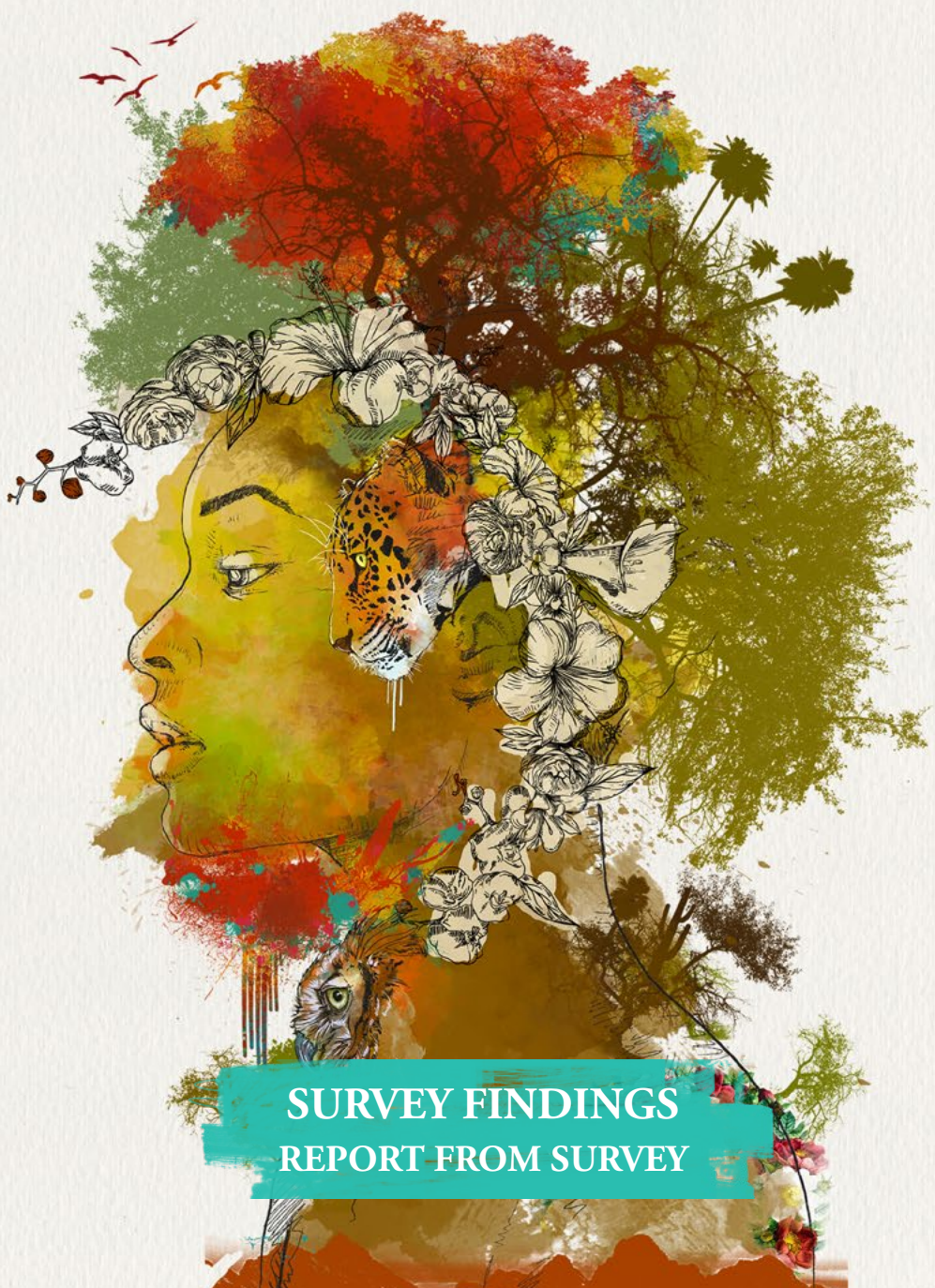




PROTOCOL

Hope for defenders




SURVEY FINDINGS
REPORT FROM SURVEY

The Esperanza Protocol Investigation of Threats against Human Rights Defenders



TOWARDS AN EFFECTIVE INVESTIGATION OF THREATS AGAINST HUMAN RIGHTS DEFENDERS





Written by: Xinia Bermudez, Legal Fellow, CEJIL

Edited by members of the Center for Justice and International Law:

- Viviana Krsticevic, Executive Director, CEJIL
- Jessica Ramírez Moreno, Attorney, CEJIL
- Silvie Ojeda, communications officer, CEJIL

And members of the PLE Survey Committee:

- Lina Erazo, Diakonia, Committee Chair
 - Alma Perez & Gerald Mora, UN Women
 - Enrique Eguren, Protection International
 - Eleanor Openshaw, International Service for Human Rights
- Designed by: Clara Inés Angaraita

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FOREWORD



On March 2, 2016, prominent indigenous leader, and environmental activist Berta Cáceres was murdered in La Esperanza, Honduras. Her death sent shockwaves across the world. However, prior to her death, she had received 33 threats. None were ever investigated, even after the Inter-American Commission on Human Rights granted precautionary measures in her favor.

Sadly, killings of human rights defenders are all too common. Latin America is among the deadliest regions in the world for human rights defenders. Impunity for threats and violence against them has contributed to entrenching high rates of violence against a group that is vital to the development of our democracies. This pattern is similarly reflected across the globe.

It is in Berta's memory and with the urgent commitment to defend the lives of all those who defend our rights that the Esperanza Protocol project was developed. Led by CEJIL with support from other organizations and initiatives. This protocol seeks to provide a timely and effective solution in addressing threats faced by human rights defenders, journalists, and others tasked with preserving democracies and the full enjoyment of human rights across the world.

As part of this project, CEJIL and a group of experts conducted a survey of hundreds of human rights defenders (HRDs) across the globe. This survey sought to better understand the nature of threats against HRDs, and State responses to them. It asked HRDs about their experiences receiving threats, the effects that threats have, their efforts to have these threats investigated, and their perceptions of State responses. This report, developed in collaboration with UN Women through the Spotlight Initiative—a global, multi-year partnership between the European Union and the United Nations for the elimination of all forms of violence against women and girls—also disaggregates and presents specific findings in relation to women human rights defenders. The report helps understand the way in which women human rights defenders face additional violence and threats because of their gender, intersectional considerations, the rights they defend, among other reasons.

It is with great pleasure that I present to you the following report, which provides the results of the survey. We expect it will inform and structure the development of the final version of the Protocol.

I am grateful to UN Women and the European Union for their financial contributions to this effort, the committee experts, and the staff at CEJIL who worked tirelessly to raise the concerned voices of those who defend our rights across the globe for the purposes of this survey. As the project moves forward, we hope that this survey will provide a significant contribution to a Protocol that seeks to buttress the development of national, regional, and international policies by including standards to fight against impunity, guaranteeing that there is hope for defenders across the globe.

Sincerely,

Viviana Krsticevic

FOREWORD



The Esperanza Protocol: Survey Findings

Foreword by María Noel Vaeza
UN Women Regional Director for the Americas and the Caribbean

The situation of human rights defenders in Latin America is one of the most alarming in the world. Over 75 per cent of the murders of human rights defenders take place in Latin America. This situates the region as the most dangerous place in the world to protect environmental, land, and human rights, what former United Nations Special Rapporteur on the Rights of Indigenous Peoples, Vicky Tauli-Corpuz, has described as a global crisis”.

Unfortunately, these killings target women human rights defenders the most. As women take on leadership roles, they are more exposed to gender-differentiated violence, including defamatory actions, rape, and femicide. Women are twice as vulnerable, exposed to increased violence for being both human rights activists and women.

Gender inequality, intersected with racism, generates greater exposure of indigenous and afro-descendant women human rights activists to violence and discrimination. In Latin America, the murders of Marielle Franco (Rio de Janeiro, Brazil, 2018) and Berta Cáceres (La Esperanza, Honduras, 2016) inspired the Esperanza Protocol Project. The Esperanza Protocol addresses threats faced by human rights defenders, journalists, and others tasked with preserving democracy and the full enjoyment of human rights across the world. The Protocol provides useful guidance for government officials, prosecutors, judges, human rights defenders, journalists, and others. The Protocol underlines the individual and collective impact of threats on human rights defenders. It provides a roadmap for establishing public policies to effectively address threats as well as guidelines for the prosecution of threats.

If adequate protection mechanisms had been in place, the lives of Marielle Franco, Berta Cáceres, and other women human rights activists murdered in the region could have been saved. There is an urgent need for the development of adequate mechanisms and standards to address the phenomenon of the killing of human rights defenders, including the investigation and prosecution of cases, and, most importantly, the protection of human rights defenders, particularly women who are increasingly targeted.

The Spotlight Initiative, a global, multi-year partnership between the European Union and the United Nations to eliminate all forms of violence against women and girls, is using a comprehensive and intersectional approach to prevent, respond, and eliminate violence against women and girls with a specific focus on femicide/feminicide in the Latin American region.

