

**Questionnaire for Civil Society by the
UN Special Rapporteur on the situation of human rights defenders
Mary Lawlor, August 2020**

The UN Special Rapporteur on the situation of human rights defenders, Ms. Mary Lawlor invites you or your organization to respond to the questionnaire below. Submissions received will inform the thematic report of the Special Rapporteur on the issue of killings of human rights defenders, which will be presented to the UN Human Rights Council in March 2021.

The questionnaire and related concept note on the report are available at OHCHR website in English (original language) as well as in French, Spanish, Russian and Arabic (unofficial translations):
(<https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/SRHRDefendersIndex.aspx>).

All submissions received will be published in the aforementioned website, unless you/your organization clearly indicated that you did not wish to have your input be made publicly available when submitting your response.

There is a word limit of 2500 words per questionnaire. Please submit the completed questionnaire to defenders@ohchr.org

Deadline for submissions: **5 October 2020**

Contact Details

Please provide your contact details in case we need to contact you in connection with this survey. Note that this is optional.

Type of Stakeholder (please select one)	<input checked="" type="checkbox"/> Civil Society Group or Organisation <input type="checkbox"/> Individual human rights defender <input type="checkbox"/> Academic/training or research institution <input type="checkbox"/> Other (please specify):
Name of Stakeholder/Organization (if applicable)	Front Line Defenders
Name of Survey Respondent	████████████████████
Email	██
Telephone	██

Address	Front Line Defenders 2 nd Floor, Grattan House, Temple Road, Blackrock, Co. Dublin Ireland
Can we attribute responses to this questionnaire to you or your organization publicly?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments (if any):

Questions

Human rights defenders are persons, who individually or in association with others, work peacefully to promote and protect universally recognized human rights and fundamental freedoms, in accordance with the UN Declaration on Human Rights Defenders.

1) Have you, any of your colleagues or your organization received online/offline threats and attacks since 1 January 2019 up 30 June 2020?

Many of the human rights defenders (HRDs) that Front Line Defenders (FLD) works to support have received threats (both online and offline) in this 18 month period of 01/01/2019 - 30/06/2020.

While FLD issued Urgent Appeals on 72 cases where HRDs had received direct threats and provided 445 grants to HRDs in response to direct threats, including 167 temporary relocation grants to HRDs (and their families) during this period, the incidence of threats to HRDs are greatly under-reported.

With regards to specific online threats, FLD's Digital Protection team responded to 45 specific online threats such as aggressive smear campaigns, calls for a HRD to be attacked etc. in the time period, and an additional 45 incidences of website / social media trolling and harassment. As above, FLD believes incidences of specific online threats are hugely under-reported.

During the 2019 Dublin Platform for Human Rights Defenders at Risk¹ (2-4 October, 2019) for example, FLD conducted a survey to analyse global risk levels for HRDs and garner a snapshot of the issues impacting them. In total, 74 HRDs completed the survey (30 male defenders, 41 female defenders, 1 transgender defender and 2 non-binary defenders), with the following regional breakdown of respondents: 16 from Africa, 15 from Asia, 11 from Europe and Central Asia, 24 from the Americas, and 8 from MENA. While the sample group was relatively small, FLD contends that the value of the findings comes from the diversity of the

¹ It is important to note that this was a gathering of human rights defenders "at risk". As such, the survey responses and conclusions drawn from the responses should be understood within this context. Full survey report attached as Appendix 1.

participants, the cross section of issues the HRDs are working on, and the global representation of the group.

In this survey, 90% of respondents stated that they had suffered “threats, smear campaigns and verbal abuse” within the last two years. Aligned to FLD’s analysis on Urgent Appeals and advocacy work, the results also highlighted that WHRDs are disproportionately impacted by defamation and smear campaigns with 97% of WHRDs stating that they suffered this threat, compared to 86% of male HRDS.

2) If yes, can you please detail and in the case of Facebook preferably provide screenshot with URL?

The following are examples of threats recorded by FLD during the 18 month period (1/01/2019 – 30/06/2020). This sample attempts to illustrate the many different types of threats received by HRDs and the many factors that can influence the type of threat including the type of human rights work, gender, race and ethnicity, a culture of impunity etc. and the perception of the defender as to whether they understand the threat to be a direct threat to their life.

Case Study 1: Minor Ortíz Delgado (Costa Rica)

- indigenous rights and land rights defender
- direct death threats
- physical attacks
- impunity

Minor Ortíz Delgado² is a Bribri indigenous human rights defender and member of the Rio Azul community living on the Salitre indigenous territory in south-eastern Costa Rica. On 9 February 2020, Sr. Ortíz Delgado was shot in the leg while working his ancestral land alongside his brother, wife and three young children.

