An Open Letter to States and Development Financiers on the need to ensure that development interventions support the realization of human rights, safeguard human rights defenders and guarantee meaningful public participation

2018 marks the 70th anniversary of the Universal Declaration of Human Rights, the 20th anniversary of the United Nations Declaration on Human Rights Defenders, and the 25th anniversary of the Vienna Declaration and Programme of Action. These instruments have been key to recognising fundamental rights globally and affirming the role that human rights defenders (HRDs) play in protecting these rights and ensuring sustainable and equitable development for all. While much progress has been made, HRDs face greater risk of retaliation and violence than ever before, especially those working in defence of land, environmental and indigenous peoples’ rights. While development interventions can be a powerful tool for the realization of human rights, too often activities undertaken in the name of development fail to adequately consider human rights conditions and impacts, and end up exacerbating the risks for defenders. In light of this, the Defenders in Development Campaign[1] is calling on development finance institutions (DFIs) and their shareholder governments to ensure that development interventions support the realization of human rights, avoid causing or contributing to rights abuses, promote an enabling environment for public participation, and safeguard HRDs.

Human rights defenders are a critical force for the protection of human rights and integral to the success of other global initiatives like the 2030 Agenda for Sustainable Development. The important work of HRDs has been repeatedly recognised at the international and national levels and their contributions have been vital to protecting the land and the environment, securing just and safe conditions of work, combating corruption, and respecting indigenous cultures and rights[2]. Indeed, through the Declaration on the Right to Development, states agreed that development must be carried out in a manner “in which all human rights and fundamental freedoms can be fully realised” – with the “self-determination of peoples” and the “active, free and meaningful participation” of individuals and populations. HRDs play a key role in enabling the realisation of the right to development.

Despite the growing awareness of the role of HRDs in sustainable development, the human cost of defending rights remains unacceptably high. Those working in defence of land, environmental or indigenous peoples’ rights—rights most often violated in the context of development and related investment activities—are most at risk. They are routinely subjected to stigmatization, labelled as “anti-development,” often quickly leading to criminalization, threats and physical attacks. They are also more likely to be killed than defenders in other sectors. Since the adoption of the Declaration on Human Rights Defenders in 1998, an estimated 3,500 human rights defenders have been killed because of their peaceful work defending the rights of others.[3] In 2017 alone, at least 312 human rights defenders were murdered, 67 percent of whom were working in defence of land and territory in the context of large investments, extractive industries and big business.[4] For women defenders and other marginalized groups, the risks are even more acute.

The Declaration on Human Rights Defenders recognizes that everyone has the right “to promote and to strive for the protection and realization of human rights and fundamental freedoms.” Of particular importance for development processes, the Declaration affirms
the right to effective access to participation in public affairs, including submission of criticism or opposing views or alternative proposals. It additionally “stresses that all members of the international community shall fulfil, jointly and separately, their solemn obligation to promote and encourage respect for human rights and fundamental freedoms for all without distinction…and reaffirming the particular importance of achieving international cooperation to fulfil this obligation…”

Unfortunately, too often development interventions are designed and implemented without adequate consideration of the human rights context in which they are executed and the human rights impacts that may result. We see this in austerity measures that result in loss of access to essential services, commercial reforms that exacerbate land grabbing, or infrastructure projects that result in social conflict. While development finance institutions and many states have undertaken commitments on transparency and participation, in practice, development decisions are often made without the meaningful participation of civil society, and imposed on communities without their consent or consultation. Where insufficient attention is afforded to community participation and human rights, even the best intentioned interventions can stoke conflict, fuel corruption, or entrench discrimination.

States have an obligation to ensure that human rights are respected and protected and that there is an enabling environment for defenders to do their critical work. This obligation includes states’ actions to implement or finance development activities, and extends to their membership within multilateral development finance institutions. Development banks themselves have human rights obligations and a critical role to play in ensuring that their investments are not causing or contributing to threats or attacks against defenders. DFIs exert significant influence both through their project lending as well as through policy promotion and standard-setting. As such they help shape local and national conditions which determine whether individuals and communities impacted by development activities are able to safely engage or influence development processes.