Under the Spotlight Initiative Latin America Regional Programme – implemented by UN Women, UNDP, and UNFPA, with the active participation of intergovernmental mechanisms, civil society organizations, and other United Nations Agencies – systems to protect women human rights defenders are being strengthened, and protocols and protection modalities are being piloted in the region.

The present report provides a gender-responsive proposal for the Esperanza Protocol. It includes the unique perspective of women human rights defenders from the field.

Ultimately, this report seeks to support the proper implementation of international human rights standards to ensure that those who dedicate their lives to defending human rights are not left defenseless.

Sincerely,

María Noel Vaeza

I. INTRODUCTION



The Esperanza Protocol is an initiative to improve State responses to threats against human rights defenders¹ (“HRDs”) and foster a safe and enabling environment for the defense of human rights. The Protocol seeks to raise awareness regarding the prevalence and severity of threats against HRDs; articulate international law obligations to prevent, investigate, and provide redress for these threats; and develop guidelines for the criminal investigation of these threats.

Historically and globally, threats have been used to intimidate HRDs and impede their work, yet are generally not investigated and punished.² And when HRDs are murdered, their deaths are usually preceded by a series or pattern of threats³ —indicating the potential for effective preventative action.

This lack of investigation and accountability fuels the cycle of violence against HRDs, creating a chilling effect for those who wish to promote and defend human rights. On a broader scale, this disparity threatens the stability of democratic institutions and the promotion of human rights around the world.

Women HRDs (“WHRDs”) run even greater risks. Not only are they subject to the same types of risks as other HRDs, but they also face gender-specific risks, such as sexual violence and other forms of gender-based violence. They face additional violence and threats because they are perceived to be challenging traditional gender norms and deeply entrenched notions of family roles in society.

⁴ WHRDs are often targeted because of their gender, the rights they defend, and because they resist a patriarchal culture that has placed them in a position of inequality in relation to men.

WHRDs who defend and promote women’s rights are often the first to come under attack.⁵ The work of WHRDs is essential to promote and build sustainable peace and transform social and cultural norms that limit women’s rights. Furthermore, they play an important role in raising awareness and mobilizing civil society to identify human rights violations, as well as in contributing to the development of true solutions that incorporate a gender perspective. Nevertheless, they are constantly excluded from peace processes and policies, are often criminalized, and suffer gender-based violence, which create barriers to their participation in decision-making spaces.


¹ “Human rights defenders” refers to “individuals, groups and associations... contributing to... the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals.” See G.A. Res. 53/144, annex, at 2, Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Dec. 9, 1998).

² Annual Report on Human Rights Defenders at Risk in 2017, Front Line Defenders 6 (Jan. 22, 2018), <https://www.frontlinedefenders.org/en/resource-publication/annual-report-human-rights-defenders-risk-2017>.

³ Id.

⁴ Situation of women human rights defenders (25 February -22 March 2019) Report of the Special Rapporteur on the situation of human rights defenders

⁵ “Women human rights defenders face worsening violence, warns UN human rights expert”, Feb. 28, 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24232&LangID=E>




Despite the crucial role that all HRDs play in democratic societies, threats and their effects continue to be prevalent. Criminal investigations are rarely viewed as a means to prevent further violations; instead, protection policies in many countries adopt an approach based on physical security measures, such as armored cars, secure telephones, and bodyguards.⁶ Even though these measures may be necessary in specific contexts, they also affect the protected HRD's integrity, freedom of movement, and ability to work in collectives, as well as their family and community life.⁷ Importantly, these measures do not address the underlying root causes of risk, violence, and stigmatization, and thus do not provide a sustainable solution either in terms of the negative impact to the HRD or the significant costs generated.⁸

Beyond general standards of due diligence developed for the investigation of human rights violations, there are few concrete guidelines for the investigation of threats. In developing these guidelines, based on international law obligations, the Protocol seeks to draw attention to the individual and collective impact of threats against HRDs, as well as strengthen investigations, highlight the differentiated nature of the risks, promote prevention policies, and provide tools to establish violations of international law when appropriate.

⁶ The Time is Now for Effective Public Policies to Protect the Right to Defend Human Rights, Prot. int'L & Ctr. Just. int'L L. 100 (2017), https://www.cejil.org/sites/default/files/the_time_is_now_19_06_interactivo.pdf.

⁷ Id. at 104-105.

⁸ Id. at 104.



The Center for Justice and International Law (“CEJIL”) has worked closely with HRDs for thirty years. Over this time, both through litigating contentious cases and obtaining and monitoring protective measures for HRDs, CEJIL identified the need for innovation in State responses to threats. Therefore, in 2016, CEJIL launched a project to lead the research, drafting, and validation of an international protocol for the investigation of threats against people whose work is essential for democracy and the full enjoyment of human rights.

Central to this initiative is the understanding that the investigation of threats should form part of a broader, holistic public policy to guarantee the right to defend rights. Such a policy should not focus exclusively on a criminal law-based response; indeed, the criminalization of HRDs is a critical global problem. At the same time, protection mechanisms, while not necessary in all scenarios, are an important policy component in some contexts.

The Protocol will provide practical guidelines for criminal and public policies measures necessary to:

1. Identify the underlying causes of impunity related to threats and create a tool that contributes to the fight against this impunity;
2. Raise awareness about the impact of threats and impunity on victims, their families, organizations, and society, highlighting the different and specific impacts on women HRDs and on marginalized groups that face multiple, intersecting forms of discrimination, such as rural populations, indigenous or Afro-descendant communities, and LGBTI+ communities; and
3. Increase political will to investigate threats against all human rights defenders, ensuring that the specific attacks faced by women in their diversity are addressed.

Keeping in mind these objectives, one of the initial steps of the Esperanza Protocol’s research and drafting process was to form an expert group to develop and conduct a survey with HRDs around the world (“the Survey”). The Survey sought to better understand the nature of threats against HRDs and State responses to them. It asked HRDs about their experiences receiving threats, the effects the threats have, their efforts to have these threats investigated, and their perceptions of State responses.

This report presents key findings based on these Survey results. The results, in turn, served to ensure that the Protocol focuses on critical areas of concern identified by HRDs. At the same, the Survey contained questions intended to ensure that proposed guidelines apply to diverse HRDs, including women and HRDs that identified as racial or ethnic minorities in their countries. This report includes focused analysis of the situation of WHRDs and the threats they face around the world.

II. SURVEY METHODOLOGY

Together with CEJIL, civil society experts and members of international organizations formed a committee to develop, implement, and analyze the Survey. The committee members were:

- Lina Erazo, Diakonia, Chair
- Lara Blanco and Alma Perez, UN Women ⁹
- Enrique Eguren, Protection International
- Eleanor Openshaw, International Service for Human Rights
- Viviana Krsticevic and Xinia Bermúdez, CEJIL

The Committee held extensive discussions to determine the issues and questions addressed in the Survey, as well as the formulation of the questions. Most questions were delivered in a closed-ended and single choice format; however, multiple-choice questions were used when appropriate.¹⁰ The Committee also provided lists of HRDs to whom the Survey was disseminated, as well as support for the analytical of conclusions of this memo.

Almut Rochowanski of the Chechnya Advocacy Network and Gaye Sowe of the Institute for Human Rights and Development in Africa also participated in several Committee meetings and provided important feedback, as well as the contact information for additional HRDs who received the Survey.

To select the HRDs who would receive the Survey, Committee members compiled lists of HRDs with whom they had previously collaborated.¹¹ Survey members considered diversity, including identity and the subject matter of human rights advocacy, as well as geographic origin to ensure a variety of perspectives in responses. Committee members also contacted relevant professional and personal networks to supplement these lists.

⁹ Gerald Mora of UN Women also provided invaluable support for the Committee's work.

¹⁰ Many questions permitted respondents to select multiple options for their responses.

¹¹ The HRDs who were contacted had previously collaborated with: Amnesty International, CEJIL, the Center for Human Rights of the Catholic University Andres Bello, Chechnya Advocacy Network, Diakonia, EarthRights International, Global Witness, International Commission of Jurists, International Service for Human Rights (ISHR), International Women's Health Coalition, Protection International, Réseaux des défenseurs des Droits Humains en Afrique Central (Network of Human Rights Defenders in Central Africa), Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF), the O'Neill Institute for National and Global Health Law, UN Women, West African Human Rights Defenders' Network, Wahana Lingkungan Hidup Indonesia (WALHI), Friends of the Earth Indonesia (FoEI), and others.

Members of CEJIL’s staff were heavily involved in the development and distribution of the Survey and the analysis of the Survey responses. Technical assistance from UN Women was critical to ensuring that responses were collected in accordance with relevant standards and in a format that allowed detailed analysis.

The Survey was translated into six languages: English, Arabic, French, Portuguese, Russian, and Spanish prior to distribution. In the period between February and March 2019, HRDs were contacted via email and WhatsApp to complete the Survey in its totality, which was available on the Google Forms platform. In total, approximately 607 HRDs were contacted and 196 completed the Survey.


