HRD Protection Platform
Towards Stronger & Vibrant HRD Networks in Asia

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HRD Protection Platform Towards Stronger and Vibrant HRD Networks in Asia:
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Asian Forum for Human Rights and Development (FORUM-ASIA)

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Introduction

On 3 to the 5 December 2014, 167 human rights defenders (HRDs) from 22 countries gathered for the 6th Asian Regional Human Rights Defenders Forum (AHRDF) in Manila, the Philippines. Organised by the Asian Forum for Human Rights and Development (FORUM-ASIA) every two years, the AHRDF6 is an opportunity for Asian HRDs to meet, share their experiences and discuss the challenges they face in the course of their work. This year the FORUM-ASIA focused on building stronger protection platforms through the development of vibrant HRD networks across Asia.

The 6th AHRDF was honoured to have in attendance Mr. Michel Forst, the UN Special Rapporteur on the situation of HRDs, his first visit to Asia since his appointment in June 2014. During the Forum HRDs had the opportunity to meet with Mr. Forst in sub-regional groups to discuss individual cases and threats in their countries and offer recommendations for his mandate.

The first morning of the Forum started off on a celebratory note with songs, dances and cultural presentations from local activists and artists. This was followed by welcome remarks from Mr. Henri Tiphagne and Sr. Crescencia Lucero, the FORUM-ASIA Chairperson and the local host respectively; and, both members of FORUM-ASIA Executive Committee. Mr. Frost provided the keynote for the significant event. In the afternoon two panel sessions gave a regional overview of the situation of HRDs and a discussion of various protection frameworks.

Recognising the importance of supporting local HRDs on the ground, a small delegation made a solidarity visit to imprisoned Filipino activist Mr. Temogen “Cocoy” Tulawie in the morning of the second day. FORUM-ASIA also launched its Asian HRD Portal, an online resource that monitors and records violations against HRDs in Asia and collates useful information and materials. This was followed by three panel sessions that focused on specific country situations and discussed protection mechanisms on the individual and organisational level and the importance of establishing HRD networks.

In the afternoon of the second day, participants broke out into three sub-regional groups (South Asia, Southeast Asia and Northeast Asia) to discuss different levels of protection and to make recommendations to Mr. Forst’s mandate. This culminated in a plenary discussion on the final day in which rapporteurs from each Group related their findings to mandate-holder and other participants.

The third day ended with the adoption of the Manila Declaration II, a document based on the needs and gaps in protection identified by HRDs over the course of the 6th AHRDF; and a guide for HRDs and human rights institutions in the course of their work. The AHRDF was concluded with final remarks from Mr. Forst and formally closed by Ms. Evelyn Balais-Serrano, Executive Director of FORUM-ASIA.

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¹ To learn more, please visit: asianhrds.forum-asia.org
What the participants had to say:

- “We learned many best practices and gained many ideas to implement within our organisation”
- “It was great to meet with the Special Rapporteur and raise concerns and individual cases directly”
- “The Forum mobilised and gave hope to all HRDs in Asia that someone is listening and defending them as they protect others’ rights”
- “A very inspirational event!”
- “The Forum gave us the opportunity to discuss the possibilities to build a national platform for HRDs, which would be very useful in my country”
- “It was good to meet so many activists, learn from them and share experiences”
Manila Declaration II

(Adopted 5 December 2014)

We, more than 150 human rights defenders (HRDs) and women human rights defenders (WHRDs) from 22 countries across Asia, together with other regional and international partners, participating in the 6th Asian Regional Human Rights Defenders Forum held in Manila, the Philippines, on 3-5 December 2014, themed “Consolidation of HRD Protection Platforms Towards Stronger and Vibrant HRD Networks in Asia,” co-organised by the Asian Forum for Human Rights and Development (FORUM-ASIA), the Task Force Detainees of the Philippines (TFDP) and the Philippine Alliance of Human Rights Advocates (PAHRA);

**Asserting** our identity as HRDs and WHRDs and our indispensable role in the advancement, consolidation and sustaining of democracy that is built on the foundation of effective protection, promotion and respect of universal human rights;

**Standing in solidarity** with all HRDs and WHRDs who are at risk for asserting their own as well as others’ human rights;

**Recognising** the contribution of the mandate of the UN Special Rapporteur on the situation of human rights defenders, as well as other regional and international protection mechanism, in legitimising and protecting the work of HRDs and WHRDs across the region;

**Appreciating** the presence of the UN Special Rapporteur on the situation of human rights defenders, Mr. Michel Forst, in this forum, his first visit to Asia since assuming his mandate in June 2014;

**Reaffirming** our commitment to work for the realisation of human rights for all peoples and to attain justice for victims of human rights violations; and

**Recalling** the 1998 UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (UN Declaration on Human Rights Defenders), all recommendations from reports of previous mandate holders of the UN Special Rapporteur on the situation of human rights defenders, as well as resolutions made at previous Asian Human Rights Defenders Forums;

**Express concern:**

1. That HRDs and WHRDs in Asia continue to face numerous threats and challenges in their work both at the individual and organisational/collective levels, including extrajudicial killings and state-sponsored assassinations, murders and killings, torture and deaths in custody, death threats, abductions and enforced disappearances, arbitrary arrests, physical assaults, surveillance, trumped-up and false criminal charges, threats of deregistration and refusal to grant registration, funding restrictions, attacks on offices of HRDs and WHRDs, vilification, and reprisals;

2. That the space for HRDs and WHRDs to operate in is increasingly shrinking and constricting,
and, in some contexts, closed; and that there is a general trend of retrogression in freedoms of speech, expression, peaceful assembly and association in Asia. This has been demonstrated by the continued arbitrary application and misuse of laws, use of existing repressive laws and introduction of new legislation to criminalise activities of HRDs and WHRDs and to restrict freedoms of expression, assembly and association, as well as the rights of HRDs and WHRDs to solicit, receive and utilise resources for the purpose of protecting human rights (including the receipt of funds from abroad);

3. That the judiciary in many countries in Asia lack independence, pluralism in composition, and effectiveness in providing protection for HRDs and WHRDs, as seen in the numerous cases of judicial harassment of HRDs and WHRDs across the region;

4. That National Human Rights Institutions (NHRIs) in many countries in Asia lack independence, fall short of full compliance with the Paris Principles and the General Observations of the International Coordination Committee of NHRIs’ Sub-Committee on Accreditation (ICC-SCA), and lack effectiveness in fulfilling their role in promoting and protecting human rights, especially that of HRDs and WHRDs;

5. That law enforcement agencies in many countries in Asia lack accountability and continue to violate human rights, especially against HRDs and WHRDs, oftentimes with impunity;

6. That there is an absence of a regional human rights protection mechanism in Asia;

7. That HRDs and WHRDs increasingly face threats and challenges from non-state actors, including groups who leverage on their influence on States to hamper the work of HRDs and WHRDs.

Recognise:

1. The importance of independence of the judiciary in the protection of HRDs and WHRDs;

2. The central role of NHRIs in the protection of HRDs and WHRDs, and the existence of regional and sub-regional networks of NHRIs in Asia;

3. The specific risks faced by particular groups of HRDs and WHRDs, including lesbian, gay, transgender, intersex (LGBTI)/sexual orientation and gender identity and expression (SOGIE) rights defenders, persons with disabilities, and defenders working on the rights of Dalits and minorities;

4. The need to strengthen protection measures and mechanism for HRDs and WHRDs, including at the individual and organizational/collective levels;

5. That there remain gaps at various levels in the protection of HRDs and WHRDs in Asia;

6. That risks and challenges faced by HRDs and WHRDs are oftentimes heightened by the lack of internal protection measures and risk assessment mechanism;
Resolve to:

1. Continue and strengthen advocacy for:
   a. the repeal of all repressive laws and provisions in laws that criminalise, restrict or hamper the legitimate work of HRDs and WHRDs;
   b. the end to extrajudicial killings, enforced disappearances, judicial harassment, and all other forms of threats and harassment of HRDs and WHRDs;
   c. the independence of judiciary and NHRI(s);
   d. the establishment of fully Paris Principles-compliant NHRI(s) in countries where such institutions do not yet exist;

2. Strengthen protection measures for HRDs and WHRDs, both at the individual and organisational/collective levels, including by:
   a. establishing networks of HRDs and WHRDs;
   b. carrying out risk assessments and establishing security protocols within organisations, networks and community groups;
   c. using secure communications for sensitive documents, such as encrypted emails;
   d. establishing a hotline and relocate HRDs and WHRDs at risk;
   e. educating HRDs and WHRDs about their rights and steps to be taken in different risk situations, e.g. in cases of arrest;
   f. engaging effectively with the media, including new alternative media to sensitize the media on issues relating to HRDs and WHRDs and to publicise cases of violations against HRDs and WHRDs;
   g. providing legal assistance to HRDs and WHRDs at risk;
   h. providing support in legal actions taken by HRDs and WHRDs against perpetrators of human rights violations that hamper their legitimate work;

3. Establish and strengthen national-level network of HRDs and WHRDs to consolidate and enhance advocacy efforts as well as protection measures, including those mentioned above;

4. Deepen solidarity actions at the local, regional and international levels to register individual complaints and mobilise direct interventions to governments. To this end, existing regional and international networks of HRDs and WHRDs should be utilised;

5. Recognise and institutionalise integration of SOGIE rights within mainstream human rights work;

6. Ensure that the work of HRDs and WHRDs under attack and at risk is continued. HRD protection programmes of organisations and networks should be adapted to the appropriate circumstances faced by HRDs and WHRDs at risk to ensure this;

Call on:

1. The UN Special Rapporteur on the situation of human rights defenders to:
   a. urge governments to repeal existing repressive laws and provisions in laws that criminalise, restrict or hamper the legitimate work of HRDs and WHRDs and to cease all forms of threats and harassment against HRDs and WHRDs;
b. urge governments to uphold the principles of the 1998 UN Declaration on human rights defenders;
c. encourage governments to undertake measures to protect HRDs and WHRDs, and for those at risk or whose rights are violated, measures to provide redress;
d. encourage governments to fully implement recommendations from the UN Treaty Bodies, Universal Periodic Review (UPR) and Special Procedures mechanism that relate to the work of HRDs and WHRDs;
e. encourage governments to implement the UN Human Rights Council resolution on human rights, sexual orientation and gender identity (A/HRC/27/L.27/Rev.1), in particular, to gather information and report on risks, threats and challenges faced by LGBTI HRDs and WHRDs;
f. engage with the ASEAN Intergovernmental Commission on Human Rights (AICHR) on issues related to HRDs and WHRDs;
g. engage with the Asian NGO Network on National Human Rights Institutions (ANNI), the Asia Pacific Forum of National Human Rights Institutions (APF), and the Asian Human Rights Defenders Forum (AHRDF) to strengthen the role of NHRIs in the protection of HRDs and WHRDs;

2. Governments in Asia to:
   a. Repeal all repressive laws and provisions in laws that criminalise, restrict or hamper the legitimate work of HRDs and WHRDs;
   b. ratify all international human rights treaties, and ensure their full implementation;
   c. legislate and implement laws for the protection of HRDs and WHRDs;
   d. release all detained HRDs and WHRDs;
   e. investigate all human rights violations against HRDs and WHRDs and hold all perpetrators accountable for their violations;
   f. ensure the independence of the Judiciary;
   g. ensure that NHRIs are fully independent and Paris Principles-compliant where they already exist; and establish fully-Paris Principles compliant NHRIs in countries without such institutions;
   h. issue standing invitations to the UN Special Rapporteur on the situation of human rights defenders for official country visits;
   i. ensure that corporations and business entities are held fully accountable for human rights violations they commit, including by working towards a legally binding international treaty for corporations and business entities with regard to human rights;

3. That National Human Rights Institutions (NHRIs) in Asia to:
   a. strengthen their role in the protection of HRDs and WHRDs by creating focal points on HRDs and WHRDs, and fully implement all recommendations contained in the report of the previous UN Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, on the role of NHRIs as protectors of human rights defenders (A/HRC22/47);
   b. strengthen the work of sub-regional and regional networks of NHRIs, including the Southeast Asia NHRI Forum (SEANF) and the Asia Pacific Forum of NHRIs (APF), on the protection of HRDs and WHRDs;
4. Parliamentarians in Asia to:
   a. express concern and effectively address the situation of HRDs and WHRDs, especially in relation to those under attack or at risk, in their respective countries as well as in the region;

5. Association of Southeast Asian Nations (ASEAN) to:
   a. adopt a common position among its Member States, in full conformity with the 1998 UN Declaration on Human Rights Defenders, to promote and protect the rights of HRDs and WHRDs in the sub-region;
   b. strengthen the mandate of the ASEAN Intergovernmental Commission on Human Rights (AICHR) on the promotion and protection of human rights, especially that of HRDs and WHRDs, in the sub-region, including through the current review process of its Terms of Reference;

6. ASEAN Intergovernmental Commission on Human Rights (AICHR) to:
   a. effectively address the situation of HRDs and WHRDs, especially in relation to those under attack or at risk, in ASEAN, including by receiving and investigating cases of violations against HRDs and WHRDs;

7. South Asian Association for Regional Cooperation (SAARC) to:
   a. adopt a common position among its Member States, in full conformity with the 1998 UN Declaration on Human Rights Defenders, to promote and protect the rights of HRDs and WHRDs in the sub-region;
   b. establish an independent, effective and robust sub-regional human rights mechanism in South Asia, with a mandate to promote and protect human rights, including that of HRDs and WHRDs, in the sub-region;

8. Corporations and Non-State Actors to:
   a. fully comply with the UN Guiding Principles on Business and Human Rights by, _inter alia_:
      i. respecting international human rights norms and standards, and refraining from causing and committing human rights violations, including abuses against HRDs and WHRDs who oppose development projects and demand for corporate accountability;
      ii. providing mechanism through which remediation can be sought by victims of human rights violations, including HRDs and WHRDs;

9. European Union (EU) to:
   a. Express concern and address the situation of HRDs and WHRDs, especially in relation to those under attack or at risk, including through the effective implementation of the EU Guidelines on Human Rights Defenders.

