

EU Guidelines on Human Rights Defenders

The European Union guidelines on human rights defenders, adopted in 2004 and revised in 2008, establish a framework and instruments for protecting human rights activists in third countries. During the March I plenary session, Members will debate their implementation, on the basis of an own-initiative assessment report from Parliament's Committee on Foreign Affairs. Later in the session, the Council and Commission are due to make statements on the specific situation of human rights defenders working on women's sexual and reproductive health and rights.

Who are human rights defenders?

The United Nations (UN) [declaration](#) on human rights defenders, adopted in 1998, identifies human rights defenders as individuals or groups who act to promote, protect or strive for the protection and realisation of human rights and fundamental freedoms. It recognises their key role in protecting and promoting human rights at national, regional and international levels, and calls on states to take all necessary measures to ensure their safety and protection. The [UN Special Rapporteur for Human Rights Defenders](#) notes there are certain [minimum standards](#) a person must meet to be considered a defender. More specifically, this includes acting through peaceful means and accepting the universality of human rights as defined in the [Universal Declaration of Human Rights](#). The human rights defended by human rights defenders are very [varied](#), ranging, for example, from freedom of expression, women's rights, LGBTQI+ rights, labour rights and land rights to fighting slavery. Human rights defenders can be engaged in a spectrum of activities, such as collecting and disseminating information on human rights violations, supporting victims and taking action to ensure accountability, supporting better governance or government policy or contributing to the implementation of human rights treaties. Beyond the traditional picture of activists working for human rights non-governmental organisations, human rights defenders also include individuals and organisations who may not even consider their activities as relating to human rights, such as those working on housing and health care for poor and marginalised communities. Moreover, as the UN [highlights](#), the categories of human rights defenders are expanding along with the changing landscape of human rights concerns, to include, for instance indigenous rights defenders, climate activists and environmentalists.

What challenges do they face?

Killings and violence are the ultimate manifestation of the challenges faced by human rights defenders. In 2021, 358 human rights defenders, from 35 different countries, were [killed](#) for their work, of whom more than half (59%) were working on defending land, environmental and indigenous peoples' rights. The UN Special Rapporteur's [annual reports](#) reveal the [extent of the other risks](#) they face – not only in authoritarian states. The most frequent include: arbitrary detention, sometimes for extended periods, torture, false accusations and conviction on criminal charges, defamation, policies and legislation restricting their work on 'security' grounds, restrictions on the freedom of expression, unauthorised searches and attacks on their homes or families. Women human rights defenders face additional [risks](#), such as gender-based violence. Those focusing on [issues of particular concern to women](#), such as sexual and reproductive health and rights may face pressure not only from authorities, but also from their families and local communities. Such women may also feel less able to move to another country in search of protection, owing to their care responsibilities. Human rights defenders from the [LGBTQI+ community](#) and those working on the [rights of refugees, migrants and asylum-seekers](#) are also at particular risk.

Perpetrators of abuses against human rights defenders, whether state or non-state actors, often enjoy [impunity](#). In 2022, only [15 of the 193](#) UN member states (8%) had enacted [national policies](#) for the protection of human rights defenders. Moreover, the environment for human rights defenders has become [yet more hostile](#) since the 2000s. Human rights defenders are affected by the [global backlash against human rights](#) and [shrinking space for civil society](#), including in [Europe](#). The [COVID-19 pandemic](#)



exacerbated existing levels of intimidation and harassment. Use of [digital surveillance tools](#) to target human rights defenders is another growing challenge.

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The [EU Guidelines on Human Rights Defenders](#) are part of the broader panoply of human rights instruments developed in the [context](#) of the Union's common foreign and security policy (CFSP) and Treaty commitments on consolidating and supporting human rights. Adopted by the Council of the EU in 2004, and revised in 2008, they recognise the key role played by human rights defenders, and establish the EU's approach to protecting and supporting human rights defenders in non-EU countries. The guidelines, which are non-binding, set out proactive steps for EU delegations and Member States' consulates and embassies to support human rights defenders, for example, by making contact, sending observers to trials and visiting them in custody. They also call for cases of human rights defenders at risk to be raised during high-level visits or political or human rights dialogues in the countries concerned. They urge the Council Working Party on Human Rights ([COHOM](#)) to recommend possible EU action, and the EU to strengthen and develop regional mechanisms for the protection of human rights defenders. The guidelines are complemented by the [2020-2024 action plan for human rights and democracy](#), setting out specific actions, and [EU financial support](#), including for the EU's [Protect Defenders](#) mechanism.

Role of the European Parliament

As part of its [proactive role](#) in supporting human rights defenders, the European Parliament monitors the implementation of the guidelines by the European Commission and EEAS. In June 2010, it adopted a [resolution](#) on EU policies in favour of human rights defenders, assessing the guidelines.

In August 2022, Parliament's Sub-committee on Human Rights (DROI) requested to undertake an [implementation assessment](#) (IA) of the guidelines, as input for the [own-initiative report](#), now due to be put to the plenary in March. The IA looks at developments since 2010 in the light of [Parliament's recommendations](#) and other expert evaluations, in particular an earlier [2013 study](#) for Parliament on the EU's policy on human rights defenders, a [2017 study](#) on shrinking space for civil society, and a [2022 EPRS briefing](#) on EU support for human rights defenders. The assessment also drew on civil society reports and the results of a survey distributed to the 144 EU delegations/representations around the world. The IA concludes that since the 2008 revision of the guidelines, awareness and appreciation of them has grown, both within the EU institutions and in civil society. However, it calls for changes, such as extending the reach to broader categories of human rights defenders and strengthening the gender perspective, higher institutional capacity in Brussels and in delegations, more political backing and better coordination with other policies and the EU's engagement with individual countries.

On 9 February 2023, Parliament's Committee on Foreign Affairs adopted its [report](#) on the implementation of the guidelines and recommended further assessment and action to strengthen their application. The report calls for the guidelines' alignment with broader policy, including the new [EU global human rights sanctions regime](#). It considers that they should be applied more consistently, address broader categories of defenders and the specific needs of defenders most at risk, including women, through specific guidance and more funding for civil society organisations promoting women's sexual and reproductive rights. Account should be taken of new challenges such as the expansion of digital surveillance and more focus should be put on preventive rather than reactive protection for human rights defenders. The report echoes [calls](#) from civil society for better provision of EU visas to enable human rights defenders to reach shelter. It also calls for more transparency, both to improve access to support for human rights defenders and to enhance Parliament's oversight.

In a resolution in May 2021, Parliament previously [drew attention](#) to the situation of climate and environment human rights defenders, calling on the EU High Representative to step up action to support them and issue an annual report on their protection.

Own-initiative report: ([2021/2204\(INI\)](#)); Committee responsible: AFET; Rapporteur: Hannah Neumann, Germany, Greens/EFA.