The Defenders in Development Campaign repeats its call to DFIs, states, and other development actors to take all necessary measures to ensure that their interventions support the realization of human rights and do not cause or contribute to human rights abuses, and to promote safe space for communities and civil society to engage and shape development processes and to exercise their fundamental freedoms. This includes developing policies on human rights defenders and protocols to prevent and respond to risks of reprisals, ensuring meaningful access to information, and robust free, prior and informed consent of indigenous peoples and consultation of other affected communities. DFIs must also conduct ongoing human rights due diligence to identify and address human rights risks in all of their activities and throughout the lifespan of a project, including those residual impacts that may continue to be felt long after a project is closed. DFIs must ensure effective mechanisms whereby defenders can safely alert them to deteriorating environments or risks of conflict and reprisal. We also emphasize DFIs’ responsibility to, through their research, public communications, and dialogue with states and the private sector, promote an enabling environment for public participation and accountability, in which people are empowered to engage in crafting their own development agendas and in holding their governments, donors, businesses, DFIs and other actors to account.
As owners and shareholders of development banks, governments must do more to ensure that DFIs are fulfilling their human rights obligations and promoting sustainable development. While we welcome steps taken by some states to support HRD protection, it is concerning that governments may actually be undermining these efforts through the actions of their national development banks, bilateral development cooperation, and other DFIs in which they participate. Given the alarming increase in attacks on defenders within development activities, we urge governments to bring more attention to this issue and to the critical role of DFIs. In this regard, as we celebrate the 70th anniversary of the Universal Declaration of Human Rights, the 20th anniversary of the United Nations Declaration on Human Rights Defenders, and the 25th anniversary of the Vienna Declaration and Programme of Action, we call on states and DFIs to:

Take urgent action toward enacting the reforms identified above and promoting an enabling environment for human rights and meaningful public participation in development processes;

Use the anniversary of these important human rights milestones to bring attention to the critical role that human rights defenders play in ensuring effective, equitable, and sustainable development; and

Make a public commitment to take all measures necessary to ensure that development policies, investments, cooperation, and other activities respect, protect, and fulfil human rights, prevent reprisals, and safeguard defenders.

Center for Justice and International Law (CEJIL), Americas

Fundación para el Desarrollo de Políticas Sustentables (FUNDEPS), Argentina

Aporte Interdisciplinario para la Región (AIRE), Argentina

Ministerio de la Defensa Pública de Provincia de CHUBUT, Argentina

FARN, Argentina

Foro Ciudadano de Participación por la Justicia y los Derechos Humanos (FOCO), Argentina

Fundación Cambio Democrático, Argentina

Fundación para Estudio e Investigación de la Mujer (FEIM), Argentina

Fundación TEA Trabajo – Educación – Ambiente, Argentina

EcoLur Informational NGO, Armenia

Asian Peoples Movement on Debt and Development, Asia Region

Oil Workers’ Rights Protection Organization Public Union, Azerbaijan
Open Azerbaijan Initiative, Azerbaijan
CLEAN (Coastal Livelihood and Environmental Action Network), Bangladesh
Catapa, Belgium
Counter Balance, Belgium
European Network Oscar Romero Committees, Belgium
Sociedad Civil (Fico Motors), Bolivia
Academia Nacional de Bellas Artes, Bolivia
Christian Aid, Brazil
Za Zemiata, Bulgaria
Centre for Environmental Information and Education, Bulgaria
Social Justice Connection, Canada
MiningWatch Canada, Canada
Holarctic Bridges, Canada
TSEU/ECSD, Commonwealth Independent States
Asociación Ambiental y Sociedad, Colombia
Christian Aid, Colombia
Equipo Nizkor – Radio Nizkor, Colombia
Comité Ambiental en Defensa de la Vida, Colombia
Corporación Regional Yareguíes-Grupo de Estudios Extractivos y Ambientales del Magdalena Medio, Colombia
Asociación de Afrodescendientes Nelson Mandela ASAFRINGELMAN, Colombia
Apolonia organizacion social de mujeres negras afrocolombianas Raizal y palenqueras, Colombia
OEARSE, Congo
Actions pour les Droits, l’Environnement et la Vie (ADEV), Congo
Zelena Akcija – Friends of the Earth Croatia, Croatia
Hnuti DUHA – Friends of the Earth Czech Republic, Czech Republic
Centre for Transport and Energy, Czech Republic
Centro de Derechos Económicos y Sociales (CDES), Ecuador
Estonian Green Movement, Estonia
Mexico Group, Finnish Peace Union, Finland
Indigenous Peoples and the Earth, Activist Specialist Group, Finland
Collectif Guatemala, France
FIACAT, France
Avocats Sans Frontières France, France
Agir Ensemble pour les Droits de l’Homme, France
Alliance of Lawyers for Human Rights, France
Terre des Hommes France, France
Français du monde-Adfe, France
Green Alternative, Georgia
Urgewald, Germany
Asociación para la Promoción y el Desarrollo de la Comunidad “CEIBA”, Guatemala
Action Aid Guatemala, Guatemala
CBM, Guatemala
Oxfam en Guatemala, Guatemala
AJKEMAB’, Guatemala
Equipo de Estudios Comunitarios y Acción Psicosocial – ECAP, Guatemala
Asociación de Entidades de Desarrollo y de Servicios No Gubernamentales de Guatemala -ASINDES-, Guatemala
National Society of Conservationists – Friends of the Earth Hungary, Hungary
Centre for Research and Advocacy Manipur, India
Indigo Law, India
Centre for the Sustainable use of Natural and Social Resources, India

