



On the front line

Regional Action Network on Human Rights Defenders

Organization of American States resolves to support human rights defenders

The first resolution on human rights defenders, approved by the General Assembly of the Organization of American States (OAS), which met in Guatemala on 7th and 8th June, marks an important advance for the work of human rights defenders in Latin America.

The resolution had been requested by Latin American non-governmental organizations (NGOs) as a crucial step towards promoting the work of activists who aim to turn promises of freedom and justice into reality.

The text of the resolution was presented by the Paraguayan

authorities following pressure applied by Amnesty International groups in that country.

The NGOs had also requested the appointment of a Special Rapporteur for human rights defenders. Although the resolution failed to make any clear statement on the matter, it did leave the door open for the establishment of a Special Rapporteur by reiterating the Inter-American Human Rights Commission's mandate to continue 'promoting and protecting the basic rights of human rights defenders'. The appointment of a Special Rapporteur within the Inter-American Human Rights Commission can be carried out without the ratification of the General Assembly. If it concerns an independent Rapporteur however, the decision requires the express mandate of the General Assembly.

The report highlights the constant harassment still suffered by human rights defenders in many countries. This harassment takes the form of political killings, abductions, arbitrary detentions, torture, threats, unfounded accusations, smear campaigns and other obstacles which impede their work.

During the presentation, which was well covered by the local press and by international press agencies, AI pointed out that more than 25 Colombian human rights defenders have been assassinated since the start of 1997, and that members of human rights and social organizations had also been killed in Brazil and Honduras. AI also affirmed that several Guatemalan human rights defenders, who had talked with AI delegates just a few months earlier, had since suffered attacks. One of them had been assassinated and another had been 'disappeared': an indication of the difficulties still faced by people who are working to defend human rights in Latin America.

After the presentation AI

Report on defenders

Two days before the start of the summit in Guatemala AI presented a report on human rights defenders in Latin America.

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participated, alongside a large group of NGOs from the region, in a forum which ran parallel to the summit. In this forum a statement addressed 'four fundamental issues that constitute a serious common concern on the human rights agenda: the impunity covering human rights violations which makes true democracies an impossibility; the adequate respect and protection of the work of human rights defenders; transparency in the election of the members of the Inter-American Court and Commission of Human Rights as a guarantee of its independence; and the strengthening of the inter-American human rights system through the commitment of member states to relevant international instruments, and through the implementation of decisions taken by the Inter-American Commission.

The Participation of Civil Society

Another of the points addressed by the NGOs during the summit was the participation of civil society in the OAS. The OAS is currently the only international organism in which NGOs do not have consultative status. At least two governments (Canada and the Dominican Republic) supported changes in the OAS in order to facilitate this participation.

Finally, the Permanent Council approved a resolution requesting the establishment of a system for the formal participation of civil society in the OAS before the end of the year.

statement supported by more than 300 non-governmental organizations from Latin America was presented.

The resolution was adopted by the General Assembly, together with a discussion document which lays the ground for the future participation of the NGOs and which constitutes another significant step forward in the promotion and defence of human rights in the region.

Representatives of Latin American NGOs in Guatemala, June 1999, shortly before the General Assembly of the OAS.

NGOs issue statement

"Human rights defenders in the Americas"

Support for the individuals, groups, and organizations of civil society working to promote and protect human rights in the Americas

(Adopted at the first plenary session, held on June 7, 1999, and pending review by the Style Committee)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Inter-American Commission on Human Rights, particularly Chapter VII, "Recommendations to Member States in Areas in which Steps Need to Be Taken towards Full Observance of the Human Rights Set Forth in the American Declaration on the Rights and Duties of Man and the American

Convention on Human Rights"; and (...)