We reaffirm our commitment to continue to work towards the effective protection, promotion and respect of universal human rights for all and greater protection for and recognition of the work of HRDs and WHRDs in Asia. We undertake to vigorously advocate for and monitor the implementation of all the recommendations made above.
Opening Ceremony

Welcome Remarks and Performances

Mr. Henri Tiphagne, Executive Director of People’s Watch India and Chairperson of the Executive Committee of FORUM-ASIA began proceedings by extending a warm welcome to participants, in particular to Mr. Forst. This was followed by an address from Sister Crescencia Lucero representing local organisers: the Philippines Alliance of Human Rights Advocates (PAHRA) and the Task Force Detainees of the Philippines (TFDP), who remarked on the timeliness and relevance of this year’s AHRDF theme. The audience was then treated to performances from local activists and artists and included moving commemorations of HRDs such as enforced disappearance victim Mr. Sombath Somphone and detained activist Mr. Temogen "Cocoy" Tulawie.
Keynotes Speech

Mr. Michel Forst
UN Special Rapporteur on the situation of human rights defenders

"Excellences, dear colleagues and friend defenders, let me start by thanking the organisers of the 6th Asian Regional Human Rights Defenders Forum for inviting me this year to this important meeting to share with you the insights of my mandate and contribute to the consolidation of HRD Protection Platforms.

And I see it as a part of my mandate to participate into the consolidation of regional networks of defenders. I already know from the previous forums and other meetings with defenders from this region, that I'm today with an audience of strong and vibrant human rights defenders.

I am immensely pleased that this year the international community has recognized four Asian human rights defenders for their brave and courageous work despite grave risks. Two were awarded the Nobel Peace Prize and two others were nominated for the Martin Ennals Award for Human Rights Defenders. Their experiences underscore the need to ensure the legitimacy of the role of human rights defenders and to protect their physical security and integrity. Their stories also underline the importance of a strong network to support activists working in often challenging environments.

As Special Rapporteur on the situation of human rights defenders, I was appointed by the UN Human Rights Council six months ago to reinforce efforts in recognising the human rights work of defenders, in protecting activists from dangers they confront and in strengthening support networks for and by defenders. I am mandated to seek, receive, examine and respond to concerns about the situation of activists. In defending and advocating for the rights of those, such as yourselves, who defend the rights of others, I am reminded daily of the enormous challenges ahead of us. It is a dangerous time to be a human rights defender. This is true in all regions of the world, and Asia is no exception.

When I look into the database of communications received by my mandate, I can certainly say that if you are a rights defender in this region today, you are likely to be threatened, intimidated or investigated, prevented from travelling, harassed or criminalised. While some worrying trends are specific to particular countries, many of the obstacles are common to Asia as a whole. Your public freedoms, including the rights to freedom of expression, association or assembly, are frequently denied. By merely exercising them, you may find yourself charged with defaming the authorities and put on trial in military courts; you may be placed in administrative detention and held incommunicado for weeks before being formally arrested; or you may be beaten by police for attempting to lawfully and peacefully re-appropriate your land. And if that does not stop you from the brave undertaking of promoting human rights, then disappearance or assassination may await.
We all know too well - such violations are aimed to discredit, silence and eliminate human rights defenders.

Within this long list of challenges, some activists are even in greater danger in the region. These defenders include those who promote women’s rights, protect economic, social and cultural rights and labor rights, as well as environmental activists and those who work on issues of business and human rights. Defenders promoting the rights of minorities and indigenous persons are also frequently at heightened risk.

The current landscape of human rights activism is grim. But it is not hopeless. Acting alone, defenders can be targeted and silenced with more ease. As members of a community of activists, we are able to access psychological, financial and emotional support. A support network can provide a platform to strategize, to document violations against members, to share experiences, to improve security and to raise awareness nationally and internationally of the threats against defenders. Such networks allow for better protection and recognition of activists by society and are particularly useful for defenders at greater risk.

As Special Rapporteur, I have committed myself to deepening my understanding of the challenges faced by defenders at risk. I wish to better meet their needs. I want to be seen as the defender of the defenders, to one you can appeal to when you feel threatened, in danger or attacked. I will also work more closely with country mandate-holders at the UN to increase the effectiveness of the protection for defenders in each of those countries. I intend to work more closely with regional mechanism and explore with other stakeholders further ways to strengthen the implementation of the UN Declaration on human rights defenders and EU Guidelines on human rights defenders.

I am a firm believer in continuous cooperation and constructive dialogue with governments and other national stakeholders. I nonetheless remain concerned about the lack of State implementation of recommendations from the UN human rights mechanism States are the ultimate duty-bearers. Without their support, engagement and commitment, our strategies and mechanism to protect human rights defenders are meaningless. I will therefore intensify efforts to convince governments to follow good examples and practices by others in developing specific legislative and regulatory national measures. I also intend to follow up on particular cases that have been raised with governments, as well as to conduct follow-up visits to countries, which were previously visited by my two predecessors. This is to me a necessary step in combating impunity and bringing to justice those responsible for violations. Much too often, serious violations against human rights defenders are committed with impunity.

Free and safe cooperation with civil society is absolutely crucial for the UN to function effectively and for me to be able to achieve my goals as Special Rapporteur. Without such cooperation, the international community’s efforts and that of the UN will lose legitimacy and effectiveness. Yet I continue to receive reports of human rights defenders who, precisely because they provided information or worked with the UN mechanism, have faced smear campaigns, travel bans, harassment, intimidation, direct threats and physical attacks. Examples can be found of each of these violations in the last twelve months period alone. We therefore urgently need to put an end to all forms of such intimidation and reprisals.

Although my mandate is international, I am highly aware of the importance of examining the situation of defenders at the regional level. I have therefore launched a series of regional consultations with human rights defenders working in Europe and Central Asia, Middle-East and North Africa, Latin America, Asia and Africa. I was in Tunis last month with defenders from the region of Middle East and North Africa. Immediately after I was in Georgia where I had invited defenders from Central and Eastern Europe and Central Asia. In January 2015, I will be in Guatemala
with the defenders of the Americas and later on in Abidjan and Kampala for Africa. The regional consultations already conducted, and those yet to take place, provide a useful platform to analyse national and regional trends, assess the threats against specific groups, evaluate the effectiveness of regional and national measures to protect defenders, and explore the methods of protection developed in recent years.

Most importantly, my regional consultations have underlined the essential role of protection platform and support networks to the work and lives of human rights activists. With such peer-support, I am confident more defenders from Asia will feel more empowered, more recognised and awarded for the invaluable work they do for their communities and societies. I am excited to be part of this regional forum and to learn more from the speakers and participants about ways and means to build and strengthen such support networks. I would also like to hear from you about how my mandate can contribute better to your courageous work. I am here to listen, to learn and to share.

To conclude, I would like again to express my appreciation to FORUM-ASIA and local organisers for providing us with this excellent opportunity to be part of what will certainly be a very vital and fruitful discussion.

Thank you."
Panel of Reactors

The Honourable Mr. Francisco F. Baraan III
Undersecretary of Philippines Department of Justice

Mr. Baraan began by asserting that progress had been made in recent years regarding the human rights situation in the Philippines. He cited two examples, including the creation of a memorandum of agreement (MOA) to address illegal black sand mining, and the training of prosecutors in how to handle human rights cases. However, he stressed that there is still much to be done to improve the situation of human rights nationally. He finished with an assurance to Filipino participants that they have the full support of the Department of Justice in carrying out their work.

Ms. Karen Gomez-Dumpit
Commission on Human Rights -Philippines (CHRP)

Ms. Gomez-Dumpit assured the audience of the CHR's commitment to work to the best of its ability within the national human rights infrastructure; however, she admitted that there are still restrictions and limitations that need to be addressed. She stressed the need for consolidation of HRD protection platforms, and that this consolidation was needed to reinforce the role of the CHRP to promote and protect rights of HRDs and increase relations with civil society organisations (CSOs). She reiterated that it was the state’s responsibility to promote and protect HRDs; and, that national human rights institutions (NHRIs) can be strong agents for change on a national level in close partnership with CSOs, but that without this partnership the NHRIs’ mandate will be limited. Likewise, she noted the need for Freedom of Information act to be implemented in the Philippines.

She finished her response by assuring Mr. Forst of the CHRP's commitment to his mandate, and extended the organisation’s support in facilitating an official country visit to the Philippines.

Ms. Saira Rahman Khan
Odhikar

Ms. Rahman Khan took the opportunity to thank FORUM-ASIA for its support on behalf of Odhikar and her husband and Odhikar executive director, Mr. Adilur Rahman Khan, during his detention and judicial harassment in 2013.

Using Bangladesh as an example to illustrate the situation of HRDs in the Asian region, Ms. Rahman Khan then gave a brief outline of the current human rights situation in the country. Torture, ill-
treatment and extra-judicial killings are common, with widespread repression of the media and frequent attacks against protesters during public assemblies. Ms. Rahman Khan also identified state actors as often being perpetrators of human rights abuse in Bangladesh, including law enforcement authorities and the Office of NGO Affairs, which places restrictions on NGOs that hamper their work.

Ms. Rahman Khan proceeded to give an outline of the specific harassment faced by Odhikar. This included the arrest and detention of Mr. Rahman Khan and Odhikar staff being placed under surveillance and harassed by army intelligence. Authorities have confiscated documents containing sensitive information about victims of human rights abuse from Odhikar’s office. In spite of this systematic harassment and intimidation, Odhikar still publishes monthly human rights reports and remains active in its work. In the post 9/11 era, many Asian governments have enacted stricter laws in the name of national security. However, these laws are often misused against dissenters and political opposition, as the ongoing harassment of Odhikar and other HRDs shows.

Ms. Rahman Khan finished by asserting that unless a strong support network is created, HRDs will continue to be intimidated across the Asian region.
Session 1: Regional Overview of the Situation of Asian Human Rights Defenders/Women Human Rights Defenders (HRDs/WHRDs)

The first session was aimed at giving participants a regional overview and an outline of the sub-regional trends of the situation of HRDs and WHRDs in Asia. Ms. Sarah Marland from the Women Human Rights Defenders International Coalition (WHRD-IC) moderated the session.

Regional: Regional Trends and Analysis, Ms. Saartje Baes, FORUM-ASIA

Ms. Baes's presentation offered a regional overview of the trends of violations against HRDs. Based on analysis of these trends, she asserted that the safe space for HRDs in Asia is currently shrinking, with an increase in catalogued violations in all three Asian sub-regions (South, Southeast and Northeast) from 2013 to 2014. She described FORUM-ASIA's monitoring methods for gathering data on HRDs, explaining that a database cataloguing violations against HRDs has been in operation since 2010. Sources of information for the database include: alerts from FORUM-ASIA members and partners; daily news monitoring relating to HRDs; communication reports from the Special Rapporteur on HRDs; and the reprisals report of the UN Secretary-General.

Based on the data catalogued, Ms. Baes identified the following six major regional trends of violations against HRDs in 2013-14:

1. Criminalisation of Freedom of Expression and Freedom of Assembly and Association;
2. Judicial harassment of HRDs;
3. Increase in attacks and harassment of economic, social and cultural rights (ESCR) defenders;
4. Reprisals against HRDs for engaging with the UN;
5. Legislation aimed at restricting space for HRDs;
6. Enforced and involuntary disappearances and attempted abductions.

Ms. Baes concluded by stating that currently Asian states, rather than working to protect HRDs, are moving in the opposite direction in order to silence them.

Northeast Asia: Mongolia, Ms. Mandkhaitsetsen Urantulkhuur, Centre for Human Rights and Development (CHRD)

Ms. Urantulkhuur gave a detailed picture of the human rights situation in Mongolia, identifying mining and poverty as the main factors in human rights abuses in the country. The exponential increase in mining operations throughout Mongolia has caused severe environmental destruction, loss of livelihood and internal displacement. She asserted that the government has failed to fulfil its obligations to protect human rights in relation to mining.

Ms. Urantulkhuur also made special mention of the situation of the LGBTI community in Mongolia, stating that such individuals often face hate speech and violence due to a lack of public awareness and information on LGBTI rights.

With this lack of action on the part of the government, the brunt of human rights work in Mongolia has fallen to CSOs. She mentioned CSO participation in the Universal Periodic Review (UPR) on Mongolia as a means of combating human rights issues in the country and protecting HRDs. However, their work is beset by obstacles, including: a lack of meaningful legal protection, particularly for WHRDs; no national mechanism for supporting and protecting HRDs and no protection mechanism for HRDs in emergency situations; and a general lack of awareness on the UN Declaration on HRDs.
In conclusion, Ms. Urantulkhuur gave the following recommendations for improving the protection of HRDs in Mongolia:

1. Build the capacity of WHRDs in terms of human rights knowledge, awareness, skills, resources and linkages;
2. Publish and disseminate HRD training manuals and the UN Declaration on HRDs in local languages;
3. Establish a strong relationship between HRD networks and local communities, particularly targeting conflict areas;
4. Build a strong legal protection system for HRDs;
5. Develop a system of human rights education at all levels of society, targeting government officials, the general public and young people;
6. Encourage CSOs to make annual reports on HRDs, especially with a focus on WHRDs.

South Asia: Sri Lanka/WHRD, Ms. Mala Liyanage, Law and Society Trust (LST)

Ms. Liyanage began with a valuable point about the importance of acknowledging the resilience of HRDs rather than purely focusing on the fear and repression that they face. She moved on to discuss specific human rights issues in Sri Lanka, mentioning freedom of assembly and of association as a particularly big problem, as well as surveillance of HRDs.

Like Ms. Baes, Ms. Liyanage noted the increasingly shrinking space for HRDs as a general regional and global trend. However, she also asserted that there are new spaces for resistance being found. To illustrate this, she recounted that during martial law in Sri Lanka, the military demanded caterers and restaurants to report any orders numbering over 10 people to the authorities in order to repress public assembly. However, caterers frequently worked around this by dividing orders amongst several caterers, thus creating their own form of subversion and a new space for the defence of human rights. With this inspiration in mind, Ms. Liyanage urged participants to consider how to organise resistance in non-traditional spaces and to energise new HRD actors, mentioning social media and blogging as one effective way of doing this.

