbitrary arrest and detention, abduction and kidnapping, surveillance, threats, judicial harassment and killings. Threats exist from multiple quarters, state actors and non-state actors, like religious militant and political groups. State is not capable of protecting its citizens who are defending human rights in Pakistan.

TANVEER JAHAN, DCHD

This year, with KIOS' support, DCHD has launched a similar research project focusing on women human rights defenders and their security. The project includes assessing risks women human rights defenders face and increasing their capacity in coping with security challenges. In addition, the organization is planning on developing a Women Human Rights Defenders Protection Manual for providing practical tools and strategies for addressing security issues.

With KIOS' funding earlier, the organization has published Nawa-e-Insan, which is a bi-monthly magazine focusing on human rights-based independent and critical analysis on the economic, social and political conditions in Pakistan. With the circulation of 8000 people, the publication strives to increase human rights awareness, respect for human rights, democracy and the rule of law, as well as peaceful development and tolerance. ■

www.dchd.org

Defenders Protection Initiative (DPI), Uganda

■ In our engagements with some of our development partners, we demand that all ought to consider support for security planning and management for their respective grantees. This means that development partners should finance security management related costs of all their grantees.

YONA WANJALA, DPI

Defenders Protection Initiative (DPI) was founded in 2012 by several long-term human rights activists and security experts. DPI employs unique and innovative approaches in its contribution to a safer working environment for civil society in Uganda. DPI's working methods include providing capacity building for HRDs in terms of digital and physical security. The organization also conducts policy research and advocacy for strategic engagement with stakeholders purposed at influencing positive change.

In 2014, KIOS supported the organisation for the first time. The KIOS-funded project of DPI comprised of security trainings for human rights defenders. ■

www.defendersprotection.org

Strengthening the Security of Human Rights Defenders



**ADILUR
RAHMAN KHAN**
ODHIKAR

What would you emphasize in talking about support from your own societies and the international support to HRDs and human rights organizations? Which kind of support is most important regarding the security of HRDs?



**TANVEER
JAHAN**
DCHD

ADILUR RAHMAN KHAN — Firstly, the laws that the government has made and enacted are working to destroy initiatives. They are creating an environment, where people's organizations, human rights organizations cannot work. So it is important to become innovative. Secondly, we have some influence at the UN level to make visible the cases which are not yet visible, because HRDs are persecuted, detained and even killed, but their cases are not heard. Unfortunately, the global wind, the trend is more right-wing, because of the so-called counter-terrorism move. In the name of war against terrorism, the governments are in a way at war against the people at the ground level. The remedy lies with the people. The people who are suppressed should find a common strategy, but the strategy is not there yet.

TANVEER JAHAN — Firstly, the whole international human rights law when it comes to enforcement is very weak. We refer a lot to the Declaration on the Protection of HRDs, but

it is still a declaration. We should all advocate at the international level for it to convert into a convention. Secondly, human rights agenda should be put in all bilateral agreements, because economics has its own language. Finally, because of these challenges that we are facing during the past years, all organizations should cooperate at the international level. Civil society should be joining hands together globally for stronger defence mechanisms for HRDs.

YONA WANJALA — My primary emphasis here is that security should be the right and responsibility for all, and that security begins with the HRDs themselves. HRDs ought to understand the context within which they operate in order to take informed decisions in respect to their security. HRDs need to find answers to questions like: What are the threats within their working environment? Who are the forces behind the threats? Why are they being targeted and not others? What are some of the strategies that may be employed by the perpetrators against them? What makes them more susceptible to the attacks?

In our engagements with some of our development partners, we demand that all ought to consider support for security planning and

management for their respective grantees. This means that development partners should finance security management related costs of all their grantees. Finally, there is the issue of double standards of donor communities. Some of the diplomatic missions support us as HRDs, but sometimes they also support our governments to attack us.

How do you consider the role of the EU Guidelines on HRDs and the Finnish National Guidelines on HRDs?

YONA WANJALA — Uganda is one of the few countries, where local implementation strategy for the EU Guidelines on human rights defenders is in place. The EU working group in Uganda offers a platform for HRDs to visit upon invitation and raise their issues and handle their con-

cerns. However, this has challenges too. First of all, only the HRDs that are in the capital have easy access to the EU. This is because they are situated in the capital and thus have access to information and can easily be accessed for the invite. The rest of the HRDs in the country side seldom have their issues catch the attention of the missions due to limited documentation and publicity. I do think there is a need to decentralize some of these EU Guideline approaches, besides just translating them into local languages.