<https://www.frontlinedefenders.org/en/profile/mainor-ortiz-delgado>

The following timeline attempts to illustrate the nature and the escalation in the threats Sr. Ortíz Delgado been subjected to to date:

- In 2013, ten individuals violently attacked Sr. Ortíz Delgado with a machete and a cattle branding iron. During this attack, he was also shot in the leg. The perpetrators included a non-indigenous person who continues to illegally occupy the Bribri indigenous lands. These perpetrators were identified by Sr. Ortíz Delgado and his family and a complaint was filed with the police. The case, however, was subsequently dismissed by the police.
- In 2016, a group of unknown persons destroyed a structure located on the ranch of the defender and damaged valuable property kept inside. It is suspected that these persons belonged to, or were helping, the non-indigenous family illegally occupying the HRD’s ancestral land. The complaint concerning this incident was also dismissed by the authorities.
- In 2017, a day before testifying in a case against a non-indigenous trespasser, Sr. Ortíz Delgado received a call from an unknown individual who told him that he would be shot dead.
- In December 2018 and February 2019, Sr Ortíz Delgado and his family members were

² Name of defender; sometimes appears as Mainor and sometimes as Minor. Have been advised by FPP that he uses Minor.

shot at by perpetrators thought to be the father and brother of the perpetrator of the subsequent attack on 09 February 2020. No one was injured as a result of these two attacks and no action was taken by the authorities to hold the perpetrators accountable.

- On 09 February 2020, Sr. Ortíz Delgado was shot in the leg while working his ancestral land alongside his brother, wife and three young children. The perpetrator of this attack was identified, detained by the police and released the next day under precautionary measures. For the next three months, he was prohibited from going near the house of Sr. Ortíz Delgado.
- On 14 March 2020, the mother of Sr. Ortíz Delgado was threatened by the same individual who shot her son the previous month that she would be killed along with her son in order to allow the perpetrator to take over their lands.
- On 22 March 2020, the same perpetrator told Sr. Ortíz Delgado that as his leg had not been broken by the gun shot, he would kill him.
- On 30 March 2020, an individual set fire to the lands recovered by Sr. Ortíz Delgado and his wife, destroying part of their crops and areas of environmental conservation. The perpetrator is believed to be the same non-indigenous individual responsible for the previous attacks.

The case of Sr. Ortíz Delgado clearly illustrates impunity and an unwillingness by the authorities to prosecute the perpetrator(s). The perpetrator of the February 2020 attack and his family, who it is believed have also been involved in the threats and attacks, remain free and live just meters away from the human rights defender and his family.

The case of Minor Ortíz Delgado and his family is not isolated. The Bribri and Brörán indigenous peoples living in the area have faced continuous violence and threats, and their land rights have been violated as a result of the illegal occupation of their territories by non-indigenous trespassers. In 2015, the Inter-American Commission on Human Rights granted them precautionary measures and ordered the government of Costa Rica to take measures to protect the lives and physical integrity of the Bribri and Brörán. However, these measures have not been implemented by the authorities despite the continued targeting of indigenous rights defenders. On 18 March 2019, Bribri indigenous leader Sergio Rojas was shot dead at his house by unknown perpetrators. <https://hrdmemorial.org/hrdrecord/sergio-rojas-ortiz/>

Case Study 2: Ana María Belique (Dominican Republic)

- WHRD
- migrant rights
- minority rights
- direct threats of violence
- racism & ultra-nationalism
- direct threats and use of violence by the authorities

Ana María Belique is the coordinator of Reconocido (Common National Organized Network of Dominican Citizens), a movement which promotes citizenship rights and equality for Dominican people of Haitian descent (migrant rights), mobilises and empowers marginalised communities and provides legal aid.

<https://www.frontlinedefenders.org/en/case/threats-arbitrary-detention-and-physical-violence-against-ana-maria-belique-maribel-nunez-and>

On 09 June 2020, organisers of an anti-racism march Ana María Belique, Maribel Nuñez, and Fernando Corona were arbitrarily detained by police in Independence Park whilst peacefully protesting. The police used physical violence in their efforts to detain the three defenders and load them into a riot squad vehicle, and it is also reported that officers, including a regional director of police, used racist verbal attacks against them. The defenders also reported that the detention conditions did not comply with COVID-19 sanitary measures and so were at risk of infection. During their detention, officials from the National Human Rights Commission presented themselves at the police station. Having faced no charges, the human rights defenders were released three hours after their arrest.

In the days before the peaceful protest took place, a number of the organisers, including Ana María Belique, were threatened with physical violence in a [video](#) uploaded to Twitter. It is believed by the HRDs that the video was uploaded by a member of the Old Dominican Order (ODA), an ultra-nationalist and militant political movement, which has historically propagated a discourse of xenophobia against people of Haitian descent in the Dominican Republic. In the video an unidentified individual states: “that march is not happening otherwise blood will spill in this country, to you Ana Belique and everyone who is involved in that march”. He called the organisers "damn savages" and threatened that the march would be stopped "with blood and fire". On 9 June, the ODA organised a rival protest against the “Haitian invader” to take place in Independence Park, two hours before the anti-racism protest. In a video uploaded to Twitter, the same ODA member who posted the threatening video can be seen aggressively confronting Sra. Belique at the protest and using nationalist rhetoric.

The ODA has previously posted and shared threatening content on Twitter and Facebook about Sra. Belique and other defenders of the rights of Dominicans of Haitian descent. On 8 June, the day before the peaceful protest, the defenders informed the Deputy Human Rights Ombudsman about the threats they had received.