RECOGNIZING the important work of individuals, groups, and organizations of civil society (henceforth "Human Rights Defenders") and their valuable contribution to the promotion, observance, and protection of fundamental rights and liberties and the effective elimination of human rights violations at the national and/or regional levels,

CONCERNED at the situations that have arisen in the Americas that directly or indirectly prevent or hamper the work of Human Rights Defenders at national and/or regional level;

AWARE of the importance of observing the essential purposes and principles established in the Charter

of the Organization of American States and in the American Declaration on the Rights and Duties of Man, as well as the provisions of the American Convention on Human Rights and the other instruments for the promotion and protection of human rights of the inter-American system; and

MINDFUL of the principles established in 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, adopted by the United Nations General Assembly, on December 9, 1998,

RESOLVES:

1. To recognize and support the work carried out by Human Rights Defenders and their

valuable contribution to the promotion, observance, and protection of fundamental rights and freedoms in the Americas.

2. To urge member states to persist in their efforts to provide Human Rights Defenders with the necessary guarantees and facilities to continue freely carrying out their work of promoting and protecting human rights, at the national and/or regional levels, in accordance with internationally recognized principles and agreements.

3. To deplore acts that directly or indirectly prevent or hamper the work of Human Rights Defenders, at the national and/or regional level, and to urge member states to continue taking the necessary steps to guarantee their life, liberty, and integrity.

4. To encourage the Inter-American

Commission on Human Rights to continue promoting and protecting the fundamental rights of Human Rights Defenders.

5. To request the states and the agencies of the inter-American human rights system to intensify their efforts to publicize this resolution, the American Convention on Human Rights, and other inter-American instruments in this field, as well as the United Nations Declaration on the Right and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

6. To instruct the Permanent Council to continue studying, in coordination with the Inter-American Commission on Human Rights, the matter addressed in this

resolution and to report thereon to the General Assembly at its thirtieth regular session.

More protection, less persecution: Human rights defenders in Latin America

Human rights defenders are the men and women committed to realizing the ideals proclaimed in the Universal Declaration of Human Rights, that all people should be free from "fear and want". Wherever there is persecution and oppression, when human rights are denied or human dignity is threatened, when harassed minorities or oppressed peoples are at risk, defenders strive to protect the weak and hold those who abuse their power to account.

From whatever walk of life, human rights defenders in Latin America are united by one thing: their unconditional commitment to protecting and upholding the dignity and rights of their fellow citizens. They are a vital link in the chain of human rights defence at all levels, playing a dynamic role in human rights promotion and the struggle to eliminate violations and social injustice. Crucially, they contribute to strengthening the rule of law and justice in Latin American countries.

In all societies, no matter how democratic they may appear, independent scrutiny by civil society makes an important contribution to ensuring that states protect human rights and conduct their activities within

the parameters of the laws, treaties and contracts agreed upon with that society. Indeed, the best safeguard for the human rights of all individuals is the opening up of the state to reasonable public scrutiny and the encouragement of the community to become involved in these processes.

Defenders constantly remind all states to live up to their promises and their obligations to protect the rights of their citizens. This role continues to be important because the distance between government rhetoric and reality is often enormous.

There exists a long tradition of repression of the brave individuals who defend human rights in Latin America. Despite this, the human rights movement has developed, gaining strength and confidence. But the risks are still high.

Even today, those struggling to improve the dignity and rights of others are often the first to be killed, abducted, tortured, threatened with death, detained and harassed by state agents. In some cases the level of risk is so high that they are forced to leave their community, even their country.

Acts of violence and intimidation against members of human rights organizations are planned, ordered and carried out by members of the security forces, paramilitary groups, "death squads" or armed groups, against those sometimes perceived as

enemies of the state because of their efforts to raise awareness in their own country and abroad of the plight of their fellow citizens. Cases of deliberate and arbitrary killings by armed opposition groups have also been documented.

The report *More protection, less persecution. Human rights defenders in Latin America* (AI index: AMR 01/02/99) published by Amnesty International in June 1999, examines a range of human rights violations faced by human rights defenders in Latin America. It analyses a number of ways in which governments and state agents attempt to silence human rights defenders in order to conceal the truth about human rights violations or protect state agents responsible for such abuses.

The purpose of this report is to provide the reader with a glimpse of the issues concerning human rights defenders. The report concludes with a series of recommendations to Latin American governments regarding the protection of human rights defenders in the region and emphasizing the need to ensure full implementation of the UN Human Rights Defenders Declaration, approved by the General Assembly on 9th December 1998.