Once the Survey closed, the responses were compiled and translated into English. The responses were then coded for analysis. This process, supervised by a UN Women statistician, consisted of analyzing the multiple-choice answers and categorizing the responses from the open-ended questions. UN Women subsequently performed the analysis of the results.

Based on the preliminary analysis, the Survey Committee decided to disaggregate the Survey using two variables, geographic region, and gender identity, to determine how these variables affected their answers. Table 1 presents the quantities of responses for each variable:

Table 1.
Percentage distribution of responses by region and gender

	Number #	Percent %
Total	196	100.0
Region		
LAC	127	64.8
Other Regions	69	35.2
Gender		
Female	128	65.3
Male	61	31.1
Other1/	7	3.6

1/ Non-binary, third gender; Prefer to self-describe; NS-NA



As most of the respondents were from Latin America, the first cross analysis was divided into the following categories: Latin America and Caribbean, Other Regions, and Total. Although the Committee recognizes that other regions include a broad swath of experiences, there were concerns that limited responses could lead to unsupported conclusions for specific sub-regions or permit the identification of HRD respondents.

Regarding gender, although non-binary or non-responses were considered for descriptive analysis, total responses could not be accurately incorporated into the statistical analysis.¹² As such, the results were also cross-analyzed using the following gender subcategories: female and male.¹⁰ Of the HRDs surveyed, over 65% self-identified as female—just over 50% from non-LAC countries and over 73% from LAC countries.¹⁴

¹² In the second table, of the total number of respondents, only seven indicated an identity other than male or female. Although these seven individuals were considered in drafting the results, no conclusory statements based on their responses could be drawn due to the small statistical significance.

¹³ For the purposes of this publication, Survey respondents who identified as female will be referred to women human rights defenders (“WHRDs”).

¹⁴ This resulted from the Committee’s attempt to be more inclusive and target WHRDs. Subsequently, the Survey was distributed to an unequal number of HRDs who identified themselves as female.

III. KEY FINDINGS



The results described in this publication correspond to the responses provided by the 196 individuals who completed the Survey online. As such, while some of the results may be relevant to broader populations of HRDs, these conclusions and any percentages apply exclusively to the subset of HRDs surveyed.

Given the goals of the Esperanza Protocol, we highlight some of these conclusions regarding threats and their impact, potential sources of impunity, and specific conclusions for women HRDs. Given the limited scope of this Survey, the Committee also suggests areas for further research.

a. Threats and their impact

For the purposes of the Survey, a threat was defined as an act or omission that intimidates, paralyzes, or indicates a future harm with the purpose of interfering with the enjoyment of fundamental rights, including the right to defend rights. While the term “threat” may encompass various acts and/or omissions against HRDs, the Survey results demonstrate their prevalence against HRDs around the world, as well as their impact.

According to the Survey, over 85% of the HRDs that responded have, or know someone who has, received some form of threat because of their work within the previous 24 months. This prevalence confirms anecdotal evidence that threats are incredibly common among HRDs.

Graphic 1.

In the last 24 months, have you or someone you know received threats in some form as a result of your work? (%)

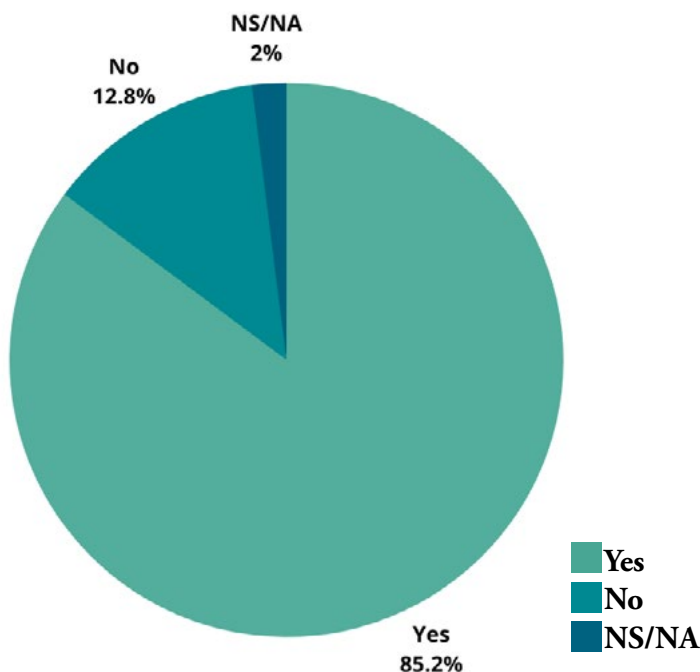


Table 2.

Result by gender (%)

	WOMEN	MEN
YES	85.9%	82.0%
NO	12.50%	14.80%
NS/NA	1.6%	3.3%

These threats took many different forms (see Table 3). The most common threat reported was the threat of criminalization or reprisal for their actions, reported by 34.1% of respondents—in particular, 29.4% of LAC respondents and 43.1% of non-LAC respondents. Closely following criminalization were threats involving intimidation (18.6% of all respondents; 20.2% of the threats reported in Latin American & the Caribbean countries and 15.5% of non-LAC countries); specific death threats (15% of all respondents; 18.3% of the threats reported in Latin American & the Caribbean countries and 8.6% of non-LAC countries); and instances of internet trolling, hacking, and wiretapping (13.2% of all respondents; 14.7% of the threats reported in Latin American & the Caribbean countries and 10.3% of non-LAC countries).

Major differences were observed when the Survey results were disaggregated according to gender regarding threats. First, in LAC countries, male and female HRDs reported similar levels of having received or knowing someone who received threats within the last 24 months. However, in non-LAC countries, women reported a 16% higher likelihood of receiving threats than their male counterparts did (see Annex, question B.1).

WHRDs reported “criminalization-reprisal-stigmatization” more in non-LAC countries (26.9% in LAC and 46.9% in non-LAC). In the LAC region, women were more likely to receive intimidating threats and threats of internet trolling, hacking, and wiretapping when compared to men. In non-LAC countries, women reported high levels of intimidation and threats of internet trolling, hacking, and wiretapping, but only the latter was reported at higher levels than men (almost 20% higher).

Considering both geographic categories, WHRDs reported higher levels of threats of intimidation, criminalization-reprisal-stigmatization, and internet trolling-hacking-wiretapping than male HRDs. Lastly, WHRDs in LAC countries reported receiving more death threats than WHRDs in non-LAC countries (16.7% in LAC countries vs. 3.1% in non-LAC countries), while the rates among male HRDs are relatively similar.

Table 3.

Describe the threat received as a result of your work.
Percentage distributions

VARIABLE	REGION		TOTAL
	LAC	OTHER	
No. of responses	109	58	167
%	100	100	100
Criminalization-reprisal-stigmatization	29.4	43.1	34.1
Intimidation	20.2	15.5	18.6
Death threat	18.3	8.6	15.0
Internet trolling-hacking-wiretapping	14.7	10.3	13.2
Anonymous threat	7.3	5.2	6.6
Physical attack	4.6	5.2	4.8
Being followed	4.6	0.0	3.0
Unclear-No Response	0.9	12.1	4.8



Table 4.
Results by gender

VARIABLE	ALL REGIONS			TOTAL
	FEMALE	MALE	OTHER	
No. of responses	110	50	7	167
%	100	100	100	100
Criminalization-reprisal-stigmatization	32.7	32.0	71.4	34.1
Intimidation	20.9	16.0	0	18.6
Death threat	12.7	18.0	28.6	15.0
Internet trolling-hacking-wiretapping	14.7	10.3	13.2	13.2
Anonymous threat	9.1	2.0	0	6.6
Physical attack	1.8	12.0	0	4.8

Beyond diversity in the content of the threat, the medium through which the threat was relayed also varied. The highest reported medium of conveyance was through social media platforms, with one-fourth of Survey participants reporting threats over Facebook, Twitter, or other platforms (see Table 5). It is interesting to note, however, that while Facebook was the top method for conveyance overall, it was the second highest in the non-LAC regional subgroup (in non-LAC countries, 17% of respondents reported receiving threats in person whereas 14.8% received threats over Facebook; in LAC countries, 15.1% received threats over Facebook and 13.5% received threats in person). In these other countries, the most prevalent method was in person (whereas this was the second most popular reported in LAC countries). Telephonic threats (12.4%) and communications through others to convey the threat (10.5%) very closely followed social media and in person methods. This list, however, is not exhaustive. HRDs also reported receiving threats frequently through WhatsApp (5.5%), email (4.7%), and traditional media channels, such as television, radio, and newspapers (15.9%).

Generally, WHRDs reported being threatened on social media platforms more frequently than men (28.3% of WHRDs compared to 23.3% of male HRDs). Men also reported being threatened less in person than female and other gender-identifying HRDs. See Table 6.

Table 5.

Most prevalent ways in which threats were carried out.