The risk faced by Ana María Belique and her colleagues as human rights defenders in the Dominican Republic is significantly increased by virtue of the fact they are working in contexts where racism and ultra-nationalism are prevalent. They and other defenders are not only vulnerable to the risks inherent to human rights work, but also to the racism and racist violence which occurs with impunity in the country in which they work, and in many instances is perpetrated by state authorities or ignored and unpunished by authorities.

Case study 3: Clara Devis (Tanzania)

- transgender WHRD
- LGBTI+ rights
- sex workers rights
- physical attack and sexual assault on others and threats to return to commit the act again perceived as death threat by transgender WHRD

Clara Devis is a transgender woman human rights defender, LGBTI rights defender, and sex worker rights defender in Tanzania. She is the leader of several organisations protecting the rights of transgender, gender non-conforming and sex worker communities across East Africa. <https://www.frontlinedefenders.org/en/profile/clara-devis>

On 20 June 2020, two men broke into Ms. Devis' home and brutally assaulted two LGBTI community members who had been staying with her while she herself was out of the house. Ms. Devis has been offering shelter to at-risk and homeless LGBTI and sex worker community members in her home for years, and they are now experiencing even higher risk of homelessness during COVID-19 due to family violence, job insecurity, police raids, and loss of clients.

The attackers beat the victims, a gay man and transgender woman, on their arms and legs, and cut their heads with machetes. They tied their arms and legs together, and tied one victim to the shower pipe and one to a broken bed frame before anally raping them with plastic bottles. The victims were left half-naked, bleeding, gagged with cloth around their mouths and limbs still tied together, for Ms. Devis to find when she came home.

When the attackers broke in to her home, they forced one of the victims to call Ms. Devis and "beg" her to come home. She heard unfamiliar voices in the background and then the line went dead. When Ms. Devis arrived home approximately a half hour later, she called for a neighbour to help her and accompany her into the house. She then saw two men jump over the garden wall of her house onto the next street and run away.

Inside the house Ms. Devis found her friends bleeding, gagged and half-clothed. When she removed their gags and untied them, they told her that the attackers said they knew about her work "promoting homosexuality" and "keeping homosexual people in this house." The attackers had demanded to know where Ms. Devis was, where she kept her laptop, and threatened to come back and repeat the assault if Ms. Devis did not stop her activism. The attackers explicitly referenced Ms. Devis' advocacy to include transgender rights in Tanzania's internationally funded HIV programmes, but did not tell the victims how they knew Ms. Devis did this work.

Ms. Devis asked her neighbour, a village leader, to accompany her and the victims to the police station to file reports and to the hospital to receive medical care. Transgender people and HRDs often receive violent, discriminatory treatment at police stations and are frequently refused care at mainstream hospitals if not accompanied by a prominent community member.

Quote from HRD: "It has been such a traumatic experience. Not just the attack, but more than that, the threat to return. Even today, when I tried calling home but I did not get any response, I thought they had returned and have harmed my people at home. I'm in fear since then. Most of the LGBT and sex worker HRDs live in conditions lacking proper safety and security. This is due to low incomes therefore being forced to live where it is cheap for us to afford housing".

This case study highlights the insecurity experienced by the LGBTI+ and sex worker community, which has been further compounded by CV19. It also shines a light on the intersection of the risks involved in housing community members in her home, the violent attack that then took place in her home and the threat to return and repeat the offence. It also highlights some of the complications involved for LGBTI+ rights defenders when it comes to reporting threats and attacks, and to receiving healthcare. Lastly, it demonstrates that threats to WHRDs and LGBTI+ defenders may not always follow the same pattern as some other examples of direct death threats, but that they are received by the defender as a direct death threat.

Case study 4: Kazakhstan – Yevgeniy Zhovtis

- HRD lawyer
- Aggressive smear campaigning
- Impunity
- Participation of political leaders and influential Kazakh media figures

Yevgeniy Zhovtis is a HRD and director of the Kazakhstan International Bureau for Human Rights and Rule of Law and has been an outspoken critic of human rights violations in Kazakhstan for the past 25 years. He is a member of the OSCE/ODIHR Panel of Experts on Freedom of Assembly and a Board Member of the International Bar Association Human Rights Institute. <https://www.frontlinedefenders.org/en/case/smear-campaign-against-human-rights-defender-yevgeniy-zhovtis>

On 7 February 2020, the Ministry of Information and Social Development of the Republic of Kazakhstan published the Concept of the Draft Law “On the Procedure for Organising and Holding Peaceful Assemblies in the Republic of Kazakhstan”. On 11 February, Yevgeniy Zhovtis issued a legal analysis of the draft law, criticising its increased regulation of the right to assembly rather than the protection of such a right. In his analysis, the HRD highlighted the aspects of the draft law which did not comply with international standards on the subject of peaceful assembly, as outlined by international organizations. He also pointed to the elements of the draft law which contradicted the recommendations of the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, issued following a visit to Kazakhstan in 2015.

In partnership with human rights defender Bakhytzhan Toregozhina, Yevgeniy Zhovtis filed an appeal to the UN Special Rapporteur on 17 February. The appeal urges the Rapporteur to evaluate the proposed draft law, and request the Government of the Republic of Kazakhstan to draft a new law which would adhere to international standards and the recommendations of the Special Rapporteur.