ADILUR RAHMAN KHAN — I think the EU HRDs Guidelines should not be dependent on bilateral agreements. Bilateral agreements should be governed by the EU HRDs Guidelines, but it is not the case now. Bilateral agreements between the EU and Bangladesh are based on the

respect for democracy and human rights, but it is not implemented, it is never discussed. What is the use of EU HRDs Guidelines if they are not applicable outside of Europe, for example in Bangladesh? I think it is important to raise these issues in Europe. The European HRDs should address these issues first, because we need their support. They can act through solidarity acts. We need action simultaneously at our end and at this end.

TANVEER JAHAN — EU and Finnish National Guidelines can play an active role in the protection of human rights defenders. EU guidelines, though not legally binding, are being used for the physical protection of HRDs, for providing enabling environment for HRDs to work, as well as for bringing important human rights agenda in political dialogues, including condemnation of threats and attacks against HRDs, and for providing financial support to HRDs' work. Unfortunately the level of interest of EU Missions in the situation of local HRDs varies from country to country. In some places, HRDs may find that economic relations or other concerns dominate the agendas of the EU and Member State representatives, and that there is little concern for human rights issues, including the situation of local HRDs. ■

▼ We refer a lot to the Declaration on the Protection of HRDs, but it is still a Declaration. We should all advocate at the international level for it to convert to a Convention.

TANVEER JAHAN, DCHD

Working Together to Strengthen the Cooperation of Human Rights Defenders

In connection with the KIOS Seminar Week, a workshop day was organized, aiming at sharing experiences and drafting recommendations on how to advance cooperation and security of human rights defenders.

Two parallel workshops with focuses on South Asia and East Africa were arranged. The Asia-themed workshop focused on women human rights defenders, whereas the Africa-themed workshop on regional mechanisms in human rights work.

Workshop ASIA — Ways Forward to Strengthen the Networks, Regional Cooperation and Security of Women Human Rights Defenders in South Asia

Introduction

Throughout South Asia, the rights of women remain a pressing and cross-cutting human rights issue. At the same time, the work for the promotion and protection of women's human rights is particularly risky. The workshop discussed the experiences of human rights defenders working on women's rights issues, the benefits and challenges of networks and cooperation, and gave insight for organizations funding women human rights defenders.

National Alliance in Nepal (NAWHRD)

The workshop drew from the presentation of Dr. Renu Rajbhandari, the chairperson of Women's Rehabilitation Center Nepal (WOREC). She shared the experiences on the National Alliance for Women Human Rights Defenders Nepal (NAWHRD), in which WOREC has played a central role.

NAWHRD promotes the recognition of women human rights defenders and their rights. It is a collective platform of WHRDs and their associated organizations and movements across Nepal's 75 districts. Its goal is to strengthen the movements, to facilitate for their capacity and knowledge building, and to join them in campaigning and advocacy. The network also documents systematically cases of violence against WHRDs and advocates for their safety.

NAWHRD has been successful in bringing women's rights into the local and national human rights, peace and constitution building, and transitional justice agenda. Reference can be made to the adoption of the Gender Based Violence Act in 2009, establishment of Government-run shelters and crisis centres, as well as to Nepal accepting UPR recommendations to guarantee the security of WHRDs. KIOS has supported the network's activities since 2007.

Workshop participants:

Moderators: KATJA ILPPOLA & KRISTIINA VAINIO, KIOS
DR. RENU RAJBHANDARI, Women's Rehabilitation Center Nepal, Nepal
ADILUR RAHMAN KHAN, Odhikar, Bangladesh
TANVEER JAHAN, Democratic Commission for Human Development, Pakistan

SHASHI ADHIKARY, Legal Aid and Consultancy Center, Nepal
KRANTI L. C., Human Rights Law Network, India
SANDRA PETERSEN, Norwegian Human Rights Fund, Norway

Reflections and recommendations

In patriarchal societies, WHRDs might face challenges also from the mainstream human rights movements, which is important to take into account when building networks and cooperation among human rights defenders.

Acknowledgment of the legitimate rights and specific needs for the protection of WHRDs at the international level has generated increasing donor interest and support.

Competition of human rights organizations on funding tends, however, to curb the enthusiasm to engage in networks and even lead to withdrawals – organizations are tempted to work on separate agendas in isolation with their respective funding partners.

If initiatives of networks of WHRDs are too donor driven, they do not necessarily work. The initiative must be rooted to the grassroots-level and be needs-based in this respect.

Networks are not a goal in themselves – sometimes networks that work together for a particular cause, but collapse after, are also fruitful. Sustaining a network is not always necessary.