She then identified the serious problem of a culture of fear surrounding HRDs through public defamation, intimidation and threats designed to isolate HRDs from their communities. She suggested that forming connections between CSOs and political actors was a possible strategy in combating this culture of fear.

Ms. Liyanage also stressed the importance of official country visits from the Special Rapporteur in contributing to the protection of HRDs. She ended with a word of caution on possible internal threats to HRDs, emphasising that NGOs need to employ ethical behaviour at all times in their work to ensure credibility and transparency.

Southeast Asia: Malaysia, Ms. Pei Yinn Lim, Suara Rakyat Malaysia (SUARAM)

Ms. Lim started by giving an overview of the human rights situation in Malaysia. She asserted that the human rights situation has been made worse by the same government being in power for 57 years, which has led to issues of cronyism, corruption and freedom of expression. She mentioned the controversial Sedition Act 1948 as an increasingly utilised tool to hamper freedom of expression in the country. The use of the Sedition Act has also had a negative impact on civil society, with an increased self-censorship in NGOs due to fear of prosecution under the Act.
She also asserted that NGOs including SUARAM have been harassed through the Societies Act 1966, which decrees that every NGO has to officially register as an organisation. Under the Act, the government has the right to modify or even cancel registration.

To circumvent this issue, SUARAM registered as a company rather than an NGO, but the organisation has still been subject to intimidation and harassment.

Ms. Lim finished by critiquing the Malaysian government’s stoking of religious and racial hatred through its suppression of religious freedom, increasing difficulties and dangers for HRDs focusing on religious minorities.

Q&A and Discussion

The discussion was started by Mr. Max de Mesa of the Philippines Alliance of Human Rights Advocates (PAHRA), who asked Ms. Liyanage to expand on who she considered to be HRDs. Ms. Liyanage responded that everyone can be an HRD. She explained that some people do not even know the term ‘HRD’, but are HRDs nonetheless due to their actions, irrespective of their title or position.

Mr. Lenin Raghuvanshi of the People’s Vigilance Committee on Human Rights (PVCHR) expressed his gladness that the issue of ethical behaviour in NGOs had been raised by Ms. Liyanage. He added that if NGOs do not follow transparent practice, it is inviting trouble from authorities. Especially when using public funds, he asserted, NGOs have a duty to use it properly.

Mr. Rasti Delizo from SANLAKAS directed his questions to Ms. Baes in regards to FORUM-ASIA’s 2013-14 trend analysis on the situation of HRDs. He questioned why there was no mention of anti-mining issues in Thailand in her presentation despite it being a big issue in the country. He also asked whether community-based organisations or NGOs were targeted most according to the data collected by FORUM-ASIA. Ms. Baes acknowledged Mr. Delizo’s comment, but qualified that it was difficult to mention every case when discussing such a broad region.

She explained that Thailand cases do make up a lot of cases in 2013-14. She also added that cases encoded depend on the source of information; there will be a different focus depending on which group is getting in touch with FORUM-ASIA. With regards to his question of which organisations were targeted most, she explained that the situation of community-based organisations has definitely worsened this past year; they face restrictions, surveillance and threats from the ruling junta.
Ms. Melona Repunte Daclan of Defend Jobs Philippines asked Ms. Urantulkhuur to expand on using the Mongolian UPR as an arena to expose human rights violations. She asked what the violations were, what the follow up was and whether there were any developments after the UPR.

Ms. Sukgherel Dugersuren of Oyu Tolgoi Watch (OT Watch) responded on behalf of Ms. Urantulkhuur, saying that 40 NGOs constitute Mongolia’s CSO UPR coalition.

In the last country’s UPR, 126 out of 129 recommendations were accepted by the government to improve its human right condition. In response to Government’s non-implementation of accepted recommendations, CSOs are submitting 10 more reports for the next UPR to address.

Ms. Jelen Paclarin of Women’s Legal and Human Rights Bureau (WLB) then addressed the whole panel on the issue of shrinking space, saying that WHRDs were especially constricted and faced a different context inhabiting both the private and public spheres. She asked the panel how to have access to justice in a culture of impunity against WHRDs, adding that it was an important issue to discuss. Ms. Liyanage strongly agreed with Ms. Paclarin and added that attacks were also closely related to the erosion of democracy and the collapse of rule of law. Ms. Baes responded that although there is not one answer to the problem of shrinking space, an important strategy is raising awareness of HRDs outside the human rights community. She explained that lots of people, for example journalists, are unfamiliar with the term ‘HRD’, and thus report on situations of HRDs with a different agenda. Increased awareness is needed outside the human rights community in order to combat impunity. Ms. Lim added to Ms. Baes’ comment, giving the example of coalitions against the Malaysian Sedition Act being an effective means of combating shrinking space.

Ms. Maria Sol Tauli of Tanggol Bayi also addressed her question on the issue of political prisoners in the Philippines, stating that there are still many currently in prison. She asked if the panelists knew of any similar issues in their countries, and if so what actions were taken against it. Ms. Lim responded by giving the example of the sodomy case against opposition leader Mr. Anwar Ibrahim in Malaysia. The action taken against this case was to invite international NGOs to monitor and attend his trial in order to put pressure on the government and court, as well as raise awareness of the issue.

Ms. Farah Sevilla from the Alyansa Tigil Mina (ATM), asked the panel if there was an emerging regional pattern of land rights violations, and if so how to engage with the issue. Ms. Baes confirmed that land rights violations is an emerging pattern, with increasing arrests and attacks on ESCR defenders. She suggested that a good way of engaging with this problems to ensure that information about the violations comes from the right sources; and, to build bridges and coalitions between those working on the same issues.

Mr. Ariel Herrera of Freedom House asked Ms. Baes if FORUM-ASIA monitors and tracks LGBTI cases. Ms. Baes confirmed that FORUM-ASIA does monitor LGBTI cases through members, partners and the media. She identified one current challenge for LGBTI defenders is the lack of coverage and intervention from the media. Mr. Damith Liyanage from INFORM asked the audience
to consider whether there is a problem of harassment and discrimination against LGBTI defenders within the NGO community itself. He highlighted this as an issue by giving the example that some children's rights organisations in Sri Lanka do not work with LGBTI children, as they do not want to be labelled as focusing on LGBTI issues.

Mr. Liyanage then asked Ms. Baes about the regional statistics on students' suppression. Ms. Baes replied that students have been identified by the previous Special Rapporteur on the situation of HRDs (Margaret Sekaggya) as a very vulnerable group of HRDs. She cited a recent meeting with CSOs in Thailand which identified students as especially vulnerable to attacks, harassment and other violations.

Finally, Mr. Delizo asked the panel which trends are increasing in their respective countries. Ms. Baes replied that there was an increase in documentation of ESCR cases in Thailand; this is also noticeable in Myanmar and Cambodia. Ms. Urantulkhuur added that in Mongolia, ESCR cases are the most common in terms of violations against HRDs. Ms. Lim opined that religion and civil and political rights are the fastest increasing cases in Malaysia.
Session 2: Framework Discussion on HRD Protection Platforms

This session set the tone of the whole Forum by discussing various frameworks of protection and mechanism for and by HRDs. Its purpose was to clarify the fine line between HRD security and organisational advocacy work to provide a clearer idea on how to approach protection ‘gaps’. Mr. Sayeed Ahmad of Front Line Defenders (FLD) acted as moderator.

Security measures for HRDs (ESCR Case Study): Ms. Sejin Kim, FORUM-ASIA

Ms. Kim started her presentation by discussing the results of a survey sent to participants ahead of the Forum on how they and their organisations worked to protect themselves. On the issue of personal protection, Ms. Kim summarised various interesting answers from the survey, including ‘praying to God’ and ‘talking to fellow HRDs’ being seen as personal protection mechanism. She commented that the majority of participants did not talk about psychological support. Many also did not think about the security of HRDs themselves, rather the security of the victims that HRDs work with. One participant responded that the issue of protection was not applicable to them, as they do not have special protection measures because their purpose is to defend and protect others.

On the issue of organisational protection, there was strong consensus from the survey that a human rights organisation should be proactive and have a security policy. However, from the survey responses, only 1 per cent provides counseling and psychological support for HRDs, highlighting certain gaps in HRD protection regionally.

Ms. Kim then gave an overview of ESCR and corporate accountability defenders in Asia in the past year, giving examples of violations against these groups of defenders. She commented that the 6th AHRDF can play a role in terms of addressing security related to business and human rights. It was iterated that both state and non state actors are involved in violations against ESCR defenders and corporate accountability defenders in Asia. She also stated that the Special Rapporteur can contribute to protection mechanism and capacity building.

Ms. Kim finished by giving some recommendations on increasing the protection of HRDs around Asia. These included:

1. Recognise the importance of mental security of HRDs;
2. Have an internal organisational security policy developed by the community and HRDs;
3. Be part of HRD Networks at a grassroots, national, regional and international level.

Protection Platforms Case Study: Renato Mabunga, FORUM-ASIA

Mr. Mabunga began his discussion of protection platforms by making clear the thin line of distinction between HRD security and HRD protection. The security of HRDs refers more to the assessment of the internal realities of individual defenders and their organisations with regards to their actual experience and perceptions in the conduct of doing human rights work. It is an evaluation of perceived risks and threats that directly impacts on one's personal commitment (to the cause of human rights), involvement (to organisations), and sustainability. It also defines the degree of threshold for an organisation from a normal, acceptable level of usual activities to conscious weighing of the impact and dangers of particular action to the lives of the implementers and/or the target communities.

HRD protection, on the other hand, is a response or measures derived from the assessment of risks and threats. This could either be personal or at the organisational level. It may take the form of
internal policies of the organisation or personal disciplinary measures and precautions of individual HRDs, all of which are aimed at lessening risks and threats.

Having made this distinction, Mr. Mabunga outlined a conceptual framework for effectively establishing an HRD protection platform. He then presented the most common threats feared by HRDs based on interviews with HRDs around the world. The biggest fear was threat to life, closely followed by harassment and stigmatisation. Interestingly, while these perceived threats were viewed as real possibilities, most HRDs responded that it would not deter them from continuing their work.

Mr. Mabunga finished by offering different protection levels and the actions needed at each level in order to reduce vulnerability and increase protection capacities of HRDs.

<table>
<thead>
<tr>
<th>Level</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Personal/individual level</td>
<td>take extra precautionary measures; avoid unnecessary exposure; work in teams; continually analyse one's situation in order to identify possible risks;</td>
</tr>
<tr>
<td>2. Organisational level</td>
<td>be a part of a network or coalition; promote education as a part of the internal capacity building process; document violations; provide insurance and benefits to workers; provide legal services; conduct regular dialogue with stakeholders; have an internal security policy;</td>
</tr>
<tr>
<td>3. Governmental level</td>
<td>implement legislation that protects HRDs; increase political will to push legislation through;</td>
</tr>
<tr>
<td>4. Institutional level (e.g. in the Philippines the Church and the media are able to influence governmental policy)</td>
<td>provide sanctuary for HRDs at risk;</td>
</tr>
<tr>
<td>5. Conflict-situation level</td>
<td>negotiate and lay down an agenda for human rights and the protection of civilians including defenders in the course of political actions.</td>
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Panel of Reactors

Southeast Asia: Ms. A (name withheld) Thailand

Ms. A gave an overview of the situation of HRDs in Thailand. She highlighted the issue of enforced disappearance and extrajudicial killings of HRDs, mentioning several specific cases including the 2014 disappearance of the minority rights activist known as ‘Billy’ while he was in state custody. She also spoke of WHRDs in Southern Thailand, including Buddhist women who have been targeted by militants in Southern Thailand for their activism. She asserted that while Thailand has publicly appeared to accept international human rights standards (it was the first country in Asia to invite the Special Rapporteur on the situation of HRDs for an official country visit in 2003) many HRDs still work in inherently dangerous situations in Thailand; HRDs are being targeted instead of human rights violators being held accountable.

Focusing on the current situation of Thailand being under martial law, Ms. A recounted the effect on the HRD community, citing numerous cases of activists arrested for criticising the May 2014 coup. She outlined the following challenges currently facing HRDs in Thailand, including: the use of the infamous Article 112 (or Lèse-Majesté Act) to suppress activism; serious gaps in witness protection strategies; a lack of serious investigation into complaints that involve HRDs; and policy making on better protection for HRDs continuing to be hindered.
Based on her overview, Ms. A made the following recommendations for implementing better protection mechanism for HRDs in Thailand:

1. The Thai government must adopt EU/UN guidelines on HRD protection;
2. Increase public recognition of the importance of HRDS and foster a culture of HRDs;
3. The Thai government must respond to Article 18 of the Convention on Torture;
4. There must be better investigation and prosecution in cases of violations against HRDs in order to end the culture of impunity.

Northeast Asia: Taiwan, Ms Szu-Tu Yen, Taiwan Association for Human Rights (TAHR)

Ms. Yen used the 2014 March Student Movement in Taipei to illustrate challenges faced by HRDs in Taiwan and the protection platforms used to combat these challenges. She gave a brief overview of the March Student Movement (commonly known as the Sunflower Movement) that led to a month-long occupation of Congress from March to April 2014.

Students activists protested the trade agreement Cross-Strait Service Trade Agreement (CSSTA) with China that opens up Taiwan’s service industry to Chinese investment. The ruling party agreed to the trade agreement on the 17th March with no review and with little transparency or debate. It was this lack of transparency that led to the students’ protest and sit-in.

Ms. Yen recounted the challenges faced by HRDs during the movement, including: facing the use of anti-riot equipment (the water cannon was used on protesters for the first time in 30 years); media distortion of the protest, with some news agencies portraying the peaceful protesters as ‘rioters’; in some cases individuals “disguised” themselves as HRDs and used violence against the police rather than taking part in the peaceful movement of the majority of protesters.

Ms. Yen then gave an overview of effective HRD protection platforms existing in Taiwan. She asserted that one of the most effective ways to protect HRDs in Taiwan is through peaceful civil disobedience, because violence in demonstrations tends to put off support of the wider public. She also emphasised the co-operation between NGOs, universities and telecommunications companies as an effective protection platform. For example during the Sunflower Movement, the government shut down the internet service but a telecommunications company provided protesters with free WIFI and volunteers to keep guard outside Congress.