Beginning 29 April, a series of posts and articles appeared on Kazakh social media and in the media, accusing Yevgeniy Zhovtis of working in the interest of American, Russian and Chinese governments, in slanderous and insulting terms. Most of the publications categorically condemned Yevgeniy Zhovtis’ position that non-nationals should have the right to assemble peacefully. Many of the social media posts condemning Yevgeniy Zhovtis seemed to originate from [an article](#)³ and [Facebook post](#) by Kazybek Isa, editor in chief of the newspaper Qazaquni and Deputy Head of the political party Ak Zhol. Kazybek Isa is also a member of the National Council of Public Confidence under President Tokayev.

On the same day, similar posts were published on social media sites by several other influential media figures such as Arshat Oraz, the General Manager of the Kerek Media Group. Samat Nurtaza, who Kazakh human rights defenders believe controls a local “internet troll factory” also criticized Yevgeniy Zhovtis in social media posts. Over the next four days, these initial posts and articles were re-posted by social media users (on [YouTube](#), [Facebook](#), [Facebook2](#)) and were used as the basis for further articles in other Kazakh media outlets, criticizing Yevgeniy Zhovtis. The posts and articles included slanderous remarks about the human rights defender, describing him as “Russian canned food” and an “agent” for Russia, a “Trojan horse”, and accused him of “dancing to the tune of those who finance him”.

³ Original article a posted [here](#) and then reposted [here](#).

Mr. Zhovtis did not directly report the smear campaign to the authorities, but a number of Kazakh NGOs and Front Line Defenders made Urgent Appeals to the authorities and received no response. He did report the incidence of attack to the websites and social media platforms, and also published a response on social media platforms.

What is particularly concerning about the aggressive and saturating public smear campaign against Mr. Zhovtis was its instigation by and the participation of high level political leaders and influential figures in Kazakh media and within a matter of days many national media outlets were reproducing the slanderous content. In fact, even the President of Kazakhstan publicly attacked Mr. Zhovtis' analysis of the draft law (details [here](#)). Their participation is particularly egregious as their complicity can serve to bolster negative attitudes towards HRDs which in turn can lead to attacks and violence against them. This is not the first time that Mr. Zhovtis has been targeted for his peaceful human rights work. In 2009, he was sentenced to 4 years in prison on trumped up manslaughter charges (more details [here](#)).

Case study 5: Chile – Camila Bustamante Álvarez

- WHRD
- environmental rights defender / access to water
- online death threats and abuse with misogynistic content

Camila Bustamante Álvarez is a woman human rights defender who works on the promotion and protection of environmental rights. She is a member of the Secretaría de Ecología y Medio Ambiente de la Federación de Estudiantes de la Universidad de Chile (Secretariat for Ecology and Environment of the University of Chile Student Federation) and the Movimiento por El Agua y los Territorios (Movement for Water and Territories), where she organises social mobilisation activities to promote access to water by marginalised communities in Chile. <https://www.frontlinedefenders.org/en/case/misogynistic-attack-and-death-threats-against-environmental-rights-defender-camila-bustamante>

On 18 March 2020, Sra. Bustamante Álvarez was targeted with a series of online threats and misogynistic attacks coordinated by a group of unidentified men, in reprisal for her advocacy for the right to water. She started receiving threatening pictures, including sexual images, sent by a group of men on a WhatsApp chat to which she was added by the perpetrators. Her contact details had been leaked by three WhatsApp users who were members of an open chat created to raise awareness on the activities of the Movement for Water and Territories planned to commemorate the World Water Day celebrated on 22 March. Sra. Bustamante Álvarez was one of the main organisers of these activities.

In addition to sending threatening pictures of a misogynistic character, the perpetrators verbally abused the WHRD for supporting water de-privatisation. When she warned them that she would place a formal complaint for harassment, they made death threats against her, using pictures of guns with captions such as “I will kill you” or “walk carefully”. She tried leaving the WhatsApp chat but was re-added to it multiple times during the day, for a period of approximately 12 hours.

This case study illustrates the additional misogynistic character of the threats that are often targeted at WHRDs (and defenders working on LGBTI+ rights). In FLD's experience, threats

received by WHRDs are often constant, defamatory in their nature, attacking not just their work as WHRDs but all aspects of their lives, including their private / family lives.

Case 6: [Statement on Guatemala](#)

HRDs in Guatemala working in defence of the environment, the rights of indigenous peoples, the rights of women, freedom of expression, the rights of migrants and the right to justice and a dignified life working in the regions of Santa Cruz Chiquimula, Izabal, Huehuetenango, Peten and Alta Verapaz, have been the targets of assassinations, threats, surveillance, raids, defamation campaigns and judicial harassment, including criminalization, since the beginning of 2020.

During the five month period running from January 2020 to May 2020, 405 attacks on human rights defenders were recorded. Looking at 2019, this 405 figure is equivalent to 80% of the 494 cases documented in the 12 months prior.