Besides UN mechanisms, support and pressure from the representations present in a country is crucial for the realization of WHRDs' rights and their protection in acute risk situations.

Concerning protection of WHRDs and HRDs, funding organizations have to be flexible and able to channel emergency funds also to individuals not only to organizations.

When HRDs are working in very difficult situations, the activity oriented project-funding model can be challenging. Alternative methods, including supporting movements through fellowship- funding should be considered.

Fostering and strengthening informal communication, information sharing and dialogue between HRDs is very much needed for protection and trust building.

Workshop AFRICA — Strengthening Human Rights Work by Regional Cooperation and Utilization of Regional Mechanisms

Introduction

Recent developments, for example in Burundi, have shown the fragility of peace in many African societies. At the same time, there is potential that regional mechanisms could be a useful tool for the realization of human rights in Africa. This workshop discussed how utilizing African Union and other regional mechanisms can amplify the impact of human rights work. Four recommendations were formulated.

The workshop drew from the presentations of Ms. Hala Al-Karib from the Strategic Initiative for Women in the Horn of Africa (SIHA) and Ms. Memory Bandera from the East And Horn of Africa Human Rights Defenders Project (EHAHRDP). SIHA is a regional network of civil society organizations in the Horn of Africa, working towards promoting and protecting the rights of women in the region. EHAHRDP (for longer introduction, see page 8) strengthens the work of human rights defenders by reducing their risk of persecution and by enhancing their capacity to effectively defend human rights.

Workshop participants:

Moderator: EVA-MARITA RINNE-KOISTINEN,

Finn Church Aid, KIOS Board

HALA AL-KARIB, Strategic Initiative for Women

in the Horn of Africa, Sudan/Uganda

MEMORY BANDERA, East And Horn of Africa Human Rights Defenders Project, Uganda

YONA WANJALA, Defenders Protection Initiative, Uganda

YUSSUF BASHIR, Haki na Sheria, Kenya

NTENGA MOSES, Joy for Children, Uganda

Reflections and recommendations

Build civil society's capacity to utilize in-country mechanisms. Regional mechanisms can be a useful tool, but in promoting human rights civil society organizations must first have the capacity to exhaust the mechanisms within their home countries. Strengthening civil societies on a national level must not be forgotten.

Build CSOs capacity to engage with regional mechanisms. Raising awareness about regional mechanisms and building CSOs' capacity to engage with these mechanisms is seen as a vital step and an area of work which needs more resources.

Do an engagement plan for African Union recommendations. After the African Union has given recommendations, the follow-up is often insufficient. CSOs should have a working method of making an engagement plan to follow up on the implementation of the AU recommendations.

The security of HRDs engaging with human rights mechanisms nationally, regionally and internationally must be ensured. Human rights defenders might put themselves in danger when giving input, for instance, for the African Union on human rights issues. This sometimes also hampers human rights defenders of putting on the knowledge they have. Mechanisms where the security of HRDs is ensured are therefore crucial.

Global Sustainable Development Requires Commitment to Human Rights

Global development requires work for human rights. Civil society's achievements in making states accountable, creating alternative ways to strengthen human rights and reporting on them are an essential part of the progress. This work creates dialogues on human rights at local, national and international levels. Such dialogues can prevent armed conflicts. In the same way, the ability to resolve contradictions in a peaceful manner is also needed in societies recovering from armed conflicts. To sum up, the essential role of human rights work must be acknowledged in conflict prevention, peace building and work for global development.

In September 2015 at the UN summit, the state leaders decided on the "Agenda 2030" which will be guiding the promotion of sustainable development from 2015 to 2030 across the world. The Agenda includes 17 Sustainable Development Goals. When putting this agenda into practice, states should take into account how they can support civil society and human rights defenders.

We are facing a time when human rights work is needed to promote the Sustainable Development Goals. These goals cannot be sustainable, if the state leaders do not understand that respect for human rights and civil society is a precondition for development. Many of the UN mechanisms have enabled the contribution of civil society to the UN processes, and it is important that the Sustainable Development Goals also enable the mobilization of human rights actors at local, national and international levels.

In Finland, the Ministry for Foreign Affairs published the national guidelines for the protection and support of human rights defenders in November 2014. These guidelines provide the staff of the Ministry and its diplomatic missions with practical tools for cooperating with human rights defenders and civil society. KIOS and the Finnish section of Amnesty International with others had urged

for these national guidelines earlier, and welcomed the process.