Finally, she advocated the use of pro bono lawyers for representing HRDs. During the Sunflower Movement, a team of 500 lawyers (funded by the Judicial Reform Foundation) provided their services during the protest and enabled protection during the movement.
South Asia: Pakistan, Ms. Sumaira Ishfaq, Potahar Organization for Development Advocacy (PODA)

Ms. Ishfaq gave a brief overview of the human rights situation in Pakistan, asserting that the country faces a lot of human rights violations. She gave the example of Mr. Rasheed Rehman, a rights advocate who was murdered on the 7th May 2014, due to blasphemy cases that he worked on. Ms. Ishfaq works as an HRD in a remote area. Child marriage, honour killings, rape cases, domestic violence and acid crimes are some of the issues she deals with on a regular basis. She spoke candidly about the severe threats she had personally faced from community members, including an accusation of a foreign agent and labelled a ‘bad woman’.

Ms. Ishfaq said that the national alliance of HRDs and the National Commission on the status of women are often the subject of attacks by extremists. She remarked that the state does not provide any protection to HRDs and WHRDs.

1. Ensure the protection of HRDs and WHRDs through training field staff in different protection mechanism and providing psycho-social support for defenders;
2. Use social media platforms as a tool to build networks and support within the HRD community.

Q&A and Discussion

Ms. Tessa De Ryck of Protection International (PI) asked the panel for their thoughts on why HRDs tend not to implement security policy even though they are dealing with very risky and sensitive issues.

Mr. Mabunga responded that based on a study into HRDs and security he undertook in 2011 in the Philippines; HRDs’ need to help human rights violations victims makes their own security less important in their own eyes.

Ms. Kim added to Mr. Mabunga’s response by drawing on the results of the survey completed by participants ahead of the AHRDF6, which showed that in general HRDs don’t like to talk about themselves or refer to themselves as victims.

She added that to counter this, organisational policy and protocol should be updated and reviewed on a regular basis and security policy should be integrated into regular management. Touching on the situation of HRDs in Thailand, Ms. A asserted that young HRDs and HRDs on the ground are not concerned about their own safety. However she added that the nature of conflict in Thailand has changed in that there are surveillances on citizens by citizens, with HRDs sometimes being reported to the junta by their own family members. HRDs have to adjust to this new risk. The final question was from Ms. Shen Tingting of Asia Catalyst, who asked Ms. Yen whether there is any mechanism or channels for student leaders in Taiwan to share experience about their security protection. Ms. Yen replied that student activists have learned from the pro-democracy movement in Hong Kong, as both Hong Kong and Taiwan are using civil disobedience to call for democracy and are pursuing nonviolent means of protest.
Session 3: Dissecting individual-level HRD security issues and challenges towards identifying appropriate protection measures, action and proposals for HRD protection in general

This session dealt with the threats, challenges and fears of individual HRDs or HRDs as a community in the performance of their work. Covering the themes of WHRDs, land rights, religious minorities, extractive industries and youth activism, it opened space for the sharing of concrete experiences and personal measures employed in overcoming fears and challenges. Mr. John Liu from FORUM-ASIA moderated the session.

Women/WHRDs: Bangladesh, Ms. Lisa Aklima Ferdows, Ain O Salish Kendra (ASK)

Ms. Ferdows focused on the pervasive repression of South Asian women under patriarchal culture, and how this affects WHRDs in Bangladesh specifically. She asserted that there are great risks for Bangladeshi women speaking out against human rights violations. WHRDs face challenges from family, relatives and partners as well as the wider community and state actors.

To illustrate the culture of impunity surrounding violations against WHRDs she offered several case studies of security issues and challenges facing WHRDs in Bangladesh. One was Ms. Kalpna Chakma, a WHRD who disappeared in June 1996. She worked for the emancipation of indigenous women and was very vocal in her advocacy as well as political campaigning. She was abducted by the Bangladeshi army from her home and has not been seen since. Another was Ms. Shampa Goswami, a teacher and WHRD working for NGO Odhikar, who faced relentless intimidation and harassment by a group of men after providing assistance for an elderly victim of gang rape. Ms. Goswami had explicit threats made to her, and a distorted photo of her was circulated on the Internet. She was also suspended from her teaching position on the dubious charge of ‘anti-social and unethical activities’. Ms. Ferdows also recounted several instances of WHRDs being physically assaulted by both state and non-state actors in the course of their work, emphasising the extreme vulnerability facing WHRDs in Bangladesh.

Land rights issues: Cambodia, Mr. Latt Ky, Cambodian Human Rights and Development (ADHOC)

Mr. Latt began with a brief introduction to the work of ADHOC, which includes providing advocacy and support to land rights victims. He then gave an outline of land rights issues in Cambodia, asserting that land dispute is one of the primary development issues in the country. He commented that it was an especially sensitive issue, with people being reluctant to discuss the problem due to fear of reprisal.

Contextualising the recent rise in threats and intimidation against land rights activists, Mr. Latt explained that since the lifting of the ban on public assembly, Cambodia has experienced a new wave of protests which have only intensified in recent months due to long-running land disputes. He added that although there have been plans for an establishment of national human rights commission in Cambodia, the government has failed to keep its promise including protection of HRDs. Protests thus grew due to government’s inaction on land rights issues.

Focusing on security issues facing HRDs, Mr. Latt asserted that HRDs face threats, intimidations and assault. Little to no protection is provided by authorities, who are often in fact the perpetrators of these violations. He explained that there is a lack of good relations between HRDs, government and companies which hampers protection strategies for HRDs. A lack of judicial independence means that often HRDs are subject to criminalisation.
In light of these challenges, Mr. Latt urged Mr. Forst to make an official country visit to Cambodia as a means of pressuring the government to recognise the need for protecting HRDs and implement protection mechanism.

**Religious minorities: Indonesia, Mr. Moch Ainul Yaqin, Indonesian Legal Aid Foundation (YLBHI)**

Mr. Yaqin began by outlining the human rights context of Indonesia. He explained that since the collapse of Suharto’s regime in 1998, Indonesia has experienced four rounds of democratic and transparent general elections, the development of a vibrant press, and the rise of civil society movements. However, he asserted that the emergence of Indonesia’s democracy has been accompanied by an unintended phenomenon: the decline of religious freedom and a rise in religious intolerance. The growing influence of militant Islamist groups has significantly contributed to this problem. They promote anti-pluralist ideologies and intolerant attitudes toward religious minorities. In addition to inciting hatred and discrimination, they have mobilised mass support for communal violence.

Mr. Yaqin went on to describe how this increase in religious intolerance has negatively affected YLBHI’s work, not only with regard to the work they do to advocate for religious minorities’ rights, but also their work related to the promotion of women’s rights and LGBTI rights. He gave several examples of intimidation and harassment aimed at YLBHI, including threats from police, physical assault of staff members by extremist groups and even pressure from the Chinese embassy of Indonesia to cease advocacy for the minority Falun Gong community.

**Extractive industries/mining: Philippines, Dr. Benito Molino, Concerned Citizens of Sta. Cruz, Zambales (CCOS)**

Dr. Molino’s presentation focused on extractive industries and their toll on communities in the Philippines. He highlighted that extractive industries are not just devastating land resources but also human resources, through poor labour rights for those working for mining companies. He gave an outline of the extent of mining practices and its impacts on communities and the environment, informing the audience that almost all provinces in the Philippines have mining operations or planned mining operations. Agricultural and forest areas are all being mined by foreign companies. Focusing on his own province of Zambales, he showed through data collected over the years that there is now a higher chance of flooding and landslides in Zambales due to mining operations. Most mining-based Filipino communities have the highest and most consistent poverty rates in the country. Dr. Molino said that there have been ongoing protests due to the negative impact of mining, but the government has remained unresponsive, interpreting the protests as an aggressive defence of land. Moving on to the mining companies themselves, he said that these companies assert that they are providing employment, but in reality they only provide 4 per cent of employment in the country. Mining only contributes 1.2 per cent annually to the Philippines economy, meaning its devastating impact comes with little reward.

Turning to violations faced by anti-mining HRDs, Dr. Molino cited threats, extra-judicial killings, surveillance, violent protest dispersal and judicial harassment as a few examples. He has personally received death threats due to his anti-mining efforts which temporarily brought mining to a pause in Zambales in July 2014. However, this suspension ended at the beginning of December 2014. He also mentioned that he had approached the Philippines Commission on Human Rights for assistance, but they retorted to have ‘more important’ engagements. He expressed his disappointment and concern by this lack of support.
Dr. Molino ended his presentation with a call for action, outlining a 10 point human rights agenda on mining in the Philippines:

2. Stop large-scale mining;
3. Respect, protect and fulfil indigenous people’s rights to self-determination;
4. Protect WHRDs and indigenous women in mining areas;
5. Stop exploitation of workers in mining sites;
6. Protect the environment and the people’s right to a safe, sound and balanced ecology;
7. Stop the killings: protect HRDs;
8. End displacement of rural people: protect their right to food, water, housing and access to a means of subsistence;
9. Stop militarisation and deployment of investment defence forces;

Youth/students: Thailand, Ms. Pimsiri Petchnamrob, FORUM-ASIA

Ms. Petchnamrob provided an overview of Thailand situation following the coup d’état in May 2014, explaining that the imposition of martial law and increasing harassment against activists and HRDs under the military government has led to resistance from various groups, including youth and students. She gave several examples of youth protests in recent months, which in many cases led to arrests, judicial harassment and pressure from the National Council for Peace and Order (NCPO) to cease all further political activity.

Based on the situation of youth and student activists in Thailand, Ms. Petchnamrob outlined the following actions and proposals for the increased protection and involvement of youth and student HRDs in Asia:

1. Law enforcement officials should be trained in international human rights standards and child/youth protection measures, particularly regarding crowd control during peaceful assemblies;
2. States are encouraged to invest more in youth development and facilitate participation of youth in public affairs;
3. States should facilitate and simplify notification/registration procedures for the participation of youth and students in public assemblies, including by removing prohibitions preventing youth, and in some cases children, from participating;
4. Youth and student defenders should be equipped with knowledge about human rights protection mechanism, digital security, risk assessment skills and connections with national and international organisations;
5. NGOs should try to be youth friendly and cater to youth’s needs; they should try to look at ways in which youth are mobilised, what sort of change youth expect, etc.;
6. There should be emergency support in place for students and youth, for instance relocation and financial support for at-risk individuals.

Ms. Petchnamrob finished by emphasising that youth and students are at the forefront of protest and changes in Thailand, and therefore requires the same levels of protection and support as other groups of HRDs.
Q&A and Discussion

Mr. Ryan Silverio from the ASEAN SOGIE Caucus began discussions by focusing on the connections between LGBTI activists and other HRDs, questioning if LGBTI issues were being taken seriously in the HRD community.

Mr. Yaqin responded that recently YLBHI’s Jakarta office has supported LGBTI groups despite objections from the local community. He emphasised the importance of co-operation with law enforcement authorities in handling LGBTI cases.

To facilitate this, YLBHI provides training for police officers in terms of how to deal with conflict and human rights cases. He stated that one of the policemen who received this training will soon become chief of police, and that hopefully this training will ensure a better method of working with human rights cases.

Mr. Sarat Kumar Paikray from Posco Pratirodh Sangram Samiti (PPSS) then directed a question to Dr. Molino, asking him to expand on specific mining methods used in the Philippines and the nature of corporate responsibilities in the industry. Dr. Molino replied that stripping is the most commonly used method in mining, which is very destructive. The nature of stripping means that not only the land but also the surrounding sea is affected, denying communities the right to a healthy environment. On corporate responsibilities, he asserted that the government allows mining despite an extreme lack of corporate accountability. Development is an area reserved for the powerful, leaving the poor behind. He explained that the Philippines has laws for the protection of the environment, but that they are not implemented in mining areas. Dr. Molino stated that he and fellow activists have campaigned for the government to investigate mining destruction for the last two years with no results.

Ms. Khin Ohmar from the Burma Partnership asked Dr. Molino and Mr. Latt how successful the judiciary was in anti-mining cases. Mr. Latt responded that to date regarding judicial reform in Cambodia, 416 laws were adapted to strengthen the capacity of the judiciary.

He stated that the laws in general are good, but they are not implemented properly. Ms. Ohmar then directed a question to Ms. Petchnamrob, asking how students and youth are able to connect to wider civil society in Thailand.
Ms. Petchnamrob replied that because of the ongoing political conflict in Thailand within the last 10 years, even civil society has become polarised. She asserted that the only way out of this situation is to build a new movement that is not based on divisive political leanings. Ms. Ohmar’s final question went to Ms. Ferdows, who was asked whether any of the WHRD cases mentioned in Ms. Ferdows’ presentation were successfully brought to justice. Ms. Ferdows replied that unfortunately the judiciary in Bangladesh is not playing the role it should and is inherently biased towards the government. In all the cases she mentioned, there has been insufficient judiciary action.

Finally, Ms. Thea Gelbspan from ESCR-Net asked Ms. Ferdows to expand on the reasons for the military assaulting women for speaking out about something like gender-based violence. Ms. Ferdows responded that women in Bangladesh are still treated as second-class citizens, and that the patriarchal culture is so pervasive that suppression begins within the family. Thus there is a widespread notion that women should not speak out, which has been normalised in institutions like the military.
**Session 4: Organisational protection initiatives, systems and mechanism on the ground**

Session 4 provided a platform for sharing security measures, protection systems and mechanism employed and/or institutionalised within organisations to mitigate possible victimisation of their workers and members in the course of their engagement on human rights issues and advocacies. Ms. Tessa de Ryck from Protection International was the moderator.

**South Asia: Nepal, Ms. Prashannata Wasti, Informal Sector Service Centre (INSEC)**

Ms. Wasti briefly contextualised the situation of HRDs in Nepal, explaining that during the decade-long civil war (1996-2006) HRDs were targeted by both the state and rebels. There followed a long transitional period into peace, during which a culture of impunity reigned. This has continued to the present day. Ms. Wasti asserted that Nepali HRDs sometimes feel that the state is confrontational towards them and doesn't listen to the needs of CSOs. She added that there was a generally negative image of human rights NGOs perpetuated by the state, particularly if they receive foreign aid. She added that WHRDs are an especially vulnerable group in regards to violations against them.