The recent rise in murders, smear campaigns and death threats is occurring within a complex political context coupled with COVID-19, which has been a major setback for democratic progress in the country. The [Unit for Protection of Human Rights Defenders of Guatemala \(UDEFEQUA\)](#), a member of the [OMCT SOS-Torture Network](#), which protects and promotes risk management for human rights defenders in Guatemala, documented these attacks.

3) Did any of these threats/attacks escalate into killings - can you please chart the path as you see it?

Looking at the data gathered in 2019⁴ as part of the HRD Memorial Project, of the 319 killings of defenders recorded, a previous history of threats is registered as “unknown” in 206 cases.

When looking at the remaining 113 cases;

- in 17 cases there was no history of threats;
- in 43 cases there were general threats to HRDs in the area;
- in 45 (+8) cases there were specific threats to the HRD; and
- in 8 cases these threats were recorded as reported to the authorities.

As such, looking at the 113 cases where information was available, 85% of the killings recorded were preceded by a direct threat to the HRD or to another HRD in the area.

Unfortunately, comprehensive data to chart the path and escalation of a threat is not readily available. However, the following are a number of cases which include a history of threats, and an escalation of this threat(s) to the killing of a defender (or in one case, an assassination attempt).

Case 1: Luis Armando Fuentes (Mexico) was shot in an ambush on 11 April 2019 in San Francisco Ixhuatán, while he was on his way to the Cerro Grande community. Before his killing, Sr. Armando Fuentes reported being threatened on several occasions by local

⁴ Note, comprehensive data for 2020 is not yet available.

authorities and members of the Federal Electricity Commission (Comisión Federal de Electricidad). The threats against him were made in relation to his human rights work, particularly his opposition to development policies that threaten the indigenous peoples' right to self-determination.

<https://www.frontlinedefenders.org/en/case/killing-indigenous-leader-luis-armando-fuentes-oaxaca>

Case 2: Ibrahim Ebrat (Afghanistan) was on his way home from Ramadan prayers on 20 May 2020, when he was attacked by two unknown men on a motorbike. He sustained one gun shot to his head and was rushed to the hospital in Kabul where he was placed in intensive care. On the morning of 28 May 2020, he succumbed to his injuries and died in hospital.

Ibrahim Ebrat had previously received threats from the Taliban to stop his human rights work and most recently, just prior to the attack, the defender had received warnings that his life and safety were under threat. As is the nature of threats from extremist groups, the defender was quite powerless to stop them. He did not report them as (it is the perception at least that) the police are either powerless to deal with such threats or are themselves colluding with the extremists. Despite these threats, Ibrahim Ebrat continued his work in defence of human rights. <https://www.frontlinedefenders.org/en/case/human-rights-defender-ibrahim-ebrat-killed>

Case 3: Arif Wazir (Pakistan) was a senior leader of the Pashtun Tahaffuz Movement (PTM), a peaceful human rights movement against extra-judicial killings, enforced disappearances, discrimination and surveillance of the Pashtun community by the Pakistani authorities. On 01 May 2020 he was shot by unidentified gunmen near his home in Wanna, South Waziristan in the Khyber Pakhtunkhwa Province. Prior to the shooting, on 17 April 2020, Arif Wazir was arrested by police in Wanna on account of a speech he made during a visit to Afghanistan, which was considered 'anti-national'. He spent ten days in prison, before being released on bail on 27 April. The human rights defender was shot four days later.

It follows a pattern of persecution against him and other human rights defenders of the PTM movement carried out by the Pakistani state, particularly members of the military. Since April 2017, Arif Wazir had spent up to 15 months in jail on false and baseless charges. He was arrested in April 2017 for leading a demonstration against the lack of internet services in Wanna. In March 2018, he was arrested for the second time under the Frontier Crimes Regulations for organising a rally where he criticised the military's treatment of the tribal Pashtuns on their own land. On 3 June 2018, the HRD and several other PTM members were attacked by pro-government Taliban groups, leaving him and many others injured. Since PTM was founded, its members have been the victims of threats, arrests and judicial harassment. Most recently, in January 2020, Front Line Defenders issued an appeal against the arrest of PTM leader Manzoor Pashteen on 27 January 2020 and the mass arrests of human rights defenders and PTM members protesting his arrest the following day on 28 January 2020.

<https://www.frontlinedefenders.org/en/case/human-rights-defender-arif-wazir-killed>

Case 4: Randy Felix Malayao (The Philippines) was a human rights defender and peace consultant for the National Democratic Front of the Philippines (NDFP). On 30 January

2019, the HRD was shot twice by an unidentified gunman who boarded the passenger bus he was travelling home on when it made a stopover in Aritao, Neuva Vizcaya.

Before his death, as a result of his human rights advocacy, Randy had been hounded by suspected military personnel; abducted and tortured by political adversaries; spent four years in prison on trumped-up and politically-motivated charges; and was among the 650 individuals branded as terrorists by the Duterte administration in the proscription petition issued by the Department of Justice in February 2018. The eventual removal of his name from this list in January 2019 by the Manila Regional Trial Court Branch was supposed to have accorded Randy a safer environment to carry out his work.