Aksi! for gender, social and ecological justice, Indonesia

Center for International Environmental Law (CIEL), International

Socio-ecological union International, International

Protection International, International

International Accountability Project, International

International Indigenous Peoples Movement for Self-Determination and Liberation (IPMSDL), International

Front Line Defenders, Ireland

Avvocato, Unione forense per i diritti umani, Rete In difesa di, Commissione diritti umani Ordine avvocati Milano, Italy

Unione forense per i diritti umani, Osservatorio solidarietà carta di Milano, Italy

Italian Association of Democratic Lawyers, Italy

No Peace without Justice, Italy

Endangered Lawyers Project, Italy

Associazione Italiana Organizzazioni di Solidarietà e Cooperazione Internazionale (AOI), Italy

Abnaa Alnazehein Organization in Massan, Iraq

Women and children affairs, Iraq

Public Association “Dignity”, Kazakhstan

Water partnership for Central Asia, Kazakhstan

Center for Introduction of New Environmentally Safe Technologies, Kazakhstan

Save Lamu, Kenya

Jamaa Resource Initiatives, Kenya

Narasha Community Development Community, Kenya

Kijiji Yeetu, Kenya
Tinada Women Group, Kenya
Inuka Success Youth Group, Kenya
Young Advocates Community Project (YACOP), Kenya
Coalition for Substance Abuse Prevention Initiatives (COSAI), Kenya
Livero Consortium Community Based Organization, Kenya
Local Initiatives Development Agency (LIDA), Kenya
Tinada Youth Organization (TIYO), Kenya
Jamaa Resource Initiatives, Kenya
Oxfam International, Kenya
Global Non-State Actors Disaster Risk Reduction Network, Kenya
Human Development Center “Tree of Life”, Kyrgyzstan
Green Liberty, Latvia
Green Advocates International, Liberia
Atgaja, Lithuania
Eko-Svest, Macedonia
EnvironSolutions Ltd, Mauritius
JASS -JUST ASSOCIATES-, Mesoamerica, Southern Africa, Southeast Asia
Red de Género y Medio ambiente, Mexico
IMDEC AC, Mexico
Project on Organizing, Development, Education and Research (PODER), Mexico/Latin America
Arab Watch Coalition For Just development, Middle East and North Africa region
Oyu Tolgoi Watch, Mongolia
Centre for Human Rights and Development, Mongolia
Psychological Responsiveness NGO, Mongolia
Steps without Border, Mongolia
Society for Protection of Citizens from Narcotics & Intoxicating Substances, Mongolia
Women -XXI Century, Mongolia
New Administrative Initiative, Mongolia
National Center Against Violence, Mongolia
True Care, Mongolia
Human Rights Centre for Citizen Support, Mongolia
Rivers without Boundaries Coalition, Mongolia
Tuva eej NGO, Mongolia
Informal Sector Service Center (INSEC), Nepal
Youth for Environment Education And Development Foundation (YFEED Foundation), Nepal
Community Empowerment and Social Justice Foundation (CEMSOJ), Nepal
Both ENDS, Netherlands
Centre for Research on Multinational Corporations (SOMO), Netherlands
Labour, Health and Human Rights Development Centre, Nigeria
Africa Law Foundation (AFRILAW), Nigeria
Foundation For Environmental Rights, Advocacy & Development (FENRAD), Nigeria
Arctic Consult, Norway
Pakistan NGOs Forum, Pakistan
CooperAcción, Peru
Derecho, Ambiente y Recursos Naturales (DAR), Peru
Saint Louis University, Philippines
Legal Rights and Natural Resources Center (LRC-KsK), Philippines
Concerned Citizen’s of Sta. Cruz (CCOS), Philippines
Convergence of Initiatives for Environmental Justice, Inc. (CIEJ), Philippines
Alyansa Tigil Mina, Philippines
LILAK-Purple Action for Indigenous Women, Philippines
NASSA/Caritas-Manila, Philippines
Alternative Forum for Research in Mindanao (AFRIM), Philippines
Unahin Natin Lagi Ang Diyos (UNLAD), Philippines
Marinduque Council for Environmental Concerns (MACEC), Philippines
Ancestral Land and Domains Watch (ALDAW), Philippines
Save Sierra Madre Network (SSMN), Philippines
Romblon Ecumenical Forum Against Mining / Island Sentinel League for the Environment (REFAM/ISLE), Philippines
Baywatch Foundation, Philippines
Maporac Aeta Organization (MAO), Philippines
SANLAKAS, Philippines