Ms. Wasti went on to assert that there is poor implementation of NHRC recommendations and guidelines for HRDs. A monitoring and coordination committee was created to conduct an inquiry of complaints and take action on the safety of HRDs when necessary; however, this committee still remains inactive. There is also a lack of cooperation from ground-level security forces on issues of human rights.

In the light of the situation facing HRDs in Nepal, Ms. Wasti then outlined protection strategies implemented by her organisation to mitigate challenges in their work. These included:

1. Documenting human rights violations;
2. A digital security policy to protect sensitive data;
3. Positive and close co-ordination with media;
4. The establishment of a safe house for HRDs;
5. Engaging with security agencies;
6. Human rights training for journalists and lawyers;
7. Forming local, national and international alliances, including seeking support from friendly states and diplomatic missions;
8. Initiating new laws, including a protection law for HRDs and advocating for a witness and victim protection law.

**Southeast Asia: Indonesia, Mr. Chrisbiantoro, Commission for The Disappeared and Victims of Violence (KontraS)**

Mr. Chrisbiantoro began by giving a brief outline of KontraS, explaining that the organisation began by mainly focusing on enforced disappearances and HRD violation cases; however, there has been increasing requests from communities to advocate on more and more human rights issues. He explained that KontraS has developed a protection system for HRDs, but the Indonesian government doesn’t take HRD protection seriously.

According to the experiences of KontraS, the main perpetrators in violations against HRDs are a mix of non-state and state actors and include police, the government (both state and local), corporate businesses, thugs and the military.
Mr. Chrisbiantoro added that the number of violations has increased in the last 2 years despite the best efforts of KontraS and other human rights organisations. He asserted that the most targeted HRDs are land rights activists and HRDs working on natural resources. The main violations suffered by HRDs in Indonesia are: physical assault; arbitrary detention; judicial harassment and criminalisation; and defamation.

Mr. Chrisbiantoro illustrated the impunity in HRD violations with the example of Mr. Munir Said Thalib, KontraS’ founder, who was murdered in 2004 for his efforts as an HRD. Investigation efforts into the murder were poor, and the murderer was freed ahead of his release date.

Finally Mr. Chrisbiantoro outlined the following protective measures for HRDs used by KontraS:

1. Publishing manuals and holding training for HRDs;
2. Holding a ‘human rights school’ for students and police introducing the issue of HRDs’ safety;
3. Holding a national workshop on the protection of HRDs for government officials and police;
4. Circulating information on violations and possible threats through community radio;
5. Social media campaigning;
6. Public engagement through community discussions;
7. A diplomatic briefing every 3 months giving an update on the Indonesian human rights situation;
8. Embassy visits;
9. Discussion with police to mitigate criminalisation against HRDs;
10. Open letters to the Special Rapporteur for the situation of HRDs;
11. Providing legal support for victims and their families;
12. Lobbying at the national and international level.

**Northeast Asia: South Korea, Ms. Gayoon Baek and Mr. Seunghwan Kim, People’s Solidarity for Participatory Democracy (PSPD)**

Ms. Baek and Mr. Kim’s presentation took a more inwards-looking approach, focusing on threats and challenges to HRDs that may also come from within the human rights community itself. They began by commenting that the situation of HRDs in South Korea is slightly better than in other countries in the region; for instance they do not suffer violations like enforced disappearances.

However, they also acknowledged that HRDs in South Korea still face restrictions and difficulties in their work. With this in mind, they explained that they had chosen to focus their presentation on the importance of advocating for rights within one’s own organisation.
Using their organisation PSPD as an example, they explained that it is vital to have strong internal communication links within the organisation to facilitate staff wellbeing. They outlined the multiple platforms for communication within PSPD, including a grievance committee and a labour committee. An example of how these committees worked was given by Mr. Kim, who explained that after bringing his grievance about inadequate paternity leave to the committees, PSPD revised its policy on parental leave to be fairer to fathers.

As well as giving a brief overview of the salary and benefits enjoyed by PSPD staff they also outlined the capacity-building committee, which offers staff training such as writing skills, using social media in campaigns and current affairs. PSPD also has an education fund to build the capacity of junior-level staff by paying to send them to events such as international conferences like the 6th AHRDF.

Ms. Baek admitted that it is sometimes difficult to implement the mechanism she had outlined due to issues such as limited financial resources. However, she strongly asserted the need for ‘sustainable activism’, which acknowledges that activists are also workers with needs and a private life. People need to feel contented and supported in order to work properly and effectively; as such, their rights within their own organisation need to be taken into account.

**Q&A and Discussion**

The discussion involved a lot of interest in the practices of Korean human rights organisation PSPD; Mr. Erwin Puhawan from the Freedom from Debt Coalition offered his congratulations to PSPD for its aspiration towards ‘sustainable activism’ and positive attitude towards its staff. Mr. Munib Kahal from BAUGBUG asked Ms. Baek about PSPD’s engagement with the government, and how to monitor government policy without being labelled by other CSOs as being ‘part’ of the government. Ms. Baek replied that PSPD does not work directly with the government, and that there is a need to develop new strategies to monitor its policy and decision-making in relation to human rights. PSPD has divisions that monitor different branches of the government and its decision-making processes. She reiterated that in not receiving money from the government PSPD is freer to raise justifiable questions about government actions, although then the organisation may run the risk of being labelled ‘pro-north Korea’ which is a common government tactic to dispel criticism.

Ms. Shen Tingting from Asia Catalyst asked Mr. Chrisbiantoro to expand on KontraS’ strategy of making embassy visits. She asked how effective this strategy is and whether there is a risk of reprisal against HRDs. Mr. Chrisbiantoro answered that KontraS tries to mitigate reprisals by keeping meetings limited to the embassy ambassador and KontraS staff.

Mr. Andrea Giorgetta from the International Federation of Human Rights (FIDH) asked Mr. Chrisbiantoro to share his experiences of working with the local police force in Indonesia. Mr. Chrisbiantoro explained that KontraS has developed effective co-operation with the police force through offering multiple trainings.
Recently KontraS had an important meeting with police on how to develop internal policy in dealing with indigenous people and land rights activists, as police are often the alleged perpetrators in land rights violations cases. He added that a website on right to freedom of expression has been created for the use of the police.

This engagement has led to a degree of trust between KontraS and the police; for example KontraS is sometimes invited by police to give lectures on how to mitigate torture and to discuss how police shall treat students in demonstrations. However, he also admitted that this engagement was not fully effective as every 2 to 3 years the national police chief is replaced. The positive engagement is thus not necessarily carried on and relies on the goodwill of the chief.
Session 5: Building National Platform of Protection for HRDs and WHRDs

Discussion in this session focused on the importance, current developments and challenges in building local and national networks and coalitions of HRDs and WHRDs. The speakers led the audience through their experiences of networking and the significance of national platforms as first-line defence for HRDs and WHRDs. Ms. Shahindha Ismail from the Maldivian Democracy Network (MDN) moderated the session.

South Asia: India, Mr. Mathew Jacob, Human Rights Defenders Alert India

Mr. Jacob began by describing the situation of HRDs in India and the many issues they advocate on, from environmental devastation to killings, torture, caste-based violations and protesting ineffective national and state human rights commissions.

He then went on to outline the specific challenges and threats faced by HRDs themselves in the course of their work, including: arrests and criminalisation; false charges of sedition and waging war against state; extra-judicial killings and torture; cancelation and suspension of registration for NGOs; restriction of free speech, association and assembly; and the systematic ignoring of HRD violations in the media.

In light of these violations, he described various HRD platforms and initiatives to combat such threats. For example in December 2008, Tamil Nadu-based human rights NGO People’s Watch launched a National Desk on HRDs and started working towards a national network for the protection and promotion of HRDs in the country. Mr. Jacob also talked about HRD Alert-India (HRDA-India), which he described not as an organisation but as a platform which promotes HRD networks across India. It offers training and information exchange among its members and is in the process of setting up focal points in all states for more effective gathering of information and speedier responses to violation cases. It has 3 help desks that send urgent appeals to local authorities, human rights institutions and UN Special Procedures. HRDA-India also compiles information on HRDs at risk or under attack to produce annual reports on the situation of HRDs. It provides pro bono assistance, including legal, medical, relocation, or other assistance as per need, such as education for the children of an HRD.

As a result of the above initiatives and networking strategies, Mr. Jacob acknowledged the achievements of HRDA-India. It has played an active role in HRD campaigns, thus giving visibility to the plight of HRDs. It has also enabled several human rights organisations to become a part of the Regional Initiative for a South Asia Human Rights Mechanism (RISAHRM), a civil society initiative at the South Asia level urging South Asian governments to establish a human rights mechanism in line with the European, Latin American and South African Models. Finally, it has increased solidarity and support within the Indian HRD community.
Southeast Asia: Philippines, Mr. Edgardo Cabalitan, Task Force Detainees of the Philippines (TFDP)

Mr. Cabalitan began his presentation with an importance of developing a network of HRDs. He stated that building a network of HRDs is essential to the work of TFDP because the network serves as a crucial instrument to promote and protect human rights.

He then shared that general public are not necessarily aware of human rights and its principles due to the lack of human rights education programmes. As a response to the situation, TFDP organises networks, facilitates in organising local peoples’ organisations, formation of issue based coalitions in communities, and mobilising people for human rights. In this regard, networks are used to popularise human rights principles embodied in the Universal Declaration of Human Rights (UDHR) and capacitate them with the necessary skills that would help them to assert and defend their rights. One example is that TFDP works on cultivating leaders of tomorrow through its project Youth for Rights (Y4R) to capacitate them with human rights education and skills development. This is a youth network that will help to effectively combat violations of human rights.

Mr. Cabalitan then shared how Human Rights Defenders-Pilipinas (HRD-Pilipinas) developed and its challenges. HRD-Pilipinas has emerged as a concrete follow-up to series of consultations conducted by HRD programme of TFDP. During the 1st National Conference of HRDs in 2009, participants resolved to establish a formal organisation of HRDs to look into protection mechanisms for HRDs and to enhance capabilities of HRDs. Mr. Cabalitan emphasised that HRDs should also work for own individual situations while working for the rights of others. In terms of challenges, Mr. Cabalitan outlined internal and external challenges of HRD. These included:

<table>
<thead>
<tr>
<th>Internal Challenges:</th>
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<tbody>
<tr>
<td>1. Minimal resources available to sustain network (e.g. human resources, funds);</td>
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<tr>
<td>2. Communication (access to technology, language and cultural barriers among different groups);</td>
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<tr>
<td>3. Leadership (some local leaders could be bribed and affecting local organisations fighting stance in the communities);</td>
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<table>
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<tr>
<th>External Challenge:</th>
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<tbody>
<tr>
<td>1. Application of repressive laws;</td>
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<tr>
<td>2. Lack of implementation of existing HR Laws (e.g. Anti-Enforced Disappearance);</td>
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<tr>
<td>3. Pending human rights laws for the protection of HRD;</td>
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<tr>
<td>4. Government’s lack of strategic programme;</td>
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<tr>
<td>5. Threats to HRDs (harassment, intimidation, killings, enforced disappearance);</td>
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<tr>
<td>6. Impunity.</td>
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</table>

Mr. Cabalitan concluded his presentation by emphasising possible roles of the Commission of Human Rights (CHR) for HRD protection. Although there are no official and concrete programmes, CHR could collaborate with networks of HRDs to popularising concepts of HRD among civil society organisations.

Northeast Asia: Mongolia, Ms. Sukhgerel Dugersuren, Oyu Tolgoi Watch (OT Watch)

Ms. Dugersuren began her presentation by describing the legal framework in Mongolia that affects HRDs, asserting that there is an erosion of the legal system and arbitrary applications of the law in the country, which is used to make things difficult for HRDs. She then commented on the National
Human Rights Commission of Mongolia (NHRCM), asserting that even though it has improved since its inception in 2008, it is still not in compliance with the Paris Principles.

Ms. Dugersuren then outlined the findings of the Fact Finding Mission on the situation of HRDs conducted in Mongolia by FORUM-ASIA in 2012. According to the findings, HRDs are subjected to: threats and intimidation; denial of the right to information; judicial harassment; smear campaigns; and a lack of redress and effective remedy. To highlight this, Ms. Dugersuren offered several recent cases of violations against Mongolian HRDs, including the deportation in 2014 of 2013 Environmental Whitley Award winner Mr. Eugene Simonov.

Ms. Dugersuren stated that there is active discussion in Mongolia about establishing an HRD network. To facilitate this discussion, there has been public awareness-raising of the issue, and a request to NHRCM to promote the UN Declaration on HRDs. She added that in principle at least there is an agreement amongst groups to establish a network.

Ms. Dugersuren then expanded on the theme of development and human rights, in which people’s land and natural resources are sacrificed to ‘global development’ schemes. Often, development furthers the rich while disenfranchising the poor. In response to these dilemmas of development, she asserted the need for establishing transnational CSO networks in order to tackle the problem.

**Q&A and Discussion**

Ms. Kazuko Ito from Human Rights Now began discussions by commenting that Asian CSOs should create a platform for international solidarity and events in East Asia to work on corporate responsibility issues as a regional movement.

Ms. Dugersuren replied that the Mongolian NGO law has been in a very long drafting process. For example, individuals have to open a bank account and file a tax report when they register an organisation. She added that there are other restrictions that make NGO registration difficult, including a very precise definition of its mission. Speaking of extractive industries in Mongolia, she said that Japanese corporations like Mitsubishi and Korean companies like Samsung have vested interests in extractive industries in the country. Ms. Dugersuren suggested to participants to protest together at the sub-regional or regional level to put more pressure on companies, and to create a more formal coalition than a loose network. Mr. Emmanuel Amistad from the Task Force Detainees of the Philippines (TFDLP) then commented that his organisation is trying to popularise the concept of HRDs among CSOs but there is still no concrete programme in place. Responding to Ms. Dugersuren’s previous assertion, Mr. Jacob strongly agreed that there is a need to build a platform for regional solidarity for corporate responsibility in the region. For example in India, one steel company has a private prison to imprison and torture people, while other companies recruit their own militias that go into villages to threaten and kill those who protest. Additionally, people who seek information under the Right to Information Act (a long fought-for law in India) are often targeted. Threats and intimidations are meted out by state actors through the Armed Forces Special Powers Act (AFSPA) and by non-state actors through private militias.
Sub-regional Working Groups and Reporting with the Special Rapporteur on the situation of HRDs

Working Groups

In the afternoon of Day 2, participants broke out into 3 sub-regional groups (South Asia, Southeast Asia and Northeast Asia) to share and discuss levels of protections – individual, organisational and governmental/inter-governmental – and their recommendations. Each group appointed a rapporteur to sit as a panelist for reporting the groups’ recommendations to Mr. Forst during the plenary the following day.