<https://www.frontlinedefenders.org/en/case/peace-consultant-and-human-rights-defender-randy-felix-malayao-killed>

Case 5: Frédéric-Marcus Kambale (DRC) was a human rights defender and member of the organisation Lutte pour le Changement (Fight for Change – LUCHA), a non-violent and non-partisan youth civil society movement founded in June 2012 in Goma, North Kivu. On 21 May 2020, he was shot and killed by a police officer during a peaceful protest organized in Beni, in North-Kivu. Two police officers have been arrested.

This is the second time in six months that a LUCHA activist has been killed in similar circumstances. On 23 November 2019, LUCHA member Muhindo Kanzogha Obadi was [killed](#) in Beni during a peaceful demonstration, when members of the police force opened fire on the protesters with live ammunition.

Additionally, on 12 May 2020, HRD and national coordinator of the citizen's movement La Voix du Peuple (The Voice of the People) [Rams Wasolela](#) was reported to have disappeared in Lubumbashi, Haut-Katanga province, after leaving his home in the direction of the city center to run errands. His disappearance coincided with several social media posts by the human rights defender, denouncing the insecurity in Lubumbashi, and calling on the population to demonstrate. His abductors released him 4 days later, following an ordeal of beatings and torture. Previously, in December 2019, Rams Wasolela had been arrested and detained for four days at the National Intelligence Agency (ANR) in Lubumbashi on account of being in possession of a copy of a letter from the aforementioned organisation LUCHA, The letter was addressed to the mayor of the city of Lubumbashi, regarding a cancelled march to be held on 15 December 2019 to protest the increased insecurity in the province of Haut-Katanga.

<https://www.frontlinedefenders.org/en/case/killing-human-rights-defender-frederic-marcus-kambale-during-peaceful-protest>

Case 6: Lodya Remon Albarty (Iraq)⁵ is a WHRD working with the Al-Firdaws association to promote the rights of women and youth in Iraq. In 2018, she was the victim of a defamation campaign, in which she was accused of being a prostitute, and was forced to relocate for a few months for fear of the threats against her and risks she faced as a result of this campaign. In January 2020, she received several death threats following publication of photos of her with the American ambassador, and she was forced to relocate again for a few months.

⁵ While the assassination attempt occurred in August 2020 (outside of the Report parameters), the death threats occurred in January 2020.

On 17 August 2020, Lodya Remon Albarty was leaving her house in Basrah when several unknown men in a car wearing face masks began shooting at her, and shooting at her two colleagues who were waiting for her in a car outside her home. The defender managed to escape in her colleagues car sustaining an injury to her leg. While her injury was not serious, one of her colleagues sustained an injury to his back for which he was hospitalised. The defender informed the police about the assassination attempt and an investigation into the incident was opened. However the police have yet to implement any protection measures for the WHRD.

Since the assassination attempt, Lodya Remon Albarty has been subjected to a defamation campaign on social media⁶. The online defamation campaign is centred around accusations she has been in a relationship with one of her colleagues, who was in the car during the assassination attempt. The threats and slanderous posts online have included comments suggesting that her family are responsible for the assassination attempt in an “honour crime”. <https://www.frontlinedefenders.org/en/case/assassination-attempt-against-woman-human-rights-defender-lodya-remon-albarty>

4) Have any of your colleagues been killed since 1 January 2019 up to 30 June 2020?

In 2019, the HRD Memorial Project recorded 319 killings of human rights defenders – due to under-reporting and the difficulties of data collection in certain areas, FLD acknowledges that the actual number of HRDs killed in 2019 is certain to have been higher. Comprehensive figures for the first half of 2020 are not yet available.

5) If so, in what context did the killing(s) occur? Have there been any convictions for the killing(s)?

Looking at the 2019 data available through the HRD Memorial Project, of the 319 cases of killings of HRDs, the status of the investigation was unknown in 195 instances. Of the remaining 124 cases, 106 of had an investigation opened but at the time of collating the information, no result had come from the investigation. 7 are logged as having no investigation. 8 are logged as the perpetrator being on trial.

The following statements / country analyses illustrate the stark levels of impunity in the cases of the killings of HRDs in Pará (Brazil), the Philippines and Colombia:

Case 1: Pará, Brazil

In May 2019, FLD conducted a mission to south and southeastern Pará, in northern Brazil, a state which has historically registered the highest rates of violence related to agrarian issues in the country. Since 1985, 466 conflicts have been [recorded by](#) Comissao Pastoral da Terra (CPT), which have resulted in 702 killings of rural workers and HRDs. During this period, the south and southeast of the state witnessed notorious massacres in rural areas, including the Eldorado do Carajás Massacre in 1996, in which 19 people were killed; and the Pau d'Arco Massacre in 2017, in which 10 people were killed. In both cases, the resulting criminal procedures were marked by irregularities. Impunity is rife in Pará with [Repórter](#)

⁶ Links requested from WHRD.

[Brasil](#) contending that 30 of the 40 municipalities in the south and southeast of Pará have a 100% impunity rate in relation to the murders of rural workers in the last 43 years.