Anyone wishing further details or to take action on this issue should consult the full document.

Special Appeals on behalf of human rights defenders in Latin America

The public circular, *Special appeals on behalf of human rights defenders in Latin America* (AI index: AMR 01/03/99), highlights 14 cases of human rights violations committed against the defenders of those rights in the region. In each one are included specific recommended actions. This circular accompanies the report *More protection, less persecution. Human rights defenders in Latin America* (AI index: AMR 01/02/99).

The political will of governments in the region to make the principles of the UN Declaration on Human Rights Defenders and the recent OAS

resolution both real and visible can be measured by the advances made in the cases included in these documents, in the investigations into them as well as in the adequate protection given to human rights defenders.

We would ask you to give the maximum coverage to these cases in your work on behalf of human rights defenders in Latin America.

Mexico

Members of Ciudadanos en Apoyo a los Derechos Humanos, Asociación Civil (CADHAC), Citizens for Human Rights

CADHAC is a small human rights organization, made up mostly by women, and mainly dedicated to

defending the rights of prisoners. Since 1996, it documented and uncovered the appalling confinement conditions at the Centre for Social Re-adaptation, Apodaca – a prison in Monterrey – . In the past its members have been the object of harassment, incidents such as those described above, because of the work they do.

In a recent case, during the last days of February 1999, CADHAC offices were put under constant surveillance: several men, some in the uniform of the *Policía Judicial del Estado* (PJE), State Judicial Police, stayed parked outside the organization's headquarters in two vans and followed its members away from the office on several occasions. Furthermore, threats were left on the

headquarters' answer-machines and at the homes of some of the members, and their fax machines and e-mail systems were allegedly blocked.

For more details and recommended action on either of these cases please consult the document Special appeals on behalf of human

rights defenders in Latin America (AI index: AMR

NOTICE BOARD

Chile: death of Sola Sierra, prominent human rights defender

Sola Sierra, president of the Agrupación de Familiares de Detenidos Desaparecidos (Association of Families of the Detained Disappeared) and tireless defender of human rights in Chile died on 1 of July 1999.

Sola Sierra, president of the Association of Families of the Detained Disappeared in a public meeting in Chile.

01/03/99)

Consuelo Morales, director of CADHAC, a Mexican human rights NGO.

Haiti

Pierre Espérance

National Coalition for

During 25 years of continuous search and clamour for truth and justice for victims of human rights violations perpetrated by the military government, Sola Sierra never once gave up nor turned away from her admirable work which led her to represent at an international level the well-justified demands of the families of the 'disappeared' in Chile.

Haitian Rights

Haitian human rights defender Pierre Espérance was the victim of an attempt on his life in Port-au-Prince on 8 March 1999, when some gunmen fired at him. For some days afterwards he received several death threats.

Pierre Espérance, recovering from the attack of March 1999 in Port-au-Prince, Haiti.

The double tragedy of the 'disappearance' of her husband

the trade union leader Waldo Ulises Pizarro and the impossibility of knowing his final whereabouts inspired her in her non-violent struggle to challenge the repressive system and to question the laws which have unjustly denied so many Chilean families the basic right to bury their loved ones.

Her message, which has been internationally recognised and diffused, particularly in recent months, has inspired many and revealed the face of perseverance born of tragedy and inspired by justice.

Her absence is a great loss and will be mourned. Her example, however, will continue to accompany us until we find the answers and the justice that were the objective of her work.

With our deepest sympathy.

This publication is produced by the Program to Promote the Protection of Human Rights Defenders in Latin America, established by Amnesty International in May 1997 to follow-up Defenders Conference (Bogotá, Colombia, May 1996). Please distribute this bulletin as widely as possible. For more information and to join the Program's Defenders Network, write to:

***Defenders Program, Americas Regional Program,
International Secretariat, Amnesty International,
1 Easton Street, London WC1X 8DJ,
United Kingdom
(tel: +44 171 413 5952 / 5537; e-mail: amnestyis@amnesty.org)***