

THE HUMAN RIGHTS DEFENDERS SUMMIT
THE INTERNATIONAL ASSEMBLY
Paris, December 1998

ADOPTED PLAN OF ACTION

INTRODUCTION

1. We the participants in the Human Rights Defenders Summit, held in Paris in December 1998, have agreed on this Plan of Action, following the adoption of the Paris Declaration and the List of Grievances. This Plan is supported by and attempts to implement the “Declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognised human rights and fundamental freedoms” adopted on 9 December 1998 by the United Nations General Assembly.
2. We believe that a Plan of Action is necessary in order to provide a common working base for the protection of both human rights defenders themselves and their work, as well as to contribute to achieving the objectives of the Universal Declaration of Human Rights.
3. The plan is based on the extensive accumulated experience of many human rights defenders in the world. It also builds on the outcome of international meetings of defenders: Vienna + 5 (Ottawa, 1998) and Forum ‘98 (Geneva 1998) and the Regional Conferences held in Colombia (Bogota 1996 and 1998), Sweden (Lund 1997), South Africa (Johannesburg 1998) and Morocco (Rabat 1998). The summit hopes that the implementation of this Action Plan will help to extend and consolidate the defence of human rights throughout the world, particularly in those areas where the government is hostile to such work and where human rights defenders are still the objects of repression or even have not the possibility to exist.

1. ACTIONS

1.1. Actions of defenders with and toward human rights groups

For prevention:

4. To collect, systematise and disseminate on a regional, national and international level, existing knowledge, experience and recommendations concerning the protection of human rights defenders accumulated through the International and Regional Conferences mentioned above.
5. To develop a media and public awareness strategy centred on the current situation of human rights defenders in the world and the difficulties they are confronted with.

For protection:

6. To denounce publicly or by other appropriate means all attacks instigated against human rights defenders.
- 0 To develop national plans and join forces to co-ordinate regional and international actions for the prevention of attacks and threats, as well as for the protection and aid of defenders at high risk. The plans should be based on the recommendations made during the

7. aforementioned Conferences and on this Plan of Action.
8. To help improve the rapid response mechanisms for priority countries, where human rights defenders are repeatedly and systematically harassed, progressing from urgent action to instant action. Instant action is immediate high-level intervention by those who have the capacity to put political pressure on the competent authorities.
9. To create and strengthen early warning networks with journalists, politicians and all those prepared to personally carry out immediate actions against the governing authorities in order to protect defenders in each country.
10. To carry out international solidarity and investigation missions. To undertake visits to remote areas, carry out negotiations with authorities and diplomatic representatives and monitor and develop links with groups or people who are at risk.
11. To strengthen and develop protection and international in situ solidarity strategies, based on experiences such as the permanent international physical and political accompaniment program carried out by certain voluntary organisations. Promote short-term accompaniment activities for defenders and groups which constitute potential victims.
12. To promote co-operation programs with the social and trade union movement related to protection activities.
13. To develop programs to set up communication, computing and other technological systems for the protection of defenders under threat and for vulnerable groups at risk.
14. To strengthen existing initiatives concerning national, regional, and international protection networks for human rights defenders and to work towards the creation or strengthening of a political space for defenders to work in countries hostile to their work. Give support for individual human rights defenders in hostile environments where no networks exist and to provide assistance for “foreign” defenders, working in countries where no “national” defenders are allowed to operate.
15. To promote temporary or short term alternative "refuge" programs for situations in which it is considered that the threat can be overcome in the near future. To this end, it is necessary to strengthen solidarity mechanisms between NGOs, for the implementation of temporary internships for defenders under threat, which allows both the exchange of experience, as the protection of a threatened defender.

For Assistance and reparation:

16. To develop pilot projects to provide comprehensive assistance through humanitarian and social assistance, legal advice and psychological assistance programs for human rights defenders at high risk, both within and out of their country, including for defenders in exile, whenever possible and effective.
17. To contribute to aiding defenders in imminent danger to relocate, leave their country, to stay abroad and to return to their country, establishing co-ordination procedures between local, regional and international groups.