Such killings are used as repression tool against social movements that claim land rights, especially in the context of Agrarian Reform and in regards to the social function of property, a principle recognised by the Federal Constitution of 1988. The victims of conflicts are invariably rural and peasant workers and social leaders, who also suffer from stigmatisation and criminalisation campaigns perpetrated by members of the local agrarian elite⁷.

On 22 February 2020, [Paulo Silva Filho](#), known as Paulinho do PT, was killed in Ourilândia do Norte, in the south of Pará. One of the latest in a series of killings and attacks against families living on Agrarian Reform resettlement lands of the 1200 Farm (Occupation 1200), of which Paulinho do PT was a leader.

Case 2: The Philippines

In June 2019 FORUM-ASIA and Front Line Defenders [strongly condemned](#) the unabated killings and violence against activists, human rights defenders and civil society organisations in the Philippines. The killings in the Philippines occur within an environment of impunity, where both police officers and civilians overwhelmingly escape accountability for extrajudicial killings. The normalisation of the violence has gone so far that even the former police chief responsible for the operations-side of the ‘war on drugs’, Ronald ‘Bato’ dela Rosa, took up a seat as a government Senator in July 2019.

In 2019, Front Line Defenders reported in its [Global Analysis findings](#) that 43 human rights defenders were killed in the Philippines, the second highest number globally. In the preceding two years, the Philippines ranked third highest in its numbers of killings of HRDs.

Most recently, Front Line Defenders has condemned the killing of Philippines human rights defender [Zara Alvarez](#), who was shot dead by unknown assailants in Barangay Mandalagan, Bacolod City on 17 August 2020.

Case 3: Colombia

Organisations that compile global statistics about the number of environmental, land rights, and human rights defenders killed globally consistently find Colombia to be one of the most violent and deadliest countries on earth for HRDs.

Coupled with this violence, there is near absolute impunity. Of more than a thousand threats reported in 2019, the Office of the Public Prosecutor reported that there were only rulings in three cases.⁸ Only 11% of cases regarding murders of defenders registered by the OHCHR since 2016 have reached a ruling, and the government of Colombia recognizes that in 50% of the cases, there have not even been advances towards clarifying the facts.⁹

Despite these overwhelming statistics on impunity, occasionally there are cases where at least

⁷ For more details, see “Imminent mass evictions increase risks to human rights defenders in Pará” <https://www.frontlinedefenders.org/en/statement-report/imminent-mass-evictions-increase-risks-human-rights-defenders-para>

⁸ According to interventions made by the Vice Prosecutor before the Senate Commission for Peace.

⁹ El Espectador (Mar. 1, 2020), <https://www.elespectador.com/colombia2020/pais/gobierno-dice-que-ha-esclarecido-el-50-de-asesinatos-de-lideres-onu-dice-que-solo-el-11-articulo-907197>

a degree of justice is achieved. One such case is that of José Cláudio Ribeiro da Silva and his wife Maria do Espírito Santo da Silva who were killed on 24 May 2011 and it is a very emblematic case in the region. While the perpetrators of the crime were arrested, charged and sentenced in 2013, they ultimately escaped, and went into hiding for 5 years. Earlier this year, one of the perpetrators was re-detained, following a tip-off. For more information about this case we can connect you with WHRD Claudelice Santos de Silva, the sister of José Cláudio Ribeiro da Silva.

6) Do you normally report death threats? If so, where?

FLD does not have comprehensive data to offer in response to this question.

In many of the cases that FLD has taken up that deal with threat(s) and /or killings, we believe that a history of threats and attacks have either been explicitly reported to the authorities in the past with an unsatisfactory response from said authorities, or that threat(s) have not been reported for a number of reasons, including;

- authorities response has proven unsatisfactory in the past;
- authorities are perceived to be ill-equipped to deal with said threats (ie. in the cases where threats are issued by extremist groups);
- authorities are complicit in the threats;
- the HRD or HRD community are located in a remote area where there is little or no presence of the State / authorities;
- the HRD or HRD community do not speak the same language as the authorities;
- in the case of LGBTI+ defenders, they may be unable to report a threat to the authorities for fear of additional harassment;
- WHRDs may not want to report threats, including death threats, due to their highly defamatory nature often involving women's personal lives, their marital status, lifestyle and religious belief choices. WHRDs are often threatened with rape and other forms of extreme violence specific to them being women; and
- WHRDs and LGBTI+ defenders may not be able to generate the same response from the State and the society due to normalisation of violence against them.

7) What in your/Organization's experience has worked well to respond to death threats? And to prevent them from escalating into the actual killing(s) of human rights defenders?

On the whole, Front Line Defenders contends that all responses to threats must be defender-led as it is the defender who is most familiar with the context on the ground and the nature of the threat(s). Generally FLD endeavours to provide a tailored response, incorporating a selection of relevant tools / programmes when responding to defenders.

In 2019, the FLD grants programme facilitated 626 Protection Grants in 101 countries. 27% of these grants were to support temporary relocations and 18% were individual security grants. When looking at the **impact** of these protection grants, of the evaluation reports received, 99% of HRDs reported improved security as a result of the Protection Grant, 96% of HRDs reported improved capacity as a result of the grant and 96 % of HRDs reported they could continue/ return to work as a result of the grant.