The groups’ discussions were guided by the following questions:

1. What are the threats/challenges you face in your work individually and organisationally?
2. What are the measures taken, and your recommendations to mitigate these issues individually and organisationally?
3. What recommendations/advocacy calls do you want to give to your governments and to the UN SR on HRDs or other mechanism?
4. What recommendations do you want to give to Asian civil society as a whole to strengthen the movement for HRD protection in the region?

Reporting with the Special Rapporteur

On the last day of the Forum, the rapporteurs from each sub-regional Working Group conveyed the findings of their discussion to Mr. Forst and the other participants. Mr. Forst then gave his response to each group. Ms. Rosemarie Trajano from PAHRA acted as a moderator for the session. Mr. Jacob from HRDA-India and Ms. Ferdows from ASK were reporting the discussions from the South Asia Working Group. Ms. Shen Tingting from Asia Catalyst was the rapporteur for Northeast Asia and Mr. Delizo from SANLAKAS acted as rapporteur for Southeast Asia.
### South Asia

#### Threats and Challenges

<table>
<thead>
<tr>
<th>Individual level</th>
<th>Organisational level</th>
<th>Both individual and organisational level</th>
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<tbody>
<tr>
<td>• Discrediting</td>
<td>• Threat of deregistration/refusal to grant registration</td>
<td>• Surveillance</td>
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<tr>
<td>• Rape/sexual harassment</td>
<td>• Attacks on offices</td>
<td>• Intimidation</td>
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<tr>
<td>• Character assassination</td>
<td>• Political interference</td>
<td>• Judicial harassment</td>
</tr>
<tr>
<td>• Biased opinion from judiciary</td>
<td>• Funding restrictions</td>
<td>• Religious fundamentalism</td>
</tr>
<tr>
<td>• Disappearance or fear of abduction</td>
<td>• Interference from corporations</td>
<td>• Reprisal</td>
</tr>
<tr>
<td>• Killings</td>
<td>• Bad-mouthing from the media</td>
<td>• Disruption of meetings and human rights events/activities</td>
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<tr>
<td>• Threats to family</td>
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<tr>
<td>• Torture</td>
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<tr>
<td>• Patriarchal culture</td>
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<tr>
<td>• Caste-based discrimination</td>
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<td></td>
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<tr>
<td>• Lack of organisational/family support</td>
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<td></td>
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<tr>
<td>• Loss of income due to organisational restrictions</td>
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<tr>
<td>• Lack of knowledge on protection mechanisms</td>
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<tr>
<td>• Psychological trauma</td>
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</table>
Protection mechanism recommendations:

**Individual level**

- Ensure you are with someone else while working in the field or when going out; there is safety in numbers
- Use personal recording devices to capture any violations experienced
- Trust in the communities you work with to keep you safe. Engage ordinary people; they may not be familiar with UN mechanisms, but they know who is safe to work with and who is not in their own locale
- Conduct safety and risk assessments
- Lobby with officials, bureaucrats and law-makers if they are sympathetic to the HRD cause
- Hold solidarity meetings with fellow HRDs
- Always file complaints of violations with police; even if cases are not pursued it is important to have them on official record
- Document threats and violations on social media, newspapers and other media forms
- Issue press statements and urgent appeals when violations occur
- Name the perpetrator on social media
- Retain a strong mental attitude; don't give in to threats
- Recruit more HRDs
- Learn about perpetrators; know who you are dealing with
- Refuse invitations from security officials to visit them at their offices; try to meet them in your own space

**Organisational level:**

- All staff should receive some form of self-defence training
- Have an established mechanism for emergency response so that fellow HRDs know exactly what needs to be done in a situation locally, nationally and internationally
- Have a contact list accessible for everyone in the organisation and keep it continually updated
- Digital security training is essential. Have a strong follow-up after training to ensure it is being implemented
- A mechanism needs to be put in place to ensure that people working within an NGO don't become informers to people wishing to harass or intimidate HRDs
- Larger NGOs should create a global list announcing countries that are the most threatening for HRDs, including the transparency of local organisations
Mr. Forst began his response by asserting that while it is evident that patterns and trends of violations against HRDs differ country to country and region to region, they also share similarities, for instance in the persecution of religious minorities. He acknowledged that there was a lack of protection from the international community and national governments.

He identified the issue of lack of funding as a universal issue raised by CSOs globally. He informed participants that in 2015 he will have a meeting with funding agencies to discuss possible funding for activities that will be useful for developing HRDs’ work and better protect them. It is important to inform these agencies of what the specific needs of HRDs are in order to tailor useful activities. Mr. Forst also announced his intent to discuss how to effectively lobby governments on human rights legislation in his activity plan. He invited the CSO community to send him recommendations on this in order to inform discussions on the issue between him and the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Mr. Maina Kiai. He also issued an invitation for CSOs to send additional information on the independence of judiciaries, as this has been identified as a prevailing issue around the world and needs to be tackled.

Mr. Forst commented on the need for pro bono legal aid of HRDs, and the current lack of it. He asserted that this lack was a concern and needed to be tackled.
He announced that he is in contact with international law firms to provide free legal aid to HRDs, and invited HRDs to discuss with him if this was a service they wished to access. He also commented on the importance of solidarity meetings, reiterating that the best protection of HRDs is national and international solidarity.

Finally Mr. Forst stated his awareness of the fact that there is a need for him to be more public and vocal in his work defending HRDs. He announced that he intends to develop this in coming years alongside fellow Special Rapporteurs. He issued an invitation for CSOs to send advisory reports on how to develop this.

**Northeast Asia**

**Threats and challenges**

<table>
<thead>
<tr>
<th>Individual level</th>
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<tbody>
<tr>
<td>Judicial harassment, especially in Mongolia and China</td>
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<tr>
<td>A growing trend of restrictions on domestic and international travels of activists attending human rights events</td>
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<tr>
<td>Lawyers working on issues like domestic violence are especially vulnerable to attack</td>
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<tr>
<td>LGBTI defenders targeted in South Korea</td>
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**Protection mechanism recommendations**

<table>
<thead>
<tr>
<th>Organisational level</th>
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<tbody>
<tr>
<td>Develop a security plan for organisation staff, including daily check-ins and check-outs</td>
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<tr>
<td>Provide legal training so that staff are more prepared in cases of judicial harassment if or when they are denied access to a lawyer</td>
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<tr>
<td>Document and publicise violations; let the public know of these issues</td>
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<tr>
<th>Governmental, international and UN level</th>
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<tbody>
<tr>
<td>Promote judicial independence</td>
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<tr>
<td>Implement secure communications between UN Special Procedures and CSOs</td>
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<tr>
<td>Support independent media and protect journalists</td>
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<tr>
<td>UN Special Procedures should be more responsive to CSOs</td>
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<tr>
<td>The Special Rapporteur on HRDs should urge governments to implement UN recommendations</td>
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<tr>
<td>NHRIs should be made independent; many are currently politically appointed</td>
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**Special Rapporteur Response (Northeast Asia)**

Responding to the issue of travel bans on HRDs, Mr. Forst admitted that this is an issue that is difficult for him to intervene in, as often HRDs don't know in advance if they are going to be restricted from travelling.
He encouraged HRDs to send an appeal to his team if HRDs know of a travel ban in advance. On the use of legislative measures being used to prevent HRDs’ work, he announced his intention to develop an initiative to tackle this issue with other Special Rapporteurs.

He then commented on the role of social media as a protection platform, commenting that the subject had been raised many times during the 6th AHRDF. He sees it as a tool and a resource centre for the development of new activities and a means of receiving additional funding. He announced his intent to develop new activities using the internet and social media to publicise country situations.

Mr. Forst then asserted that the role of embassies in the protection of HRDs is a matter of concern for him, as part of his mandate is to assess the effectiveness of embassies in protecting HRDs. He encouraged participants to relay to him the usefulness of specific embassies.

**Southeast Asia**

**Threats and Challenges**

<table>
<thead>
<tr>
<th>Individual and organisational level</th>
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</thead>
<tbody>
<tr>
<td>Assassinations/extrajudicial killings</td>
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<tr>
<td>Kidnapping/enforced disappearances</td>
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<tr>
<td>Arbitrary arrests and detention</td>
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<tr>
<td>Intimidation, harassment, death treats including physical assaults</td>
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<tr>
<td>Surveillance including phone tapping</td>
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<tr>
<td>Monitoring of social media and electronic communications</td>
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<tr>
<td>Adoption and application of repressive laws or legal restrictions</td>
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<tr>
<td>Trumped-up or false criminal charges</td>
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<tr>
<td>Being labelled as ‘rebels’ or ‘terrorist groups’</td>
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<tr>
<td>Discrimination/stigmatisation</td>
</tr>
<tr>
<td>WHRDs are gender-stereotyped</td>
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<tr>
<td>Militarisation</td>
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<tr>
<td>Climate of fear</td>
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<tr>
<td>Deprivation of livelihood</td>
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<tr>
<td>Forced eviction</td>
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<tr>
<td>Lack of an independent judiciary/ impunity</td>
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<tr>
<td>Funding restrictions and lack of funding</td>
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<tr>
<td>Lack of human rights education</td>
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</table>
**Protection mechanism recommendations**

**Individual and organisational level**

- Carry out risk assessment and establish security protocols
- Do not travel alone outside the community and provide information about movements to fellow HRDs and community members
- Use secure communication for sensitive documents, such as encrypted emails
- Publicise threats and challenges that HRDs face and involve the media
- Establish a hotline and relocate HRDs at risk
- Disseminate information about human rights activities through social networks to mobilise fellow HRDs, activists and communities when needed
- Contact lawyers and ask them to stand by ahead of a protest or other activities that may result in an arrest
- Educate HRDs about their rights and how to act in case of arrest
- Provide legal assistance to HRDs
- Submit complaints to domestic bodies (including Ombudsman and NHRIs) and UN mechanisms
- Whenever possible, engage in dialogue with government authorities, including police and military
- Call for international pressure, lobby foreign embassies, and invite diplomats to witness conditions
- Carry out fact-finding missions and documentation activities

**Governmental level**

- Repeal repressive laws, including martial law and emergency laws
- Sign and ratify CAT, ICCPR, ICESCR, and all other key international treaties related to the activities of HRDs
- Respect human rights obligations under national and international law
- Adopt and implement legislation that protects HRDs
- End the use of trumped up false charges against HRDs and release all detained HRDs
- Promote human rights education
- Establish an independent judiciary and independent National Human Rights Institutions
- Establish a national response mechanism and a HRD Desk
- Issue a standing invitation to the Special Rapporteur on the situation of HRDs for a country visit

**Asian CSO level**

- Improve information sharing
- Raise awareness among the public and the media about the work of HRDs and the challenges they face
- Create national and regional networks of HRDs
UN level

- Ask for an invitation for UN Special Rapporteur country visits or informal visits
- Take up more cases involving WHRDs and SOGI groups
- Push governments to implement UPR recommendations related to HRDs
- Urge governments to uphold the principles of the UN Declaration on HRDs
- Engage with ASEAN Intergovernmental Commission on Human Rights (AICHR) on the issue of HRDs
- Call on NHRIs to protect HRDs

Special Rapporteur Response (Southeast Asia)

Mr. Forst thanked the Southeast Asia group for their comprehensive list of protection measures. He then responded to the recommendation for country missions, acknowledging that he has received many requests for official country visits. Unfortunately it is not possible to respond to them all, as Special Rapporteurs need to receive formal invitations. Further, the budget of his mandate only allows 2-3 visits per year, so there is a need to strategise, particularly as he has an obligation to other regions as well due to his international scope. He invited input from participants on why it would be a good idea to visit a specific country and what would be the main issues to discuss there. He also reiterated that it was possible to arrange smaller, non-official visits.

Moving on to the issue of communications, he stated that in his last report to the UN, he had outlined the possibility of developing joint actions with other UN Special Procedures Mandate Holders, for instance launching joint appeals on issues like gender. He asserted the need to conduct follow-up missions on such activities, as the level of response from governments is currently not high.

Finally he acknowledged that although the UN Declaration on HRDs has already been translated into many different languages, there is perhaps a need for translation into more local languages. He invited CSOs to send lists of local languages needing translation in their countries, reiterating that the Declaration is a valuable tool for HRDs and must be made as widely accessible as possible.

Comment and Discussion

Following the reporting plenary, the audience was invited to make comments. Mr. Jamshid Gaziyev, desk officer for the Special Procedures mandate for the protection of HRDs, began by commenting that governments are complicit in making HRDs’ work difficult, and consequently there is a need to find ways to pre-empt and address this. He asserted that FORUM-ASIA’s Asian HRDs Portal is a very important tool that should be further publicised. He added that there is also a need to hear more on digital security and what can be done to send information and communications in a secure way through HRD networks. Finally he added that it was important to also publicise and share positive achievements with the OHCHR office, as this is an area in HRD work that is currently not being captured very well. Publicising achievements helps boost the morale of the HRD community and promotes best practice.

Mr. Henri Tiphagne then commented that while he has noticed that Mr. Forst is bringing in many resources for better HRD visibility in his mandate, he wanted to add two recommendations. He asserted that FORUM-ASIA has a historic contribution to creating vibrant CSO responses to HRD situations in the Asia-Pacific region. FORUM-ASIA’s functioning as the secretariat of the Asian NGO
Network on National Human Rights Institutions (ANNI) has led to a close relationship with Asia-Pacific Forum of NHRIs (APF).