On all the levels of prevention, protection and assistance:

18. To promote a common space of reflection (*think tank*) on the actions of national, regional and international NGOs related to prevention, protection, assistance and reparation of

7. defenders.
19. To inform and make aware the donor NGOs and funding agencies of the actual situation, difficulties and necessities of human rights defenders.
20. To increase the participation of women in NGOs and in human rights defender protection networks at all levels of responsibility and in proportion to the place of women in base activities. For all actions, the various forms of harassment and violence directed towards women based on questions of gender, will be taken into account.

1.2. Demands to the State concerning the situation of defenders

Participants in the summit have agreed to take action with regard to the States of the world, and will lobby governments to adopt comprehensive plans for the protection of human rights defenders, including the elements below:

For prevention:

21. To guarantee that state functionaries and government agents responsible for implementing the law have full knowledge of the Universal Declaration of Human Rights, the Declaration on human rights defenders and human rights standards recognised by the international community. They should receive adequate preparation and training and should comply with all the obligations imposed by these instruments.
22. To create an environment favourable to the work of non-governmental and community based organisations and social movements by ensuring that national law and practice is in conformity with international standards on freedom of expression. Specifically, governments must respect the independence of human rights organisations and the right of defenders to work for the protection and promotion of human rights.
23. To reduce the military budget, targeting more resources towards social investment in favour of the marginalised and poverty stricken sectors of society.
24. To revise the state of the Armed Forces training manuals which have incited their members to commit human rights violations.
25. To effectively disband, pursue, capture, try and punish civilian and military members of paramilitary groups and death squadrons in those countries where they currently operate.

For reparation and protection:

26. To modify their internal policies and administrative, legislative and judicial systems to incorporate the obligations and rights established by the Universal Declaration of Human Rights and the “Declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognised human rights and fundamental freedoms”. Approved on 9 December 1998 by the UN General Assembly, this declaration guarantees the right to life, integrity, freedom of expression, the right to meet, the right to carry out public human rights campaigns, the right to seek, receive and freely use resources, and the right to freedom of movement and travel both within and out of the country.
27. To establish policies and procedures and adopt effective measures to prevent and protect witnesses, victims and human rights defenders.

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28. To effectively guarantee the economic resources necessary to prevent attacks and protect the activity of human rights organisations and their members.
29. To guarantee that human rights groups and defenders receive up-to-date information on persons deprived of liberty and that they are given access to prisons, police stations, military bases and any other detention centre or any other place where human rights violations are suspected of being committed.
30. To demonstrate the will to develop and set in motion effective measures to ensure the pursuit and punishment by the judiciary of perpetrators of attacks and threats against defenders, as a significant measure for eliminating the state of impunity that currently exists concerning human rights violations.
31. To suspend immediately from active service members of the security forces under formal investigation for human rights violations until investigations have concluded. To publicly discipline those functionaries under their jurisdiction who issue public declarations, affirmations or accusations against the legitimate work of human rights defenders.
32. That embassies and other diplomatic missions observe systematically, respond and follow up the situation of human rights defenders in the country where they are based. That they also embark on negotiations with the local authorities, particularly in high risk cases in which defenders have been or are likely to be victims of arbitrary detention, torture, extrajudicial execution, enforced disappearance or other grave human rights violation.
33. That diplomatic missions co-ordinate in situ visits to human rights defenders, eventually in conjunction with other diplomatic representatives, legal agents, journalists, members of the Church, NGOs or others.
34. That States adopt legislative and/or administrative measures which remove the obstacles to the right to refuge and asylum for human rights defenders who find themselves in imminent danger.
35. That governments of the developed countries guarantee that official aid programs for countries where human rights violations are committed will contribute substantially to the protection of human rights. Furthermore, that they guarantee that these programs be open to public scrutiny.

For prevention and protection:

36. To adopt concrete measures against impunity and adopt the “ Draft Basic Principles and Guidelines on the Right to Reparation for Victims of (Gross) Violations of Human Rights and International Humanitarian Law”.
37. To guarantee victims of human rights violations, social organisations affected and human right defenders, groups and individuals, both full and effective access to justice and national procedures for reparation, as to United Nations procedures, treaty bodies and to regional organisations established for the protection of human rights.