Finland has underlined the role of civil society and human rights defenders for the promotion of human rights in many official statements. In March 2015, the Foreign Affairs Committee of Parliament held important that Finland would actively "support those individuals, who work to promote human rights, even in difficult circumstances at the risk of their own lives". Also the Advisory Board on International Human Rights Affairs, which consists of the representatives of Finnish parliamentary parties and human rights organisations, considered last February that "Finland should support the work of human rights defenders in its foreign policy and through its network of missions abroad more actively than today".

KIOS urges further efforts on behalf of the Ministry for Foreign Affairs of Finland to promote the guidelines on human rights defenders, whether they are the national ones or the EU's. The EU also needs to work in a consistent manner to promote human rights and support civil society throughout its spectrum of policies, a task, which has proven to be challenging when human rights work is considered sensitive. However, human rights need to be supported consistently in practice, not only in principle. Therefore, issues like business and human rights, as well as other politically sensitive issues, need to be discussed in dialogue between the EU or Finland and the countries, where the human rights violations concerned, take place.

KIOS is also worried about the shrinking funding for human rights or civil society. As Gerald Staberock emphasized in his speech, human rights defenders need continuous support. If it is denied, they will face even more challenging obstacles for their work. Unfortunately, it is probable that the budgetary cuts by rich countries such as Finland and Denmark, will at least to some

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→ extent, weaken civil societies of developing countries, as an unintended consequence of these policies.

Due to the budgetary cut, KIOS has been forced to decrease its focus countries from ten to six. During the years 2016–2020 the support will be channelled in East Africa to Kenya, Rwanda and Uganda, and in South Asia to Nepal, Sri Lanka and Tibetan civil society organizations within the refugee community. Support is continued within projects regarded as exceptionally important also in Bangladesh, Burundi, Ethiopia and Pakistan, as much as resources allow. At the moment, KIOS is also mapping alternative possibilities for funding and developing its own fundraising.

In order to raise awareness about human rights and civil society in developing countries, in 2016, KIOS is planning to publish a booklet on human rights defenders aimed at the Finnish audience. In 2017, KIOS is planning to arrange a larger seminar focusing on the topic of business and human rights in Helsinki.

Finally, when comparing the outcome of our seminars in 2013 and this year, it is clear that continuing systematic efforts to support human rights work in civil society is necessary. Even though some of the Millennium Development Goals were achieved, the threats to civil society cause threats to peaceful problem resolving of internal questions within many societies and states. Making connections between these phenomena requires further cooperation between civil society organizations, scholars, politicians and state actors to find solutions that enable higher respect for human rights, peace, and sustainable development. Also the international community should pay more attention to facilitating and strengthening “a secure and enabling environment” for human rights defenders as Hina Jilani has required.

As Gerald Staberock also urged, NGOs need to strengthen their cooperation for tackling the issues

related to the shrinking space. This question requires much more attention. If the civil society is threatened, also democracy is under threat. ■

Further Reading

European Union Guidelines on Human Rights Defenders:
<https://www.consilium.europa.eu/uedocs/cmsUpload/GuidelinesDefenders.pdf>

Protecting and Supporting Human Rights Defenders –
Public Guidelines of the Foreign Ministry of Finland on the implementation of the European Union Guidelines on Human Rights Defenders:
<http://formin.fi/public/default.aspx?contentid=323946&nodeid=49542&contentlan=2&culture=en-US>

OSCE/ODIHR Guidelines on the Protection of Human Rights Defenders: <http://www.osce.org/odihr/119633>

UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedom:
<http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Translation.aspx>

UN Special Rapporteur on the situation of human rights defenders and the materials available on his website:
<http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/SRHRDefendersIndex.aspx>

Carothers, Thomas & Brechemmacher, Saskia (2014): *Closing Space: Democracy and Human Rights Support Under Fire*. Carnegie Endowment for International Peace, Washington.
http://carnegieendowment.org/files/closing_space.pdf



Lahjoita tänään Varmista ihmisoikeustyön jatkuminen

KIOS tekee Suomessa ainutlaatuista työtä tukemalla suoraan kehittyvien maiden järjestöjen ihmisoikeustyötä. Ihmisoikeuspuolustajat tekevät työtä haavoittuvimpien ihmisten oikeuksien puolesta – joskus jopa asettaen itsensä vaaraan.

KIOSin valtionapua ihmisoikeustyölle leikataan 41 % vuonna 2016. Tästä syystä lahjoittajien tuki on erityisen tärkeää, jotta työ voi jatkua.

LUE LISÄÄ: WWW.KIOS.FI

Kansalaisjärjestöjen
ihmisoikeussäätiö