Therefore, Mr. Tiphagne first recommendation was to increase collaboration between ANNI, the APF and Mr. Forst’s mandate, which could be a way of encouraging NHRIs to implement better protection of HRDs. He suggested that FORUM-ASIA invests time in arranging meeting of these bodies. His second recommendation was that Asian HRDs should be invited to collaborate more on EU guidelines. FORUM-ASIA should conduct a small study to see how effective EU guidelines have been on the ground in Asia and suggest areas for improvement. For instance, the EU Fund has a lot of money available for HRDs, but they don’t publicise it enough.

Mr. Forst thanked Mr. Tiphagne for his suggestions, particularly the recommendation to implement collaboration between ANNI, APF and Mr. Forst’s mandate. He supported Mr. Tiphagne’s request to FORUM-ASIA to make a small study on the effectiveness of EU Guidelines on the ground, as this would be very useful for influencing future meetings with EU members. On the subject of EU funding, he urged CSOs to approach the EU Delegation in their respective countries in order to access funding for emergency relocation of HRDs.
Closing remarks

Mr. Michel Forst  
Special Rapporteur on the situation of HRDs

Mr. Forst began by saying how impressed he was to hear the testimonies of HRDs’ daily experience in Asia. He acknowledged continuing violations against HRDs, and stated that the voices of those who couldn’t attend had been heard through the testimonies of the 6th AHRDF participants. He praised the bravery of HRDs in all their various forms, commenting that he had learned a lot from presentations, discussions and individual meetings during the AHRDF.

He reiterated that as Special Rapporteur his first task is to protect HRDs, which is why protection mechanism are so important. He asserted that since the early 90’s, when more serious attention was given to the situation of HRDs, the world has changed a lot. There has been the negative impact of globalisation, increasing disregard for refugees, violence against women, attacks against LGBTI people and devastation of land resources. To counter this, Mr. Forst recommended focusing on consolidating international and national solidarity; the HRD community must become closer than previously. He asserted that we must look beyond borders in the fight for human rights; the globalised world requires a globalised movement, involving (among others) NHRIs, academics, artists, governments, rights groups and environmental agencies.

Mr. Forst encouraged HRDs not to give up or keep silent, asserting that voices are stronger together. He announced his intention to be more vocal about the plight of HRDs in the coming weeks and months, and encourage efforts to protect those in danger. He reiterated his remark from the opening ceremony on wanting to be a ‘defender of defenders’. He also encouraged participants to continue to send appeals to UN special procedures, and promised to further explore how national associations and organisations can be incorporated in the UN mechanisms. While he reiterated the limitations he faced in official country visits, he acknowledged the need to look at new forms of visits, including unofficial ones, and welcomed the advice of CSOs on how to go about this.

Mr. Forst mentioned the importance of devising long term strategies, and ensuring all fronts are covered ensuring no victims are left out and bridging the gap between policy and practice. All perpetrators to account, whether state or non-state actors. Justice should be pursued in other countries if HRDs are unable to do so at home.

Mr. Forst ended by stating that HRDs must be the change they want to see in the world. HRDs have to work in solidarity and transparency and practice what they preach. He assured the participants of his promise to collaborate with his desk officers on the recommendations brought up during sub-regional dialogues.

Ms. Evelyn Balais-Serrano  
Executive Director, FORUM-ASIA

Ms. Balais-Serrano expressed her gratefulness and pride that Mr. Forst’s first visit to Asia in the capacity of Special Rapporteur on HRDs was at the 6th AHRDF. She praised the meaningful exchanges made during the Forum and thanked FORUM-ASIA, local organisers, participants and FORUM-ASIA’s Executive Committee.
## Programme Agenda

### 6th Asian Regional Human Rights Defenders Forum

"Consolidation of HRD Protection Platforms
Towards Stronger and Vibrant HRD Networks in Asia"

3-5 December 2014

Torre Venezia Suites
170 Timog Avenue corner Scout Santiago Street,
Quezon City 1103, Metro Manila, Philippines

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### Day 1
3 December 2014

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
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<tbody>
<tr>
<td>8:30 – 9:30</td>
<td>Registration of Participants</td>
</tr>
<tr>
<td>9:30 – 11:30</td>
<td>Public Opening of the 6th AHRDF</td>
</tr>
<tr>
<td>11:30 – 12:00</td>
<td>Group Picture</td>
</tr>
<tr>
<td>12:00 – 1:30</td>
<td>Solidarity Lunch</td>
</tr>
<tr>
<td>1:30 – 2:00</td>
<td>Introduction of Conference Objectives, Programme Agenda and Participants</td>
</tr>
</tbody>
</table>

**Moderator:** Evelyn Balais-Serrano, FORUM-ASIA
<table>
<thead>
<tr>
<th>Time</th>
<th>Session 1: Regional Overview of the Situation of Asian Human Rights Defenders/Women Human Rights Defenders (HRDs/WHRDs)</th>
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</thead>
<tbody>
<tr>
<td>14:00 – 16:00</td>
<td>(This session is aimed at giving the Forum a regional overview and sub-regional trends of the situations of HRDs/WHRDs in Asia. The session also covers initial analyses of the challenges faced by the defenders.)</td>
</tr>
</tbody>
</table>
|              | **Speakers:**  
|              | 1. South Asia: Sri Lanka/WHRD, Mala Liyanage, Law and Society Trust (LST)  
|              | 2. Northeast Asia: Mongolia, Mandkhaitsetsen Urantulkuur, Centre for Human Rights and Development (CHRD)  
|              | 3. Southeast Asia: Malaysia, Lim Pei Yinn, Suara Rakyat Malaysia (SUARAM)  
|              | 4. Regional: Regional Trend and Analysis, Saartje Baes, FORUM-ASIA |
|              | **Moderator:** Sarah Marland, WHRD-IC |

<table>
<thead>
<tr>
<th>Time</th>
<th>Coffee/Tea Break</th>
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<td>4:00 – 4:30</td>
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<tr>
<th>Time</th>
<th>Session 2: Framework Discussion on HRD Protection Platforms</th>
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</thead>
<tbody>
<tr>
<td>4:30 – 6:00</td>
<td>(This session shall set the tone of the whole Forum by discussing various frameworks of protection platform and mechanism. It wishes to clarify the fine line between HRD security and organizational advocacy work to provide clearer idea on how to approach “protection gaps”.)</td>
</tr>
</tbody>
</table>
|              | **Presenters:**  
|              | ESCR Case Study: Sejin Kim, FORUM-ASIA  
|              | Protection Platforms Case Study: Renato Mabunga, FORUM-ASIA |
|              | **Panel of Reactors:**  
|              | 1. South Asia: Pakistan, Sumaira Ishfaq, Potahar Organization for Development Advocacy (PODA)  
|              | 2. Northeast Asia: Taiwan, Szu-Yu Yen, Taiwan Association for Human Rights (TAHR)  
|              | 3. Southeast Asia: Thailand, Anonymous |
|              | **Moderator:** Sayeed Ahmad, Frontline Defenders |

| Time          | Day 2  
|--------------| 4 December 2014  
|              | (Delegation visit to jail in solidarity for HRD in difficult situation, Mr. Tulawi) |
| 9:00 – 9:10  | Recap: FORUM-ASIA |
| 9:10 – 9:30  | Launching: Asia HRDs Portal (asianhrds.forum-asia.org/) |
| 9:30 – 11:00 | Session 3: Dissecting individual-level HRD security issues and challenges towards identifying appropriate protection measures, action and proposals for HRD protection in general.  
|              | (This session deals on the threats, challenges and fears of individual HRDs or HRD as a community in the performance of their work. It shall be a sharing of concrete experiences and personal measures employed in overcoming fear and challenges.)  
|              | **Presenters:**  
|              | 1. Women: WHRD: Bangladesh, Lisa Aklima Ferdows, Ain o Salish Kendra (ASK)  
<p>|              | 2. Community (Land-rights issue): Cambodia, Ky Latt, Cambodian Human Rights and Development Association (ADHOC) |</p>
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<tr>
<th>Time</th>
<th>Session/Activity</th>
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<tr>
<td>11:00 – 11:30</td>
<td>Coffee/Tea Break</td>
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<tr>
<td>11:30 – 12:45</td>
<td><strong>Session 4: Organizational protection initiatives, systems and mechanism in the ground</strong>&lt;br&gt;<strong>(This session is a sharing of security measures, protection systems and mechanism employed and/or institutionalized within or by organizations to mitigate possible victimization of their workers and members in the course of their engagement on human rights issues and advocacies.)</strong>&lt;br&gt;Presenters:&lt;br&gt;1. South Asia: Nepal, Prashannata Wasti, Informal Sector Service Center (INSEC)&lt;br&gt;2. Northeast Asia: S. Korea, Gayoon Baek and Seunghwan Kim, People’s Solidarity for Participatory Democracy (PSPD)&lt;br&gt;3. Southeast Asia: Indonesia, Chrisbiantoro, Federation of Commission for the Disappeared and Victims of Violence (KontraS)&lt;br&gt;<strong>Moderator:</strong> Tessa de Ryck, Protection International</td>
</tr>
<tr>
<td>12:45 – 2:00</td>
<td>Lunch</td>
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<tr>
<td>2:00 – 3:30</td>
<td><strong>Session 5: Building National Platform of Protection for Human Rights Defenders and Women Human Rights Defenders</strong>&lt;br&gt;<strong>(Discussion in this session shall focus on the importance, the current developments and challenges in building local/national networks and coalitions of HRD/WHRDs. The speakers shall lead us through their experiences of networking and the significance of national platforms as first-line of defense for HRDs.)</strong>&lt;br&gt;- Importance of the network&lt;br&gt;- How they are developed&lt;br&gt;- Challenges during development period&lt;br&gt;- Challenges at present&lt;br&gt;<strong>Presenter:</strong>&lt;br&gt;1. South Asia: India, Mathew Jacob, Human Rights Defenders Alert - India&lt;br&gt;2. Northeast Asia: Mongolia, Sukhgerel Dugersuren, OT Watch&lt;br&gt;3. Southeast Asia: Philippines, Edgardo Cabalitan, TFDP&lt;br&gt;<strong>Moderator:</strong> Shahindha Ismail, Maldivian Democracy Network (MDN)</td>
</tr>
<tr>
<td>3:30 – 4:00</td>
<td>Coffee/Tea Break&lt;br&gt;<strong>Workshop: (4pm – 6pm)</strong>&lt;br&gt;The participants shall break out into 3 sub-regional groups to share and discuss levels of protection (1. individual, 2. organizational, 3. governmental/inter-governmental) and their recommendations. Each group shall appoint its rapporteur and documenter. The group’s rapporteur shall sit as a panelist for the next day’s reporting cum media event</td>
</tr>
<tr>
<td>4:00 – 6:00</td>
<td>Working Groups and Simultaneous Events with the SR-HRD&lt;br&gt;<strong>Northeast Asian HRDs dialogue with the Special Rapporteur on HRD</strong>&lt;br&gt;(Select group of Northeast Asian HRDs in a separate room)</td>
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3. Religious minorities: Indonesia, Moch Ainul Yaqin, Indonesian Legal Aid Foundation (YLBHI)
4. Extractive Industries/Mining: Philippines, Dr. Benito Molino
5. Youth/Students: Thailand, Pimsiri Petchnamrob, FORUM-ASIA

**Moderator:** John Liu, FORUM-ASIA
together with the Special Rapporteur.

**Guide Questions:**
1. What are the threats/challenges you face in your work individually and organizationally?
2. What are the measures taken; and your recommendations to mitigate these issues individually and organizationally?
3. Recommendations/advocacy calls for your governments and to the UN Special Rapporteur on HRDs or other mechanism?
4. Recommendations to the Asian civil society as a whole to strengthen the movement for HRD protection in the region?

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>5:00 – 6:30</td>
<td>South Asian HRDs dialogue with the Special Rapporteur on HRD (Select group of South Asian HRDs in a separate room)</td>
</tr>
<tr>
<td>9:30 – 11:00 (Day 3)</td>
<td>Southeast Asian HRDs dialogue with the Special Rapporteur on HRD (Select group of Southeast Asian HRDs in a separate room)</td>
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**Day 3**
5 December 2014

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>9:00 – 9:30</td>
<td>Recap: FORUM-ASIA</td>
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<tr>
<td>9:30 – 11:00</td>
<td>Working Group: continuation + coffee/tea break</td>
</tr>
</tbody>
</table>
| 11:30 – 12:30 | Reporting with the Special Rapporteur  
**Moderator:** Rose Trajano, Philippine Alliance of Human Rights Advocates (PAHRA) |
| 12:30 – 2:00 | Lunch                                                                                           |
| 2:00 – 3:30 | Plenary Discussion on the Forum Declaration  
**Moderator:** Drafting Committee                                                             |
| 3:30 – 4:00 | Coffee/Tea Break                                                                               |
| 4:00 – 4:30 | Adoption of the Forum Declaration  
**Moderator:** Drafting Committee                                                              |
| 4:30 – 5:00 | Closing Ceremonies  
- Final remarks: Mr. Michel Forst, UN Special Rapporteur on HRD  
- Closing remarks: Evelyn Balais-Serrano, FORUM-ASIA                                            |
6th Asian Regional Human Rights Defenders Forum

“Consolidation of HRD Protection Platforms
Towards Stronger and Vibrant HRD Networks in Asia”

Torre Venezia Suites
170 Timog Avenue corner Scout Santiago Street,
Quezon City 1103, Metro Manila, Philippines
3-5 December 2014

Concept Note

I. Background

1. The Asian Forum for Human Rights and Development (FORUM-ASIA) has been organising a biennial Asian Regional Human Rights Defenders Forum (AHRDF) since 2001. The AHRDF provides a platform for human rights defenders (HRDs) to discuss work and advocacies, share experiences and the challenges they face. The AHRDF also aims to enhance engagement with the UN Special Procedures and possibly with regional/sub-regional human rights mechanisms. It provides a venue for testimonials of human rights abuses and briefings on national human rights situations. Most importantly, the AHRDF aspires to build solidarity and collaboration among Asian HRDs to act on common issues at the regional level and support the struggles of HRDs across the region.