Percentage distributions 1/

VARIABLE	REGION		TOTAL
	LAC	OTHER	
No. of responses	245	135	380
%	100	100	100
Facebook	15.1	14.8	15.0
In person	13.5	17.0	14.7
Telephone	11.4	14.1	12.4
Through others/ rumors	12.2	7.4	10.5
Twitter	9.8	3.0	7.4
Through television	6.5	5.2	6.1
Whatsapp	6.1	4.4	5.5
Through the radio	5.7	4.4	5.3
Emails	3.7	6.7	4.7
Other	2.9	8.1	4.7
Through a newspaper	4.1	5.2	4.5
Through other symbolic acts (funerary flowers, dolls, etc.)	4.5	2.2	3.7
Other social network	1.6	5.2	2.9
Pamphlets	2.9	2.2	2.6

1/ Percentages are based on number of responses.

Table 6.

Results by gender

Percentage distributions 1/

VARIABLE	GENDER			TOTAL
	FEMALE	MALE	OTHERS	
No. of responses	212	137	31	380
%	100	100	100	100
Facebook	17.0	13.1	9.7	15.0
In person	15.6	12.4	19.4	14.7
Telephone	11.3	13.1	16.1	12.4
Through others/ rumors	11.8	8.8	9.7	10.5
Twitter	8.0	7.3	3.2	7.4
Through television	4.7	7.3	9.7	6.1
Whatsapp	4.7	5.8	3.2	5.5
Through the radio	4.7	6.6	3.2	5.3
Emails	3.3	5.1	9.7	4.7
Other	4.7	5.8	3.2	4.7
Through a newspaper	3.8	4.4	0.0	4.5
Through other symbolic acts (funerary flowers, dolls, etc.)	3.3	4.4	0.0	3.7
Other social network	1.9	2.9	6.5	2.9
Pamphlets	1.9	2.9	6.5	2.6

When asked about what they perceived as the purpose of the threats, respondents were permitted to select more than one option. 32% of the responses indicated that the threats were meant to stop a specific activity (see Graphic 2). 18% of the responses suggested that the threats were meant to cause psychological or psychosocial harm to the recipient. Finally, 46.7% of the responses reported that the threat was intended to warn of some form of future violence against the recipient, the recipient's family, a vulnerable group, the recipient's property, or the recipient's reputation.

Globally, most HRDs who identified as male reported warning of future violence was made against the recipient himself. WHRDs in both regions reported that warnings were made against a group and not necessarily to themselves as individual targets (see Annex, question B.9).

Critically, WHRDs reported higher levels of threats of future acts of gender/sexual violence, particularly in LAC countries, where women reported these threats at a 552% higher rate than men. In non-LAC countries, the threat of sexual violence was approximately equal.



Graphic 2.

What were the purposes of these threats? Percentage distributions 1/



1/ Percentages are based on 253 responses.

Over 81% of HRDs believed that they would not have received these same threats if they did not work on specific issues of activism, suggesting both that their role as HRDs and certain types of advocacy may carry additional risk in different contexts. The HRDs who answered “yes” to believing that they would face the same threats they do currently even if they did not work on specific issues of activism most often clarified that that the government has criminalized or otherwise restricted their work or that threats increased after a government hostile to human rights assumed power (see Table 7). Such responses support the conclusion that HRDs receive threats because of their work and that, in some cases, the lack of perceived support for HRDs contributes to the prevalence of these threats.

Regarding the source of the threats, as previously mentioned, a high number of male and female HRDs in LAC countries—approximately 94%—reported that they believed they would not face these same threats if they did not do human rights work (see Graphic 3). However, the results are slightly different in non-LAC countries. First, both female and male HRDs overall reported that they were less convinced they would not face this same treatment, even if they did not work on these specific issues of activism. Of particular note, is that almost 45% of women in non-LAC countries reported that they would likely still face this type of harassment, as opposed to only 20% of men.

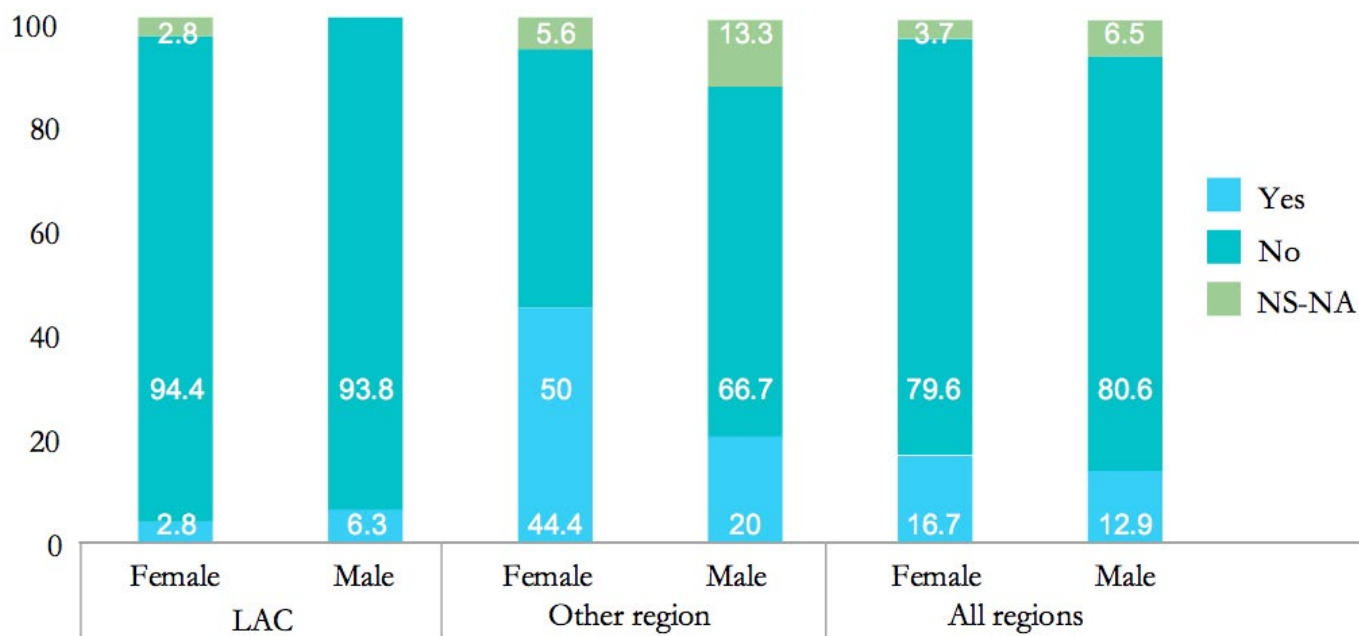
Table 7.

Would you face these same threats even if you didn't work on specific issues of activism?

	Yes	No	NS-NA	Total
No. of responses		73	4	90
%	100	100	100	100
The government has criminalized or otherwise restricted our work	30.8	13.7	0.0	15.6
I am targeted because of my visibility	7.7	6.8	0.0	6.7
I only started receiving threats after I started working on human rights	7.7	12.3	25.0	12.2
The issues that I focus on are stigmatized in the geographic area where I work	15.4	43.8	50.0	40.0
The only persons I know that have been threatened are HRDs	7.7	8.2	0.0	7.8
The threat explicitly referred to our HR work	0.0	8.2	0.0	6.7
Threats increased after government hostile to human rights took power	23.1	4.1	0.0	6.7
Unclear- No Response	7.7	2.7	25.0	4.4

Graphic 3.

Do you believe that you would face these same threats even if you didn't work on specific issues of activism?



Of all the HRDs surveyed, the most common issue that people reported working on globally was “women’s issues” (see Table 8). It is important to note that WHRDs reported much higher levels of working on women’s issues than their male counterparts. For the other issues, differences exist according to both region and gender. In LAC countries, “indigenous/ethnic minority rights” and “environmental matters” were the next highest scoring responses from WHRDs. On the other hand, male HRDs tended to report “land/property,” “corruption/rule of law,” and “freedom of speech/ expression.” In non-LAC countries, female and male HRDs alike both reported “freedom of speech/expression” and “corruption/rule of law” as the second and third most popular areas of work.

Table 8.

What kind of issues do you work on?