1.3. Demands to intergovernmental organisations concerning the situation of defenders:

The defenders present at the Summit have agreed to put pressure on intergovernmental organisations, United Nations agencies, the Office of the High Commissioner for Human Rights, treaty bodies and other human rights mechanisms and special procedures, to demand that they:

On protection and prevention levels :

38. Contribute by any means in their power to the prevention of attacks and the protection of human rights defenders at risk.
39. Promote the appointing of a Special Rapporteur or other similar UN monitoring and observation mechanism which would carry out work and provide reports including on the difficulties faced by human rights defenders all over the world.
40. Promote the setting up of a Special Entity to deal with the situation of defenders, which would be directly dependent on the High Commissioner on Human Rights.
41. Fully integrate preventative and protective actions into their work and that they report to the UN Commission on Human Rights – and the Commission of the General Assembly - about the implementation on behalf of the States of the stipulations of 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”.
42. Guarantee that the United Nations Commission on Human Rights and the regional human rights organisations treat the situation of human rights defenders in the world with adequate attention in their working agenda, and as a consequence adopt the decisions and measures necessary to guarantee their protection.
43. Request the States’ commitment to adopt concrete measures against impunity of human rights violations and to promote the adoption by the States of the “ Draft Basic Principles and Guidelines on the Right to Reparation for Victims of (Gross) Violations of Human Rights and International Humanitarian Law” and the speedy adoption of the “Draft International Convention on the Protection of All Persons from Forced Disappearance”.

2. MECHANISM OF CO-ORDINATION AND FOLLOW-UP

44. The participants are in favour of maintaining the comprehensive nature of the Summit i.e. as well as emphasising the issue of protection, consideration should also be given to the issue of prevention so that the attacks on defenders can be addressed at their roots.

(a) Basic criteria:

45. There are already various national, regional and international networks and other structures for co-ordinating action. It is vital to strengthen these networks and to facilitate regional meetings on common agendas, with the view of putting the Plan of Action into practice.
46. The protection of human rights defenders should not be the task of another network, but of the existing networks all together. Co-ordination will be strengthened, through the implementation of the Action Plan and the machinery that will be adopted.

47. An extended Steering Committee should be the reference for all the regional (continental) networks.

(b) The machinery:

48. It is proposed that the Steering Committee - which initiated the Summit - be maintained and extended, with the addition of a supplementary delegate per region, appointed provisionally at the Summit.

49. Each Regional Steering Committee member should attempt to convene a regional meeting, if possible during the first half of 1999, inviting all the participants to the Summit, in their region, to discuss the Action Plan, to agree on common tasks, and to ratify or officially appoint the Regional Steering Committee member.

50. This new Extended Steering Committee should be the reference point and liaison body of and for the different regions and it should follow up the actions they conduct in the light of the contents of the overall Action Plan we have agreed on.

(c) Tasks in the short term:

51. The redrafted Action Plan should be sent within three months to the regions to be discussed and adapted to each particular context. The documents of all previous forums (Ottawa, Geneva, Paris) should be collected and sent out to the different regions.

52. A directory of all the Summit participants should be prepared and sent to all those who attended, with advice on the best means of communication, of distributing information, of taking urgent action to protect defenders under threat, and others.

53. Regional (continental) meetings with joint agendas should be facilitated, and the proposals contained in the Action Plan, as adapted to the context of each continent, should be implemented. Funds for strengthening the continental networks should be sought.