2. The 1st AHRDF was held in Bangkok, Thailand, from 30 November to 1 December 2001 with the theme “Towards More Effective Protection for Human Rights Defenders in Asia: A Consultation with Ms. Hina Jilani, UN Special Representative of the Secretary-General on the Situation of Human Rights Defenders”. On 28-29 November 2006, the 2nd AHRDF was held with the theme “Towards the Full Implementation of the 1998 UN Declaration on Human Rights Defenders in Asia: Strengthening the Role of Human Rights Defenders”. This Forum marked the launching of the 1st International Women Human Rights Defenders Day in Asia on 29 November 2006. The 3rd AHRDF was held from 18 to 20 January 2009 in Bangkok with the theme, “The 10th Anniversary of the 1998 UN Declaration on Human Rights Defenders: Assessing and Planning for the Future.” In this event, FORUM-ASIA launched the translations into various Asian languages of the 1998 UN Declaration on HRDs. One of the concrete outcomes from the 3rd AHRDF was also the development of FORUM-ASIA’s Protection Plan for HRDs at Risk. The 4th AHRDF was held in Manila, Philippines from 2 to 4 December 2010. It focused on “Recognising the Role of Human Rights Defenders and Women Human Rights Defenders in Strengthening and Building a Democracy.” On 3-5 September 2013, the 5th AHRDF was held in Bangkok with the theme “Defending Economic, Social and Cultural Rights in a Consolidated Asian Regional Human Rights Movement”. The gathering highlighted the issues and challenges facing defenders working on economic, social and cultural rights (ESCR). In addition, it took stock of the 20 years of the 1993 Vienna Declaration and Programme of Action (VDPA) adopted at the World Conference on Human Rights, which served as a landmark platform for the regional human rights movement in Asia.

2 Please see Annex 1: Overview of the Previous Regional Human Rights Defenders Forums (2001-2012)
II. Trends and Patterns of Violations against HRDs in Asia

3. Ms. Margaret Sekaggya, former Special Rapporteur on the Situation of Human Rights Defenders, in her final report to the Human Rights Council (A/HRC/25/55) observed that civil society and HRD space has visibly shrunk in certain regions while sophisticated patterns of attacks to impede the legitimate and honorable work of HRDs are employed by both state and non-state entities. For Asian HRDs, this situation must be seen within the current regional trends of attacks against HRDs, including peoples’ right to freedom of expression and information; restrictions on the rights to freedoms of association and peaceful assembly; criminalisation, vilification and the usage of judicial harassment on HRDs; persecution of development workers particularly land and environmental activists; and reprisals against HRDs cooperating with the UN.

4. In March 2013, the UN Human Rights Council adopted Resolution 22/6 (A/HRC/RES/22/6), a landmark document that strongly promotes safe and enabling domestic conditions for HRDs. A number of Asian states have yet to pay attention to resolution 22/6. On the contrary, they have even increasingly enacted and applied legal and administrative provisions in order to silence HRDs. These restrictive legislations and policies make protection initiatives even more challenging as violations against HRDs occur to the extent of security forces and armed groups’ willing to act as conduits to business and political interests. Worse, there is some level of incapacity and unwillingness of concerned democratic institutions to respect and protect human rights. Today, policy and legal practices provide environment abuse. Mostly, they are directed towards criminalisation and restrictions of HRDs’ work, activities and narrowing their space of engagement.

III. 6th Regional Human Rights Defenders Forum (AHRDF6)

5. This year, FORUM-ASIA is organising the 6th AHRDF in Quezon City, Philippines on 3-5 December 2014 around the theme: “Consolidation of HRD Protection Platforms Towards Stronger and Vibrant HRD Networks in Asia”. Specifically, the 6th AHRDF aims to:

- Highlight various protection initiatives for HRDs on the ground and the challenges of implementation;
  - Tracking and sharing of various organisational protection systems and mechanism as CSO stopgap measures against possible violations of the rights of the defenders.

- Dissecting HRD protection issues vis-à-vis general human rights concerns (organisational mandates) for effective identification of appropriate measures, action and protection of HRDs while bridging gaps between HRD protection issues and advocacy campaigns;

- Learning from examples of good practices towards setting in motion vibrant national HRD networks and a consolidated regional platform for advocacy; and

- Develop effective engagement and cooperation with the newly appointed Special Rapporteur on the Situation of Human Rights Defenders to identify common points of action for HRDs in

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3 Major trends of violations against HRDs in Asia as presented during the Regional Consultation on Model National Law on the Recognition and Protection of Human Rights Defenders, 29-30 April 2014, co-organized by FORUM-ASIA and the International Service for Human Rights (ISHR)

Asia and to aid the Mandate Holder in the promotion and protection of the rights of HRDs in the region.

6. It is precisely because of their critical role in promoting human rights awareness and debate on the national and international level that many HRDs find their own rights flagrantly violated by repressive governments in forms of threats to their lives, intimidation and harassment, arbitrary arrest and detention, disappearances, torture, extra-judicial executions and other forms of violence. Their altruism and that of their organisations to facilitate justice and sustainable development for all creates gaps in protection. They tend to forget that by helping victims they become easy targets of retaliation. They tend to downplay that their security is as important as the security of the victims under their care. This leaves a big gap to the provision of a safe and enabling environment for HRDs in Asia and around the world – an obligation primarily reliant on government’s positive actions.

7. It must be noted, however, that while the protection gap for HRDs is posing greater and imminent danger for those working for human rights and community development, many CSOs have evolved provisional measures and practical mechanism to secure the dignity of defenders, mitigate human rights violations and safeguard the integrity of HRDs. Thus, the 6th AHRDF shall venture into different levels of protection measures from personal/individual to organisational, institutional to governmental to come up with good protection practices for HRDs in the region.

8. As with previous AHRDFs, the 6th AHRDF provides the opportunity for HRDs in Asia to engage with the UN Special Procedures Mandate Holders and share their testimonies, challenges, threats and opportunities as well as assess the reality and effectiveness of protection mechanism on the ground.

IV. Participants

9. The 6th AHRDF will be attended by around 80 HRDs from the Asian region working at the local, national, regional and international levels, including FORUM-ASIA member organisations from Bangladesh, India, Nepal, Pakistan, Sri Lanka, Burma, Cambodia, Indonesia, Malaysia, Philippines, Singapore, Thailand, Timor-Leste, Mongolia, South Korea and Taiwan and FORUM-ASIA partners in Maldives, Vietnam, Japan and Laos, participating organisations in the “2nd GloCal Advocacy Leadership in Asia Academy” (2nd GALAA) as well as other regional human rights groups, independent experts, academics and representatives of intergovernmental organisations are invited as panelists or resource persons.

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5 Protecting Human Rights Defenders, n. d

<table>
<thead>
<tr>
<th></th>
<th>Date &amp; Venue</th>
<th>Theme</th>
<th>Organizers</th>
<th>Output Documents</th>
<th>Participants</th>
<th>Experts Needed</th>
<th>Side Events</th>
<th>Key Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1&lt;sup&gt;st&lt;/sup&gt; AHRDF</td>
<td>30 November-1 December 2001 Bangkok, Thailand</td>
<td>“Towards More Effective Protection for HRDs in Asia: A Consultation with Ms. Hina Jilani, UN SRSG on HRDs”</td>
<td>FA, AHRC, AL, HRW, Friedrich Naumann Stiftung</td>
<td></td>
<td>30 Participants, 26 Countries</td>
<td>Ms. Hina Jilani SRSG on HRDs</td>
<td></td>
<td>First regional consultation in Asia at the regional level with UN SRSG on HRDs; Outcome of the AHRDF was reflected in the SRSG’s report to the UN Commission on Human Rights (E/CN.4/2002/106); Established the HRD programme at FA Secretariat as a follow up to the AHRDF</td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt; AHRDF</td>
<td>28-29 November 2006, Bangkok, Thailand</td>
<td>“Towards the Full Implementation of the 1998 UN Declaration on HRDs in Asia: Strengthening the Role of HRDs”</td>
<td>FA, APWLD</td>
<td>Bangkok Commitment built on the outcome documents from the sub-regional forums in South Asia (6-8 June 2006, Nepal), Southeast Asia (5-9 November 2006, Cambodia), and Northeast Asia (16-19 August 2006, Mongolia)</td>
<td>100 participants, 20 countries</td>
<td>Ms. Hina Jilani, SR on HRDs; Prof.Vitit Muntarbhorn</td>
<td>1&lt;sup&gt;st&lt;/sup&gt; International WHRD Day, 29 November 2006</td>
<td>Regional level joint strategies and action points developed to meet the challenges faced by HRDs; Awareness and attention mobilized for the issues of WHRDs</td>
</tr>
<tr>
<td>3rd AHRDF</td>
<td>19-20 Jan 2009, Bangkok, Thailand</td>
<td>“The 10th Anniversary of the 1998 UN Declaration on HRDs: Assessing and Planning for the Future”</td>
<td>FA</td>
<td>Bangkok Commitment including the recommendations and action points on: Recognizing and institutionalizing the role of HRDs (through NHRIs, ASEAN, UN, etc.); Support HRDs at risk (urgent action, networking, protection plan, etc.); Capacity building (needs assessments, engagement with the UN mechanism, protection measures for HRDs)</td>
<td>168 participants, 24 countries</td>
<td>Ms. Margaret Sekaggya, SR on HRDs</td>
<td>Launch of Translations into 8 Asian Languages of the 1998 UN Declaration on HRDs; Bilateral and sub-regional meetings for HRDs and SR on HRs</td>
<td>First regional consultation in Asia at the regional level with the new SR on the situation of HRDs; Protection Plan for HRDs at risk developed as a follow-up to the AHRDF, which was mentioned in the SR’s report to the UN Human Rights Council (A/HRC/13/22)</td>
</tr>
<tr>
<td>4th AHRDF</td>
<td>2-4 December 2010, Manila, Philippines</td>
<td>“Recognizing the Role of HRDs and WHRDs in Strengthening and Building a Democracy”</td>
<td>FA, TFDP</td>
<td>Manila Declaration including the action points concerning on the following thematic issues: WHRDs, SOGI defenders, indigenous peoples, HRDs working in conflict over resources, HRDs working on corruption, HRDs in media and access to information</td>
<td>125 participants, 21 countries</td>
<td>Ms. Margaret Sekaggya, SR on HRDs; Mr. Santiago Canton, Executive Secretary of the Inter-American Commission on Human Rights of the Organization of American States (OAS)</td>
<td>Launch of Translations into 7 Asian Languages of the 1998 UN Declaration on HRDs; Bilateral and sub-regional meetings for HRDs and SR on HRs</td>
<td>Cross-regional sharing of experiences on the issues of HRD protection; Served as a preparatory meeting with Indian HRDs on the SR’s country visit to India; Awareness and attention mobilized for the issues of SOGI defenders</td>
</tr>
<tr>
<td>5\textsuperscript{th} AHRDF</td>
<td>3-5 September, Bangkok, Thailand</td>
<td>“Defending Economic, Social and Cultural Rights in a Consolidated Human Rights Movement in Asia”</td>
<td>FA (session on Social Protection co-organized with UNRISD)</td>
<td>130 participants, 19 countries in Asia</td>
<td>Mr. Maina Kiai, SR on FoAA</td>
<td>Launch of Translations into 4 Asian Languages of the 1998 UN Declaration on HRDs; De-briefing on the Rio+20 (UN Conference on Sustainable Development); Film Screenings: Struggles of ESCR Rights Defender in Cambodia, India and South Korea; Bilateral and sub-regional meetings for HRDs and SR on HRs</td>
<td>First regional consultation in Asia at the regional level with the SR on the FoAA; Stock-taking of 20 years VDPA and regional human rights movement in Asia; Awareness and attention mobilized for the issues of ESCR defenders</td>
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Press Release

For Immediate Release

Asian Human Rights Defenders face increasing challenges and threats

(Quezon City, 6 December 2014) – The Asian Forum for Human Rights and Development (FORUM-ASIA), together with its members the Task Force Detainees of the Philippines (TFDP) and the Philippine Alliance of Human Rights Advocates (PAHRA) reiterated their call to Asian governments, as well as national, regional and international institutions to ensure an effective protection of human rights defenders (HRDs) in Asia.

More than 150 human rights defenders from 22 countries all over Asia gathered at the 6th Asian Regional Human Rights Defenders Forum (AHRDF) in Quezon City, Philippines (3-5 December 2014). The biennial event organised by FORUM-ASIA provides a platform for human rights defenders to discuss their work and advocacies, as well as share the experiences and challenges they face. During the event FORUM-ASIA launched a new website, “Asian HRDs Portal”, with the intent to increase public awareness on the situation of HRDs in Asia.

“Human rights defenders have a crucial role in the advancement, consolidation and sustaining of democracy, nevertheless they continue to face numerous threats and challenges in their work, from false criminal charges to enforced disappearances and extrajudicial killings,” said Henri Tiphagne, Chairperson of FORUM-ASIA. HRDs promoting lesbian, gay, bisexual, transgender rights, Dalit and minority rights as well as economic, social and cultural rights are especially at risk in Asia, to the same extent as women human rights defenders. “Today more than ever in Asia the protection of HRDs should be strengthened through effective protection mechanism at the national, regional and international level”, concluded Tiphagne.

Sister Crescencia Lucero, Executive Director of TFDP added that, “in Asia the space for HRDs to operate in is increasingly shrinking, and freedoms of expression, peaceful assembly and association have even retrogressed in recent years through the use of existing and the introduction of new repressive laws”. In analyzing the situation of HRDs in the Philippines, Sister Lucero highlighted that “there is no relent on the attacks against defenders in the country, as manifested in the growing statistics of human rights violations documented”.

The United Nations Special Rapporteur on the situation of human rights defenders, Michel Forst, opened the event by noting that Asian HRDs are likely to be “threatened, intimidated or investigated, prevented from travelling, harassed or criminalised”. Such violations and denials of fundamental freedoms “are aimed to discredit, silence and eliminate human rights defenders”, added Mr. Forst.

The participants of the 6th AHRDF identified supporting networks as a particularly efficient platform to confront the critical situation in the region. “Such networks allow for better protection and recognition of activists by society and are particularly useful for defenders at greater risk”, concluded Mr. Forst.

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**About FORUM-ASIA:**

FORUM-ASIA is a Bangkok-based regional human rights group with 47 member organisations in 16 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta and Geneva. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratisation.

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