Percentage distributions 1/

	Latin America and Caribbean			Other regions					Total			
	Gender			Total	Gender			Total	Gender			Total
	Female	Male	Others		Female	Male	Others		Female	Male	Others	
No. of Responses	303	95	25	423	164	146	14	324	467	241	39	747
%	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Women’s Issues	26.4	6.3	20.0	21.5	17.7	13.0	14.3	15.4	23.3	10.4	17.9	18.9
Environmental Matters	9.6	9.5	8.0	9.5	5.5	3.4	7.1	4.6	8.1	5.8	7.7	7.4
Land/ Property	8.3	12.6	4.0	9.0	4.3	5.5	7.1	4.9	6.9	8.3	5.1	7.2
Indigenous/ Ethnic Minority	11.2	9.5	12.0	10.9	4.3	6.8	7.1	5.6	8.8	7.9	10.3	8.6
Migrants/ Refugee	4.0	4.2	12.0	4.5	6.1	8.2	0.0	6.8	4.7	6.6	7.7	5.5
Children	7.9	2.1	4.0	6.4	7.3	8.2	14.3	8.0	7.7	5.8	7.7	7.1
LGBTQ+	7.3	4.2	8.0	6.6	9.1	3.4	7.1	6.5	7.9	3.7	7.7	6.6
Persons with Disabilities	0.7	3.2	4.0	1.4	5.5	4.8	0.0	4.9	2.4	4.1	2.6	2.9
Corruption/ Rule of Law	4.6	12.6	4.0	6.4	9.8	11.6	7.1	10.5	6.4	12.0	5.1	8.2
Persons deprived of their liberty	5.6	9.5	4.0	6.4	8.5	9.6	7.1	9.0	6.6	9.5	5.1	7.5
Freedom of speech/ expression	7.6	12.6	0.0	8.3	15.2	16.4	7.1	15.4	10.3	14.9	2.6	11.4
Labour activism	1.0	4.2	8.0	2.1	2.4	2.7	7.1	2.8	1.5	3.3	7.7	2.4
Other	5.9	9.5	12.0	7.1	4.3	6.2	14.3	5.6	5.4	7.5	12.8	6.4

HRDs were also asked who they believed to be the source of the threats and, again, there are clear patterns in the responses. Over half of the respondents believed the primary source of threats against them to be a state actor (from most to least common public safety forces: military or police, state security and intelligence agents, and other state actors) (see Graphic 4). This trend holds across the regions surveyed. Another 12% responded that businesses and representatives of business interests (i.e., property owners) were primary source of threats. The remaining respondents cited members of criminal organizations (hired assassins, gangs, guerrilla groups, paramilitaries, drug traffickers) and religious leaders as being the primary sources.

Of note, more women HRDs reported being threatened by state actors than male HRDs; this pattern held true across the globe (See Table 9). This held particularly true in the LAC region, where 51.1% of WHRDs reported some sort of State actor was the primary source of threats, whereas 51.4% of the surveyed male HRDs reported that private actors, such as parastatal actors, criminal organizations, and business enterprises, threatened them. In contrast, 23.3% of female HRDs reported these private actors as the primary source of threats against them. Lastly, four times as many WHRDs in the LAC region reported being threatened by religious leaders and extremists than their male counterparts.

Graphic 4.

Who are the primary perceived sources of threats against human rights defenders?

Percentage distributions 1/

100%	4.1	Other
90%	10.5	Religious leaders/movements/ fundamentalists
80%	10.5	Religious leaders/movements/ fundamentalists
70%	11.5	Members of criminal organizations or networks
60%	11.8	Other State actors
50%	12.5	Parastatal actors (paramilitaries, parapolice groups)
40%	18.6	Businesses, employees of businesses, representatives with business interests
30%	20.6	State security/intelligence agents
20%		
10%		
0%		

Public safety forces (military, police, etc.)

Table 9.

Who are the primary perceived sources of threats against human rights defenders?

Variable	Region						Total
	LAC			Other regions			
Gender	Female	Male	Other	Female	Male	Other	
No. of responses	92	68	17	57	53	9	296
%	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Public safety forces (military, police, etc.)	20.7	16.2	23.5	22.8	22.6	22.2	20.6
State security/intelligence agents	17.4	16.2	11.8	19.3	24.5	22.2	18.6
Other State actors	13.0	7.4	17.6	12.3	11.3	11.1	11.5
Parastatal actors (paramilitaries, parapolice groups)	9.8	17.6	5.9	12.3	9.4	11.1	11.8
Members of criminal organizations or networks (hired assassins, gangs, guerrilla groups, etc)	6.5	16.2	5.9	8.8	11.3	22.2	10.5
Businesses, employees of businesses, representatives with business interests	13.0	17.6	23.5	5.3	11.3	0	12.5
Religious leaders/movements/ fundamentalists	16.3	4.4	11.8	10.5	9.4	0	10.5
Other	3.3	4.4	0	8.8	0	11.1	4.1

Percentage distributions 1/

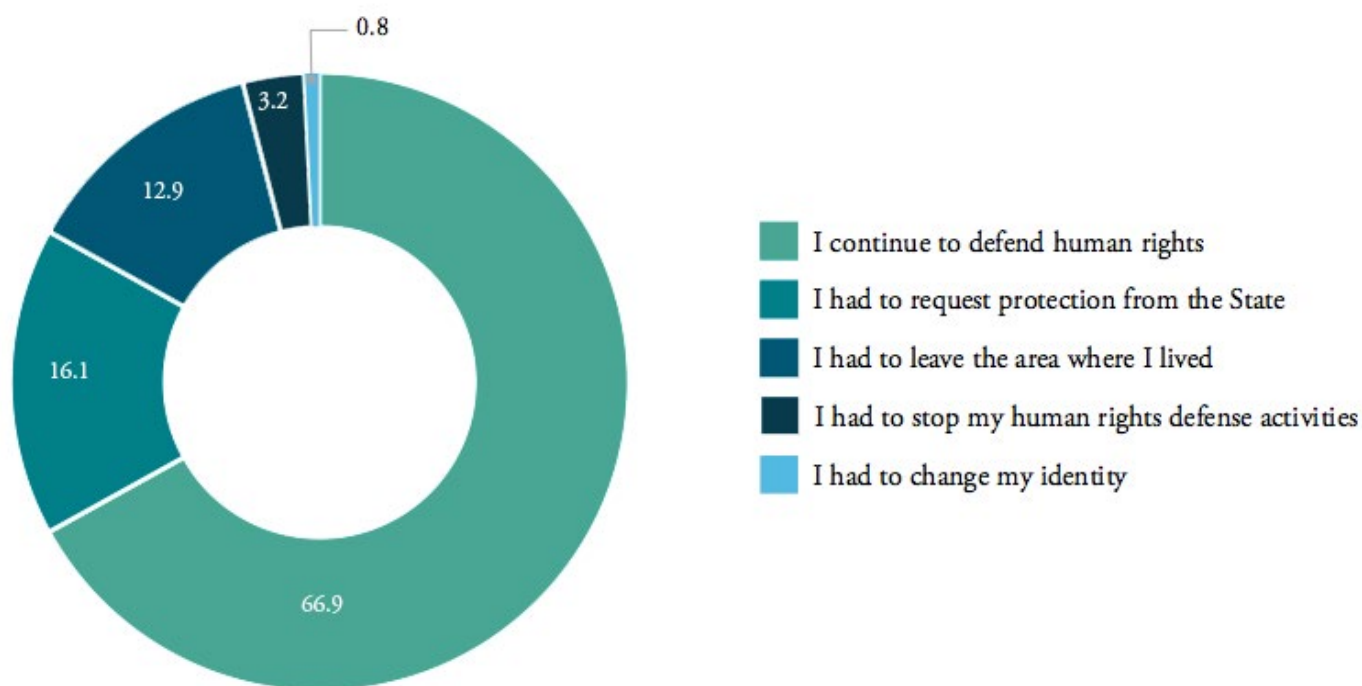
Despite the prevalence and gravity of threats, 67% of the HRDs surveyed reported that they persevere in continuing their work with little to no change in their daily activities to promote and protect human rights. However, many HRDs reported changes in routine or significant life changes. Over 16% confirmed that they stopped their human rights defense work; 6% of all respondents sought protection from their government; and 12.9% of all respondents were forced to leave the area in which they lived.



Graphic 5.

How did the threats impact your daily activities?

Percentage distributions 1/



1/ Percentages are based on 124 responses.

Several differences stand out inter- and intra-regionally regarding the occurrence of threats, the rationale for them, and their effect. First, in Latin America and the Caribbean, where a majority of responses were received, approximately 95% of HRDs responded that they would not face these threats if they did not engage in their current activism as opposed to 60% from other regions collectively. The discrepancy could result from a number of factors, for example that HRDs in other regions may perceive they would receive threats based on their identity, regardless of their human rights work. Further questions would be necessary to better understand this finding.

A second notable difference is the way that intersectionality factors in both inter- and intra-regionally. Over 36% of respondents in non-LAC countries reported being a member of a racial or ethnic minority group in their country; in the LAC region, 26.8% of respondents reported having this identity (see Table 10). However, over 73% of the respondents in the LAC region who identified as a member of an ethnic or racial minority believe that they receive more threats because of their racial or ethnic identity. This finding stands in sharp contrast to the 48% of non-LAC respondents that identify as part of a racial subgroup and believe they receive more threats because of that identity.

Table 10.

Are you a member of a racial or ethnic group in your country?

