

# WHAT DO I DO IF MY RIGHT TO DEFEND HUMAN RIGHTS IS VIOLATED?

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Are your rights as a defender being violated by government or private actors? Are your complaints to local, state or national authorities going unanswered? If so, consider appealing to a regional or international human rights mechanism like the Inter-American Commission on Human Rights or the United Nations Special Rapporteurs. These processes exist to help you and other defenders continue to do your work without interference and with minimal risk. They are free and do not require legal assistance.

## **WHY SHOULD I CONSIDER APPEALING TO AN INTERNATIONAL OR REGIONAL HUMAN RIGHTS MECHANISM?**

International and regional human rights systems provide opportunities to connect with activists around the world working on similar rights or issues, to raise the visibility of human rights violations in the United States, and to hold the U.S. Government accountable to its commitments to protect human rights defenders. International scrutiny can prompt the U.S. Government to take action where it may have failed to do so before.

## **WILL ENGAGING IN THESE MECHANISMS PUT ME AT RISK?**

Defenders are in the best position to evaluate whether international attention will help or hinder their work. Sometimes defenders will not want to draw too much attention to their efforts, for example if they fear retaliation for speaking out. International and regional mechanisms are sensitive to these concerns and will not reveal confidential information.

## **HOW DO I TAKE MY CONCERNS TO INTERNATIONAL OR REGIONAL HUMAN RIGHTS MECHANISMS?**

### **1. Document the Violation(s)**

The first step is to document the human rights violation, which may be a single incident such as a threat or an ongoing situation such as legislation criminalizing your human rights activity. Accurate documentation helps human rights experts understand the risks to defenders in your area and identify the best way to intervene.

Compile the following information, to the best of your ability:

- Name and identifying information (e.g., gender, age, nationality, profession) of all victims of the violation, including you and/or others;
- Your status as a human rights defender, including the type of human rights work you do and where you conduct your work;
- Alleged violations committed, including all relevant details about who, what, when, and where the violations took place, and whether the initial activity led to further abuses (e.g., an inadequate police response led to an attack on a defender);
- Information about the perpetrators of the violations and any witnesses (note that

- the perpetrators may be government officials);
- ➔ Any attempts made to report the incident(s) and any action taken by law enforcement or other government authorities;
- ➔ Link between the violation and your human rights work (Why do you think the alleged violation is a response to your human rights work? Include any information on previous related incidents);
- ➔ Identity of the person drafting the complaint and contact information so that the human rights body can follow-up with any questions;
- ➔ If available, include supporting documents such as police reports, press articles, or correspondence with government officials.

## **2. File a complaint to the U.N. Special Rapporteur on Human Rights Defenders**

Once you have documented the violation(s), you can send the complaint directly to the U.N. Special Rapporteur on Human Rights Defenders. This is an independent human rights expert appointed by the U.N. Human Rights Council. She is charged with monitoring threats or risks to defenders around the world and holding governments to their commitments to protect defenders. Submit the complaint to [urgent-action@ohchr.org](mailto:urgent-action@ohchr.org). The Special Rapporteur screens complaints and may issue communications to governments urging protections for defenders at risk. For more information, visit the Special Rapporteur's website: <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Complaints.aspx>.

## **3. Submit the information to the Rapporteur on the Situation of Human Rights Defenders of the Inter-American Commission on Human Rights**

Similar to the U.N. system, the Inter-American Commission on Human Rights has a Special Rapporteur on Human Rights Defenders tasked with monitoring the situation of defenders in the Americas. Submit your documentation to the Special Rapporteur at [cidhdefensores@oas.org](mailto:cidhdefensores@oas.org). In some urgent cases, the Rapporteur will issue a press release expressing concern about the defender and calling on the government to protect him or her. To learn more about how to submit information to the Rapporteur on the Situation of Human Rights Defenders for the Inter-American Commission on Human Rights, visit <http://www.oas.org/en/iachr/defenders/default.asp>.

## **4. Raise your concerns at the ICCPR Review of the U.S. Government**

The United States has ratified several international human rights treaties that contain protections for defenders of human rights. In October 2013, the U.S. Government will be reviewed for its compliance with the International Covenant on Civil and Political Rights, one of the foundational international human rights treaties. During the review process, which occurs approximately every six years, the U.S. Government submits its record on civil and political rights to review before a committee of human rights experts. The U.S. will appear before this body in Geneva for an exchange of views, and agrees to accept observations of the committee about how its policies and practices can better implement the treaty.

Prior to the review, human rights defenders can submit "shadow reports" to the Human Rights Committee that explain where the U.S. is falling short in protecting defenders or the rights they defend. They can also advocate with the U.S. Government and before the Human Rights Committee itself. Learn more about how you and other human rights defenders can engage in this historic process at <http://www.ushrnetwork.org/our-work/issues/iccpr>.

To learn more, visit <http://www.DefendingRights.org>.