Alliance of Associations Polish Green Network, Poland
Polish Green Network, Poland
NGO Forum on ADB, Regional
Asociación Interamericana para la Defensa del Ambiente (AIDA), Regional
CEE Bankwatch Network, Regional
WoMin African Alliance, Regional
Bank Information Center Europe, Regional
Center of satellite monitoring and civic watch, Russia
Biodiversity Conservation Center, Russia
Plotina.Net, Russia
Sakhalin Environmental Watch, Russia
Daursky Biosphere reserve, Russia
Baikalskii Gosudarstvennyi Zapovednik, Russia
Association of Journalists-Environmentalists, Russia
Center for Ecology and Sustainable Development, Serbia
Committee for human rights, Serbia
Campaign for Human Rights and Development International, Sierra Leone
Friends of the Earth – CEPA, Slovakia
Focus Association for Sustainable Development, Slovenia
Centre for Applied Legal Studies, South Africa
CIVICUS World Alliance for Citizen Participation, South Africa
Human Rights Institute of South Africa (HURISA), South Africa
South Sudan Law Society, South Sudan
Asociacion de Investigacion y Especializacion Sobre Temas Iberoamericanos (AIETI), Spain
Environmental Law Center, Swaziland
SweFOR Swedish Fellowship of Reconciliation, Sweden
International Service for Human Rights, Switzerland
Peace Watch Switzerland (PWS), Switzerland
Plataforma Internacional contra la Impunidad, Switzerland
Community REsource Centre, Thailand
Manushya Foundation, Thailand
Collectif des Associations Contre l’Impunité au Togo, Togo
Association Tunisienne de Droit du Développement, Tunisia
Tunisie Terisie des Hommes, Tunisia
Friends with Environment in Development, Uganda
National Union Of Disabled Persons of Uganda, Uganda
Buliisa Initiative for Rural Development Organisation (BIRUDO), Uganda
Defenders Protection Initiative - DPI, Uganda
Spectrum Uganda initiatives Inc, Uganda
Justice Is A Right, Uganda
ABColombia, United Kingdom
Business and Human Rights Resource Centre (BHHRC), United Kingdom
Forest People’s Programme, United Kingdom
Global Human Rights, United Kingdom
Global Witness, United Kingdom
Law Society, United Kingdom
Minority Rights Group, United Kingdom
Peace Brigades International UK, United Kingdom
The Bretton Woods Project, United Kingdom
London Mining Network, United Kingdom
Ecoaction, Ukraine
National Ecological Centre of Ukraine, Ukraine
Partnership for Global Justice, United States of America
The Altai Project, United States of America
Indigenous Concerns Resource Center, United States of America
Institute for Policy Studies, United States of America
Maryknoll Office for Global Concerns, United States of America
Occupy Bergen County (N.J.), United States of America
Sisters of Mercy of the Americas’ Institute Justice Team, United States of America
China-Latin America Sustainable Investments Initiative, United States of America
Accountability Counsel, United States of America
International Labor Rights Forum (ILRF), United States of America
International Indigenous Fund for development and solidarity “Batani”, United States of America

Urgent Action Fund for Women’s Human Rights (UAF), United States of America

Share your Mana, United States of America

Freedom House, United States of America

Heinrich Boell Foundation – Washington, DC, United States of America

Bank Information Center, United States of America

Crude Accountability, United States of America

Universal Human Rights Defenders Coalition, United States of America

Said Yanyshev, Uzbekistan

Yemeni Observatory for Human Rights, Yemen

Zambia Council for Social Development, Zambia

Southern African Centre for the Constructive Resolution of Disputes (SACCORD), Zambia

Zimbabwe Environmental Law Association, Zimbabwe

[1] The Defenders in Development Campaign is a broad-based coalition of community activists, defender organizations and accountability groups around the world who have come together to address the increasing danger facing those who defend their rights in the context of development activities and investments. www.rightsindevelopment.org/hrd