Variable	Region		Total
	LAC	Others	
N	127	69	196
Percentage	100.0	100.0	100.0

Yes	26.8	36.2	30.1
No	70.9	49.3	63.3
NS-NA	2.4	14.5	6.6

Percentage distributions

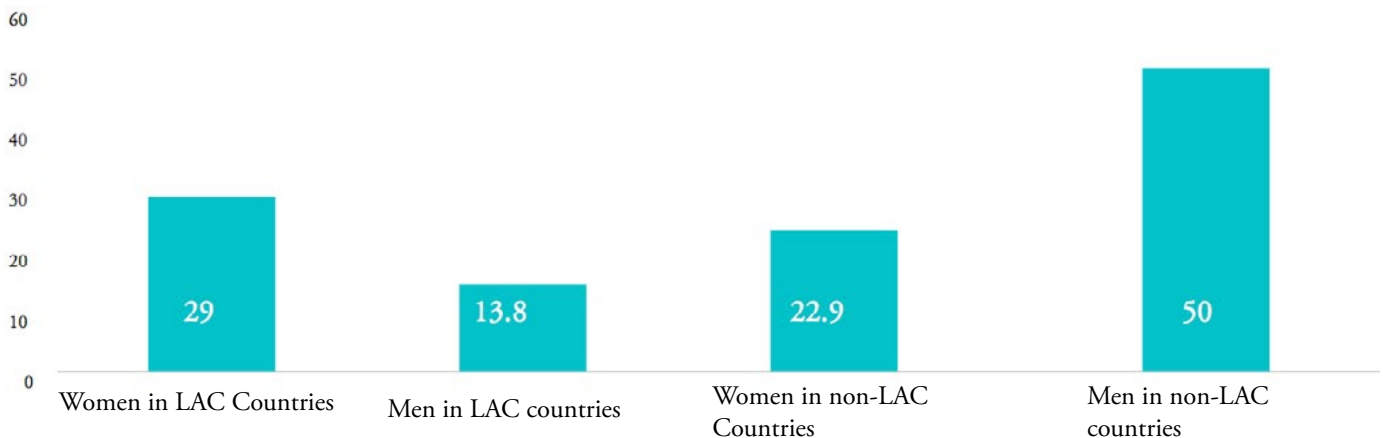
Table 11.

Do you believe you receive more threats because you belong to a minority group? (Only to answers “YES”)

Variable	Region		Total
	LAC	Others	
N	34	25	59
Percentage	100.0	100.0	100.0
Yes	73.5	48.0	62.7
No	11.8	44.0	25.4
NS-NA	14.7	8.0	11.9

Graphic 6.

HRDs who identified as a member of a racial/ethnic group



A final notable difference is the disparity between the two regional categories regarding how threats affect HRDs' daily life (see Graphic 7). In the LAC region, 59.5% reported that they continued their human rights work while 22.6% reported requesting protection, 15.5% reported having to leave the area, 1.2% reported having to stop all human rights work, and a final 1.2% reported having to change their identities. This differs from the results of non-LAC countries, where over 82% continued their human rights work and only 2.5% requested protection from the state, 7.5% had to leave the area, 7.5% stopped HRD work entirely, and no one reported having to change their identity.

Gender was associated with a marked difference in the effect that threats had on the respondents. WHRDs reported higher levels at both ends of the spectrum: in continuing their human rights work with minimal or no changes, as well as stopping their human rights work completely in both regions (see Table 12). A number of women HRDs (4.2%) reported that they had to stop performing their human rights defense activities and 2% of WHRDs in LAC even reported having to change their identity. Remarkably, no male HRDS reported having taken either action. Male HRDs did report higher rates of requesting protection from the State or moving away from where they lived but continuing in their work. Overall, WHRDs reported much lower rates of seeking external aid or protection. This disparity may reflect several regional tendencies, including the availability of protection mechanisms, the feasibility of displacement, and the severity or perceived severity of the threats.

Graphic 7.

How did the threats impact your daily activities?
Percentage distributions 1/

(Percentage distributions based on number of responses)



Table 12.

Results by gender
Percentage distributions 1/

Variable	Region						Total
	LAC			Other regions			
Gender	Female	Male	Other	Female	Male	Other	
No. of responses	51	26	7	21	17	2	124
%	100.0	100.0	100.0	100.0	100.0	100.0	100.0
I continue to defend human rights	62.7	53.8	57.1	85.7	82.4	50.0	66.9
I had to stop my human rights defense activities	2.0	0.0	0.0	9.5	0.0	50.0	3.2
I had to leave the area where I lived	13.7	15.4	28.6	4.8	11.8	0.0	12.9
I had to request protection from the State	19.6	30.8	14.3	0.0	5.9	0.0	16.1
I had to change my identity	2.0	0.0	0.0	0.0	0.0	0.0	0.8

Percentage distributions



b. Clues to unpack impunity

The Survey also contained questions regarding the State response to threats against HRDs. Respondents were asked to provide information regarding mechanisms to report threats and their knowledge of investigative procedures, as well as their personal experiences reporting and following up on reported threats, if applicable. Of all the HRDs that reported having received or knowing someone who received a threat in the previous 24 months, just over 62% said they reported it to the authorities (see Table 13). This number was constant cross regionally. Therefore, while a majority reported the threats to a state agency, a significant percentage did not. WHRDs were much less likely to report threats against them to authorities (see Annex, question B.3). In LAC countries, women were over 30% less likely to report the threats than men; in non-LAC countries, women were over 10% less likely to report. Only approximately half of WHRDs reported that they notified State authorities of the threat.

Regarding the investigation of threats, 23% of the respondents said they were unsure whether authorities initiated a formal investigation. For those who did report the threat or responded that they were aware of the threat being reported to authorities, 38.5% reported that there was not an investigation and 38.5% responded that there had been an investigation.

In LAC countries, where WHRDs conveyed lower rates of reporting, they also reported lower rates of the threats being investigated—almost 24% lower than male HRDs from the region. In this respect, WHRDs may undervalue threats against them, or determine that reporting is not worth it based on anticipated State response. State response may reinforce this bias, given lower reported levels of investigation.

Respondents provided information on what they believed were the reasons that threats were not reported, the largest being lack of trust in the authorities (see Graphic 8). Other popular answers included, inter alia, a belief that reporting would not yield any results, fear of retribution, fear of discrimination, concerns regarding protection, a lack of awareness of legal options, and a general culture of normalized poor treatment of HRDs.

Of the 38.5% of reported threats that resulted in an investigation, HRDs thought that only 20% of the investigations were adequately carried out. Recalling that a significant portion of all threats received were not reported to authorities at all, this means that just 4.78% of all the threats that HRDs reported in the Survey resulted in what was perceived to be an adequate investigation.¹⁵

¹⁵Due to the small number of affirmative responses as to whether an investigation into the reported threat was carried out, it was not possible to analyze the results of this question by sex.

Graphic 8.

What do you believe are the reasons that threats are not reported?
(Percentage distributions based on 358 responses)