The following are a small sample of further examples demonstrating FLD's work with HRDs to respond to threats. Please note, these examples are snapshots in time, as we cannot predict for future threats or attacks.

Case study 1:

- HRD organisation
- ECA region
- Series of break-ins, searches, threats, arrests, detentions and equipment confiscated
- receives physical security grant

A HRD organisation in the ECA region received a physical security grant following a series of threats and attacks. The grant covered the purchase and installation of vandal resistant window film for the ground floor windows of their offices; a wireless alarm system, video intercom and CCTV cameras; network equipment (office router); and a safe cabinet, multi-function printers and shredders.

When asked about the impact of the grant on their ability to continue their work, they responded¹⁰: The implementation of the technical solutions provided for in the project has significantly improved the safety of X office. Firstly of all, the physical security of the office has been improved. Strengthening of windows with armour film and installation of a video intercom and video surveillance system has reduced the probability of negative consequences in the event of attempts by law enforcement officers to enter the office by force. A wireless alarm system (sensors installed on all windows and the office front door) enables our organisation to react quickly to unauthorised access attempts to the office outside working hours.

The acquisition of network equipment made it possible to ensure the safe operation of the organisation's employees in the local network. It has restricted access to data transmitted to printers and scanners by employees of the state Internet provider, thus eliminating the possibility of a remote attack on the local network and the interception of confidential official information. Office machinery and equipment (metal cabinet, multi-function printers and shredder) help to restrict the access of unauthorised persons to official information on paper and thus secure both the organisation's employees and our ultimate beneficiaries.

In addition, joint discussions on updated office security rules have provided an opportunity to rethink both office and personal security approaches for employees. We cannot protect ourselves from pressure, repression and violence from the authorities - this is inevitable for HRDs in our region, and with this understanding everyone makes their own choices when it comes to human rights work. But we can build a security system in our organisations that will help us in the face of risks.

In discussing the risks and ways to minimise them, as set out in the grant application, we also discussed broader issues of employee safety, which led to the development of the Policy for Actions in Force Majeure Situations (detention at a mass event, search of residence, detention at the border). The grant thus contributed to improving the wider organisational security system.

¹⁰ Please note, this is a translation of the original text via DeepL.com .

Case Study 2:

- Two previous abductions in 2019
- State sponsored smear campaign
- Temporary relocation grant
- Sub-Saharan Africa

A HRD and colleagues in the SSA region received a temporary relocation grant. In the week following the temporary relocation, there were two raids at his home.

When asked about the impact of the grant on their ability to continue their work, the HRD responded; For the first time I was safe during a wave of state crack down. In 2019 I was abducted twice as I had no means to relocate. This grant enabled me and my team to continue with our work during the wave of state sponsored crack down. We found ways of organising from safe location. We further had time to research and produced a report on education in crisis.

The relocated team managed to reach out to communities organising for the [upcoming] protests from a position of safety. The team was part of a list published by the State on [X date]. The state published names of citizens who were labelled “terrorists”. The team remained in safety because of the grant.

The team has since returned.

Case Study 3:

- Series of threats and attacks
- Collaboration with another NGO
- Costa Rica

One example of good collaboration with another organisation is on the case of Minor Ortíz Delgado¹¹ and Pablo Sibas Sibas. FLD collaborated with Forest Peoples Programme (FFP) on these cases of threats and attacks against indigenous rights defenders in 2020. As the only two organisations working on these cases, the efforts have been successful in prompting the President of Costa Rica to mention the cases (following an [article](#) in The Guardian newspaper). Between the two organisations, we have managed to divide efforts to support the case, with FFP leading the legal strategy and pushing for more visibility, and FLD leading on advocacy and supporting with grants for protection measures. In response to the advocacy measures, there have been numerous responses and practical actions taken by authorities. In 2019, FLD also supported with digital protection consultancies.

Case Study 4:

- Digital Protection Consultation
- Responding to direct death threats
- LGBTI+ network
- ECA region

¹¹ See comprehensive overview of Minor Ortíz Delgado’s case in response to question 2.

The Digital Protection Coordinator (DPC) met with members of a large LGBTI+ Network in the ECA region to carry out digital risk assessment after members had received online death threats following their work to uncover the stories of the recent disappearances of gay men. The DPC carried out digital risk assessment sessions and supported the network to develop a digital security plan. The DPC also helped the Network make decisions regarding the location, protection and backup of its server, which all staff currently use to store all sensitive information.

Case Study 5:

- Digital Protection Consultation
- Social media response mechanism
- Uganda

The Digital Protection Coordinator (DPC) responded to a case where a state official was harassing HRDs on social media. If allowed to continue, these types of smear campaigns can escalate into more serious threats. The DPC asserts that social networks are becoming more responsive in these cases and reported the incident via the response mechanism that now exists on the social network, and the content was quickly removed. By helping HRDs to understand the reporting mechanisms on certain social media platforms during risk assessment sessions, HRDs can be empowered to quickly flag defamatory or dangerous content: *“One of the approaches to supporting HRDs which can be taken to reduce the impact of these attacks is building the capacity of the defenders to use the security measures integrated within the networks which are being used to attack them”* (FLD DPC Sub-Saharan Africa).