Annex 1

1. ACTIONS AND CAMPAIGNS PROPOSED TO STRENGTHEN THE DEFENSE OF HUMAN RIGHTS

1.1 Actions in favour of the civilian population and vulnerable groups within the framework of armed conflicts

54. The participants in the Summit, concerned about the existence and increase of situations of armed conflict in many parts of the world, and about the evidence that violations of civil, political, economic, social and cultural rights are invariably being committed within the framework of these conflicts,

55. Alarmed by the verification that in most cases the victims of these conflicts belong to the civilian population, women, children and minors being the most vulnerable part of the population,

56. Concerned about the grave negative consequences for human rights of State policies adopted during peace and transition processes, in which victims have been systematically denied the right to justice, something which itself constitutes an additional source of

human rights violations,

57. Agreed to the following specific demands on the States concerning the situation of the civilian population and vulnerable groups: that they
58. Adopt the necessary administrative, legislative, judicial and educational policies and measures, based on international humanitarian law, to exclude the civilian population and their organisations from situations of conflict resulting from internal armed
59. Implement the necessary administrative, legislative and judicial policies and measures to prevent, with respect to the trial and sentencing of those responsible for serious human rights violations, situations of impunity from arising or consolidating as a result of peace negotiations.
60. Adopt the necessary measures to raise the recruitment age for young people to 18.
61. Adopt the necessary measures to permit relatives, lawyers and humanitarian and human rights organisations unrestricted access to prisoners during armed or international conflicts.
62. During peace negotiations or transition periods, that they promote and implement efficient measures to guarantee full respect for human rights.

1.2 Actions concerning the rights of those living in poverty

The participants in the Summit agree to:

63. Demand that the States of the world, their governments and authorities respect, protect and promote the civil, political, economic, social and cultural rights in their indivisibility, in particular of that part of the population living in conditions of severe poverty, thereby re-establishing their right to lead a dignified life, their right to health, education, employment and housing, and implement and promote policies and programs to this end.
64. Play an active national and international role to ensure that economic, social and cultural rights be respected and implemented.
65. Fight for the adoption by the UN of an Additional Protocol to the International Covenant of Economic, Social and Cultural Rights, which would permit the punishment of these violations.
66. Demand that international co-operation programs be adjusted to the parameters of the Universal Declaration of Human Rights, Covenants, treaties and all regulations stipulated by international human rights laws.
67. Denounce co-operation policies which encourage, favour or tolerate human rights violations and demand that co-operating States adjust their co-operation policies to lend unconditional support to respect for human rights.
68. Work to ensure that the States adopt a definitive solution to foreign debt. And to ensure that resources reserved for the repayment of that debt be spent in social investment and on collective projects aimed at aiding the poorest sectors of society.

69. Promote social reparation policies, measures and mechanisms for cases of impunity regarding economic, social and cultural human rights violations, which contribute to the compensation of communities living in macro-project zones, which have suffered as a result of their implementation.
70. With regard to the human rights movement: Develop pilot programs in all parts of the world to raise awareness of human rights amongst the most disadvantaged social groups.

1.3 With regard to economic bodies, international bodies, transnational companies and commercial and financial firms

71. The human rights defenders present at the Summit, considering that the implementation of deregulation, privatisation and liberalisation policies and measures as a requisite of international bodies causes human rights violations and infringes to a large degree on the human rights of vast sectors of the world's population, agree to intervene with economic, national and multinational entities to demand that they:
72. Adopt a code of ethics regarding human rights, which complies with international protection standards.
73. Identify, if necessary with the assistance of human rights defenders, what rights guaranteed by the "Universal Declaration of Human Rights" and 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" have been or could be affected by their activities and to what extent, and that they then adopt the necessary measures to guarantee that their activities do not infringe on the rights of others.
74. Guarantee that any security measures they adopt respect human rights and are compatible with international regulations regarding the application of the law.
75. Guarantee not to contract security personnel who have been responsible for human rights violations.
76. Provide all security personnel with adequate training regarding human rights, which includes measures to prevent the excessive use of force, torture and other cruel, inhumane and/or degrading practices.
77. In the case of companies which supply military, security or police products or services, that they adopt strict measures to prevent their products or services being employed to commit or shelter human rights violations
78. Adopt the necessary measures to guarantee that their activities do not infringe on the human rights of the communities in which they operate.
79. Agree to open direct negotiations with social and human rights organisations in the area where their activities are based in order to debate the role of the company within the community.
80. Guarantee that their staff contraction policies and procedures prevent discrimination on the basis of ethnic origin, sex, colour, language, national or social origin, economic position, religion, political ideas or other deeply held convictions, sexual preference, birth

or any other grounds.