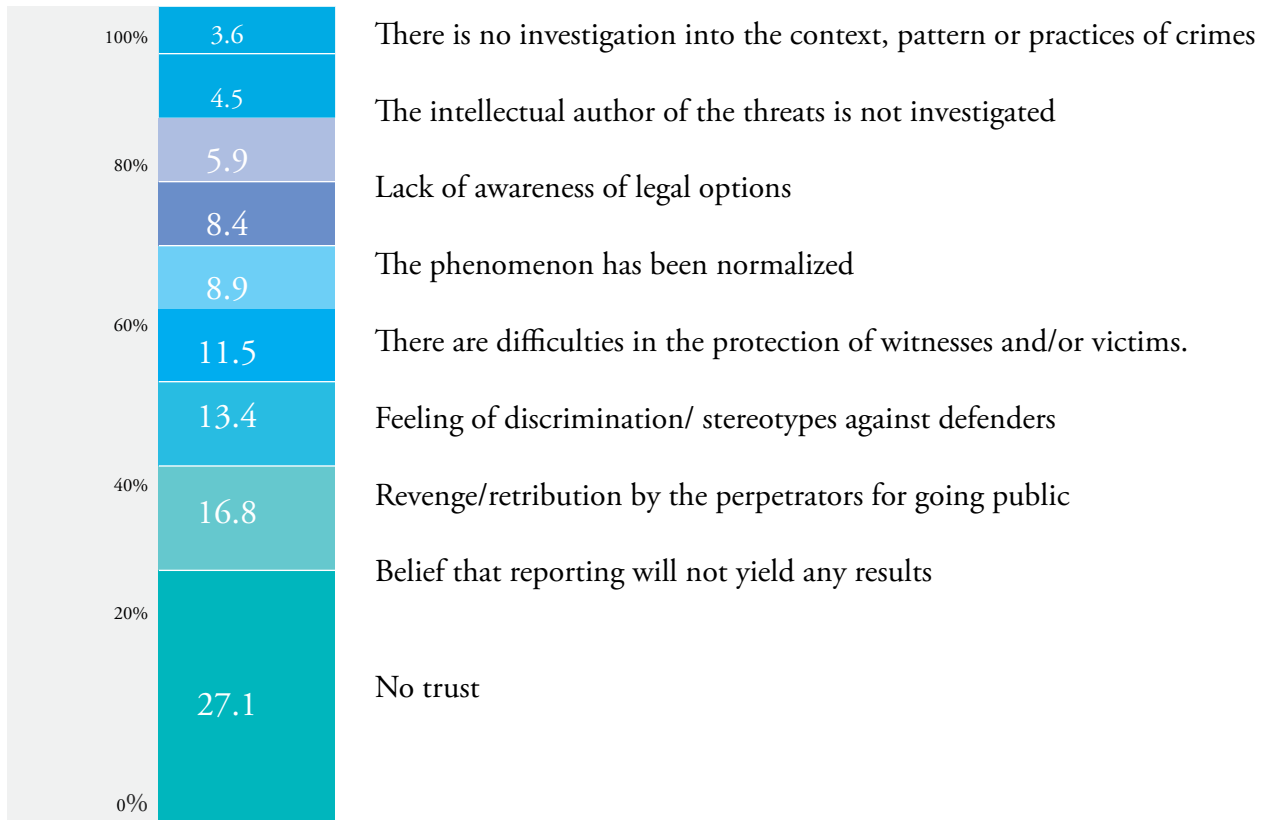
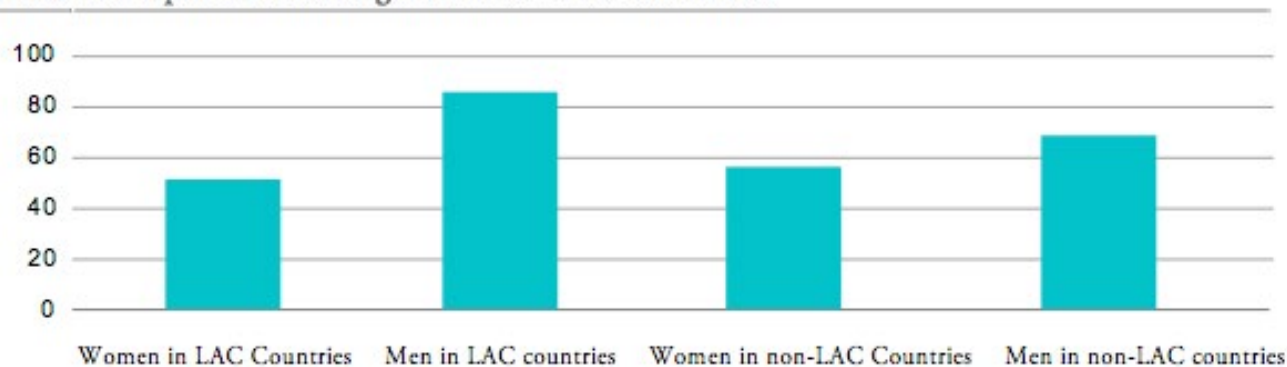


Table 13.

	In the last 24 months, have you or someone you know received threats in some form as a result of your work?	Was it reported to the authorities?	Do you believe that the investigation into investigation carried out the threat(s)?	
			By the State regarding the threat(s) was adequate?	
			(Only to answers "YES" before)	
N	196	167	104	40
Percentage Yes	100.0	85.2	100.0	20.00
No	12.8	33.5	38.5	72.5
NS-NA	2.0	4.2	23.1	7.5

Graphic 9.

HRDs who reported threats against them to the authorities



HRDs were also asked why they perceived the investigations as inadequate. The surveyed HRDs offered many reasons, including, inter alia, that the faulty investigation put HRDs at greater risk, that the investigation did not advance and/or was biased, that the State found no crime committed and that no threat existed, and that the resulting court decision was biased.

Surveyed HRDs provided several reasons for the perceived motives for failing to investigate adequately. The most common responses were (1) a lack of political will (most prevalent globally), (2) the stigmatization of HRDs, and (3) the participation of State actors in threats (see Graphic 10). Other reasons cited for failing to investigate threats included collusion between the perpetrator and the State (9.5%), failure to report threats (9.3%), and discrimination and stereotypes against HRDs (7.9%). In this respect, many responses indicate that States not only failed to respond adequately to threats, but that many HRDs perceive that State response worsens the situation through stigmatization, active participation, or collusion.

While the top responses were the same across genders, the responses of WHRDs in the LAC region varied more as compared to their male counterparts. More WHRDs believed that the lack of a clear criminal provision for threats and the fact that State is not required to investigate threats were the reasons why threats are not investigated than male HRDs. Additionally, although it was still a top response, a significantly smaller percentage of women believed that the participation of state actors involved with the threats was a reason why threats are not investigated. This finding is particularly interesting considering that more than half of WHRDs in the LAC region reported that the State was the primary source of the threats that they received (See Table 14).

Graphic 10.

Reasons that threats are not investigated in your country.

Percentage distributions based on 860 responses



Table 14.
Results by gender
Percentage distributions 1/

Variable	Region						Total
	LAC			Other regions			
Gender	Female	Male	Other	Female	Male	Other	
No.of responses	410	116	20	164	140	10	860
%	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Failure to report threats	9.5	6.0	10.0	11.6	8.6	10.0	9.3
Lack of political will	16.6	19.0	20.0	15.2	17.1	10.0	16.7
Lack of a clear criminal provision for threats	5.9	1.7	10.0	5.5	8.6	0.0	5.7
The stigmatization against human rights defenders	15.4	14.7	20.0	12.2	12.9	10.0	14.3
Collusion between the perpetrator and the State	9.0	9.5	10.0	11.6	8.6	10.0	9.5
Participation of state actors in threats	12.9	18.1	15.0	15.9	11.4	10.0	14.0
Fear	2.2	0.9	5.0	1.8	2.1	0.0	2.0
Discrimination/ stereotypes against defenders	8.5	6.9	5.0	7.9	7.1	10.0	7.9
Problems related to evidence, including lack of physical or digital evidence	2.9	4.3	0.0	4.3	4.3	10.0	3.6
Limited resources/ lack of budget	2.4	2.6	0.0	2.4	2.9	0.0	2.4
Lack of legal assistance	2.7	1.7	0.0	3.0	6.4	20.0	3.4
Lack of forensic capacity	0.7	0.9	0.0	1.2	3.6	0.0	1.3
Lack of investigatory and analytical capacity	3.2	8.6	0.0	4.9	2.9	0.0	4.1
State is not required to investigate threats	8.0	5.2	5.0	0.6	2.9	10.0	5.3
Other	0.0	0.0	0.0	1.8	0.7	0.0	0.5

1/ Percentages are based on number of responses.

Additionally, when HRDs were asked about access to information around threats (see Table 15), only 36% of respondents said there was some source, either State or non-State, which generated information regarding threats reported to police or other State entities. Additionally, only about 20% reported knowledge of a source that catalogues the number of investigations of such threats, and only 12% reported knowledge of a source for the number of convictions that arose from these investigations. Providing public access to information about the incidence and impunity regarding threats against HRDs is key to developing effective public and criminal policies. In this respect, high rates of impunity may also indicate a failure to comply with relevant State obligations, including due diligence and specific duties of prevention, among others.

Table 15.
Percentage distributions

	Is there information generated by state or an independent source (i.e. NGOs, academic centers) on the number of investigations regarding the number of reported regarding threats initiated by threats to police, public prosecutor, national institution of human rights, or other State entities?	Is there information generated by the state or an independent source (i.e. NGOs, academic centers) regarding the number of convictions for making a threat?	Is there information generated by the state or an independent source (i.e. NGOs, academic centers) regarding the number of convictions for making a threat?	
N	196	196	196	
Percentage		100.0	100.0	100.0
Yes		36.7	20.9	12.2
No		31.6	42.3	46.4
NS-NA		31.6	36.7	41.4

Table 16.

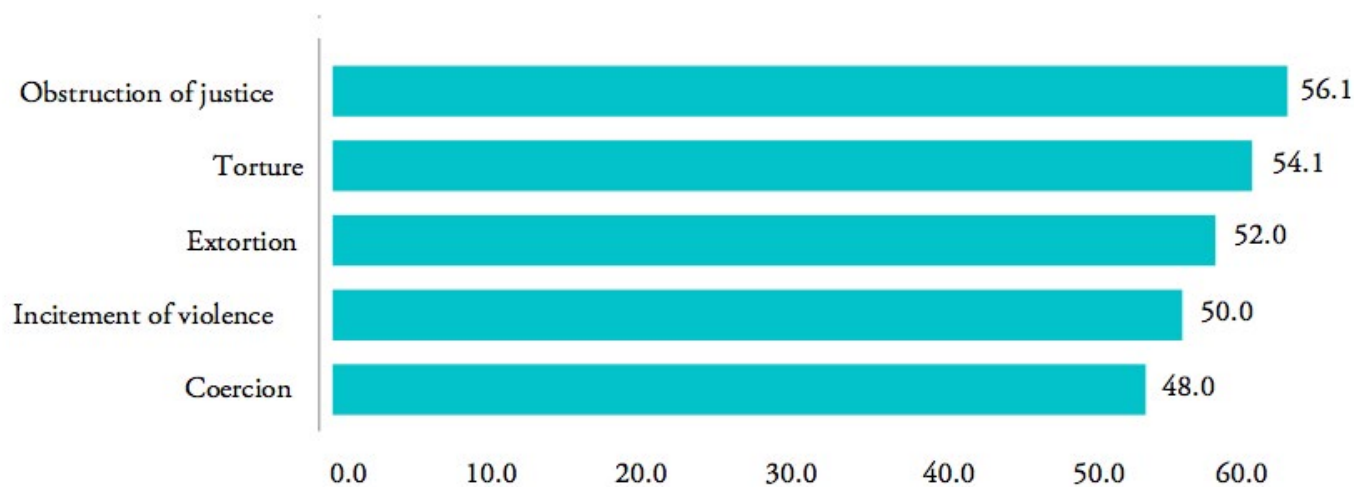
Do you have legal training or do you have significant experience in legal matters (such court proceedings, visiting prisoners, giving legal advice, etc.)?
Percentage Distributions

Gender	LAC			Other regions			Total
	Female	Male	Other	Female	Male	Other	
No. of responses	93	29	5	35	32	2	196
%	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Yes	51.6	72.4	20.0	77.1	50.0	50.0	58.2
No	40.9	10.3	60.0	20.0	34.4	50.0	32.1
NS-NA	7.5	17.2	20.0	2.9	15.6	0.0	9.7

Regarding the penal codification of threats, 55% of respondents were aware that that the act of threatening someone is a crime. A majority of HRDs also reported that other crimes—such as coercion, obstruction of justice, extortion, incitement of violence, and torture—are used to investigate and punish behavior that would qualify as a threat under the definition adopted by the Protocol (see Graphic 11). Respondents were also asked if the applicable legal framework considered the victim’s identity as an HRD to be an aggravating factor for purposes of penal codification. Only 10% responded in the affirmative.

Graphic 11.

Are any of the following crimes used to investigate and punish threats?
(Percentage “Yes”)



Additionally, many countries—to the extent that they codify the penalization of threats—only establish investigative procedures for threats against public officials (see Table 17). Approximately 24% of HRDs reported that their country has specific protocols to investigate threats against public officials, but only 17% reported those same procedures for HRDs. Moreover, according to the surveyed HRDs, only 16% of these protocols require an analysis of context (e.g., patterns of urban or rural violence, presence of paramilitary groups, etc.), creating further obstacles for effective protection of HRDs.


Many States also lack processes that may facilitate the investigation of threats against HRDs. Most of the Survey respondents reported that either they were unaware of or that there was no specific investigation unit for attacks against HRDs in their countries.

Table 17.
Percentage distributions

	Yes	No	NS-NA	Total
Does your country have policies, protocols, or specific practices to investigate threats against public officials?	23.5	35.2	41.3	100
Does your country have policies, protocols, or specific practices to investigate threats against human rights defenders?	16.8	57.7	25.5	100
Do these policies, protocols, or specific practices require an analysis context (e.g. patterns of urban or rural violence, presence of paramilitary groups, conflicts around development projects, etc.)?	16.3	24.5	59.2	100
Are there specific investigation units for attacks against human rights defenders?	26.0	52.0	21.9	100

Furthermore, while just over half of respondents (55.1%) noted that there are protection mechanisms in their country for persons who assist with investigations, no respondents reported them as being “very good”; only 17% said they were good, and over 60% reported them as either “bad” or “very bad.”

The Survey results suggest four inter-regional factors that may contribute to impunity. First, there is a marked difference between LAC countries and the rest of the world when it comes to investigations and the quality of those investigations. Over 20% more respondents in non-LAC countries reported that investigations were not carried out. However, of the investigations that did take place, the percentage of respondents from non-LAC countries that said the investigations were adequate was almost 30 points higher than that reported by LAC countries. So, while the investigations may be less common, they were perceived as more adequate.



The second difference follows from a brief analysis of the prevalence of legal training among HRDs regionally. More HRDs from non-LAC countries reported having legal training than those from LAC countries. This may help to explain subsequent findings that LAC HRDs reported lower levels of knowledge regarding specific text in their legal frameworks that criminalize threats.

The third difference stems from (1) the penalization of threats in general, (2) the existence of specific investigative procedures for crimes against HRDs, and (3) protection mechanisms. Compared to LAC countries, 20% more respondents in non-LAC countries said that threats were considered a specific crime where they lived. However, despite these higher levels of penalization of threats, non-LAC HRDs also reported much lower levels of investigative mechanisms for threats specifically targeted at HRDs, as well as fewer available protection mechanisms for persons who participate in criminal investigations. This may suggest that the mere codification of threats may not necessarily affect the availability of investigative protocols and protection.

Another notable difference regards access to information. While globally the results regarding access to information about the number of investigations and convictions for threats against HRDs were similar (both low), LAC HRDs reported lower levels of access to (or knowledge of) sources that provide the number of threats reported to State authorities. However, this may relate to lower reported knowledge of legal systems among LAC respondents.

IV. REFLECTIONS




At the conclusion of the Survey, the HRDs were asked to provide what actions they thought would be most helpful in increasing and improving investigations of threats against HRDs. Respondents were permitted to select more than one response to this question. The most popular answer was to improve trust in State institutions that oversee the investigation and punishment of threats. Almost 14% of all respondents prioritized improving trust in State institutions.

Many other suggestions also incorporated increased efficacy and stronger procedural guidelines for investigating threats, including (in descending order of popularity):

- Guaranteeing independence and autonomy for the authorities that investigate threats (12.8%);
 - Improving protection mechanisms for those who protect human rights (10.9%);
 - Implementing clear procedures to report threats (9.8%);
 - Improving the State's response based on gender identity (i.e. gender-specific responses, culturally sensitive procedures, timely access to emergency services, etc.) (8.2%);
 - Establishing protocols to investigate contexts, patterns, and trends (3.9%);
 - Establishing specialized units in the office of the Public Prosecutor (3.8%);
 - Developing the State's capacity to investigate threats (3.7%);
 - Establishing clear penal definitions (3.5%);
 - Guaranteeing an adequate budget for the responsible authorities that investigate threats (3%);
 - Enforcing timely collection of evidence (2.6%);
 - Systematizing and publicizing information about the prevalence and investigation of threats while respecting anonymity (2.5%);
 - Improving evidence supervision, including chain of custody (2.2%); and
 - Clarifying procedures to analyze digital evidence (1%).
- Other suggestions involved developing new alliances, utilizing new technology, and shifting public perceptions of HRDs, including (in descending order of popularity):
- Promoting greater public support for the work of defending human rights (11%);
 - Creating cooperation mechanisms with international organizations (4.1%);
 - Creating inter-institutional cooperation mechanisms (1.6%); and developing new technical assistance (1.4%).

While the above list is not exhaustive, it addresses some of the biggest concerns HRDs see in their fields and what mechanisms they believe would be most conducive to their protection. The Survey provided insight into various underlying reasons for impunity, and the respondents provided critical information about the positioning of HRDs within their countries, as well as highlighted many helpful responses on how States can satisfactorily respond to threats.¹⁶ Nevertheless, it is interesting to note that while more respondents focused on improving trust in state institutions as a tool to increase and improve investigations of threats against HRDs, they were less likely to believe that actual investigatory mechanisms, such as increasing the state's investigatory capacity and institutional cooperation, would be helpful actions. Respondents seemed to be concentrated on the independence of the authorities and other means that would change their perception of State authorities.

As such, the one theme that remained constant throughout the results: States need to do more to protect the lives and integrity of human rights defenders around the world. States must recognize the importance of the work of HRDs and must take action to eliminate threats against HRDs from State actors. States must set forth



policies that would improve trust in their institutions and conduct full investigations into all threats against HRDs. HRDs should be able to feel confident in reporting threats to authorities and be assured that the State will do everything within its power to protect them.

States must do even more to support WHRDs. The Survey results confirm that WHRDs face differential risks associated with their work. In the Latin American and Caribbean region, state actors were the primary source of more than half of the threats against surveyed WHRDs, which is likely why WHRDs in the region report threats less often and why they are less likely to request protection from the State than their male counterparts. As such, it is important to develop and employ holistic measures of protection and safety using an intersectional perspective to ensure they can safely do their work of promoting and defending human rights without the interference of state actors.

As the Esperanza Protocol continues to develop, these responses confirm key research findings of the other Protocol Committees relating to how state authorities have addressed threats against human rights defenders; these real-life experiences illuminate and complement the conclusions drawn in other memoranda.

¹⁶The Survey Committee acknowledges that the different insights that were gleaned provide strong starting points for further study. Further research is needed both on a grand scale as well as in specific contexts to truly be able to draw larger conclusions about the HRD population and the specific risks they face; what role the state plays in preventing, investigating, and punishing threats against HRDs; what state policies contribute to impunity; what programs will best improve protections for HRDs; and how gender and intersectionality factors into each of these considerations. These conclusions can then be applied to foster a safe and enabling environment for the defense of human rights around the world.