81. Guarantee never to employ slaves, coerced workers, children or minors who have not reached the minimum working age, nor to use prisoners as forced labour nor maintain relations with suppliers, partners or contractors who do.
82. Support activities and organisations that fight for human rights, without affecting their independence or influencing the aims of their activities. Support education, training or civic responsibility programs which incorporate human rights themes. Urge companies involved with the media to pay more attention to the activities of human rights defenders, in particular to those in danger.

2. CAMPAIGN ACTIVITIES

83. The world human rights defence movement, which is based on resistance to oppression and poverty, promotes the comprehensive defence of human rights and attempts to increase its influence over the development and implementation of regional, national and international policies.
84. The current plan of action incorporates two main areas, the existence of extreme poverty and the existence of impunity, in which the human rights defenders present at the Summit have agreed to join forces in combating over the coming years, as they are undoubtedly cause for international concern.

2.1 THE CAMPAIGN AGAINST EXTREME POVERTY

85. The participants in the Summit, stressing the indivisible character of human rights, which particularly demonstrates the living conditions of the poorest communities,
86. Considering that extreme poverty is an integral privation of all human rights which affects men, women, young people and children especially in a most alarming manner, and infringes on civil and political rights,
87. Considering that it is ten years since the UN has declared its intention to eliminate Poverty, referring to the conclusions of the report on extreme poverty of the independent expert of the Human Rights Commission and the Declaration and action plan adopted in Copenhagen in 1995 at the World Social Development Summit,
88. Agree to carry out a Campaign against Extreme Poverty, whose objective will be to promote awareness of the size of the problem, its causes and consequences, and to promote effective support and legal and social protection for those people fighting to combat extreme poverty, such as human rights defenders, many of whom lack the means to defend themselves enjoyed by other activists.
89. In particular, the campaign will include the vindication of the right to equitable distribution of land and fair agricultural reforms.
90. The campaign could be aimed at developing a future International Convention on the elimination of discrimination against communities living in extreme poverty.

2.2 THE CAMPAIGN AGAINST IMPUNITY

91. The participants in the summit, convinced of the need to unite regional and international efforts regarding the problem of impunity and civilian, political, economic, social and cultural rights,
92. Convinced that the fight against impunity is the key to full protection of human rights for all,
93. Agree to carry out a Campaign against Impunity with the aim of raising awareness of the causes and effects of human rights violations, victims and societies, bringing the facts to light, ensuring that those responsible are brought to trial and that comprehensive reparation is made to both the victims and society.
94. The campaign will develop forceful arguments to counteract those used to justify impunity, particularly during peace and transition processes as a means of reconciliation or as a prerequisite for peace talks.

In the development of this campaign we agree to:

95. Co-ordinate regional, national and international efforts to denounce human rights violations, mobilise society and take legal action against those responsible.
96. Create and strengthen national, regional and world-wide anti-impunity activity and experience exchange programs. This mechanism would investigate information sources concerning those responsible for human rights violations, especially regarding crimes against humanity, in order to detain the perpetrators and bring them to justice

Regarding the States and the existence of Impunity

The participants in the Summit agree to carry out actions aimed at the States in order to demand that:

97. They adopt internal legislation in accordance with international human rights regulations, and in particular that they incorporate the principle of universal jurisdiction, abolish amnesties granted to those responsible for crimes against humanity and classify grave human rights violations such as summary executions, enforced disappearances, torture, genocide and enforced displacement as crimes in their penal code.
98. They sign and ratify without reservation the Statute of the International Criminal Court, as well as the “Convention on the Prevention and Punishment of the Crime of Genocide” and the “Convention on the Non-Applicability of the Statutory Limitations to War Crimes and Crimes against Humanity”.
99. They deny perpetrators of human rights violations and, in particular, crimes against humanity, political asylum and the status of refugee, and that they refuse to recognise them as diplomatic agents.
100. The United Nations bodies adopt as soon as possible the basic principles and directives concerning the rights of human rights violations victims to receive reparation, the Set of Principles concerning the fight against impunity and the “Draft International Convention on the Protection of All Persons from Forced Disappearance”.