

DUBLIN DECLARATION

SECURITY OF HUMAN RIGHTS DEFENDERS: TIME FOR OSCE TO ACT

Adopted by the participants of the Parallel Civil Society Conference

Dublin, 5 December 2012

The Parallel Civil Society Conference,

considering that the 1998 Declaration on Human Rights Defenders¹, proclaimed by the United Nations General Assembly, states (Article 1) that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels”,

noting that similar provisions have long before been established in the 1975 Helsinki Final Act², in which the States participating in the Conference on Security and Cooperation in Europe recognized “the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and wellbeing necessary to ensure the development of friendly relations and co-operation among themselves as among all States”, and confirmed “the right of the individual to know and act upon his rights and duties in this field”,

underlining that these provisions are essential elements of the human dimension, which in turn is essential for the comprehensive security concept underlying the Helsinki process and the OSCE,

considering also that participating States confirmed in the 1989 Vienna Concluding Document³ that “they will respect the right of persons to observe and promote the implementation of CSCE provisions and to associate with others for this purpose”,

EXPRESSES grave concern about an increasing lack of compliance with this commitment in many OSCE participating States, with human rights defenders being persecuted for their legitimate work, banned from entering OSCE states where they do human rights monitoring, subjected to smear campaigns, branded as foreign agents and enemies of the state, imprisoned, subjected to torture and inhuman and degrading treatment, convicted on the basis of fabricated charges for crimes they have not committed, forced to emigrate, threatened, physically attacked and even murdered without any effective investigations being pursued, leading to prevailing impunity for perpetrators,

¹ Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, generally known as Declaration on Human Rights Defenders, <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Declaration.aspx>

² <http://www.osce.org/mc/39501?download=true>, Principle VII

³ <http://www.fas.org/nuke/control/osce/text/VIENN89E.htm>, point 26

URGES the OSCE Ministerial Council to explicitly re-affirm its commitment to respect the right of persons to observe and promote the implementation of CSCE provisions and to associate with others for this purpose, and to develop the organization's work on protection of human rights defenders,

CALLS ON the OSCE to adopt a more extensive and explicit OSCE commitment on security and protection of human rights defenders within the next few years,

ENCOURAGES the OSCE to take several other concrete steps without delay to develop appropriate mechanisms and tools for security and protection of human rights defenders, including the following:

- 1) Establishment of a panel of independent experts on security and protection of human rights defenders. The panel would review the existing provisions of OSCE documents in relation to human rights defenders, as well as relevant standards of the other intergovernmental institutions, make proposals to the participating States on an explicit OSCE commitment and develop draft guidelines for implementation of this commitment.
- 2) Development of guiding principles for the OSCE institutions and field missions on addressing the issue of security and protection of human rights defenders in their work.
- 3) Establishment of a mandate of an OSCE Representative on Security and Protection of Human Rights Defenders as a separate institution within the OSCE, with a mandate similar to existing OSCE Representatives.
- 4) Inclusion of the issue of security and protection of human rights defenders in the standard agenda of OSCE human dimension events.

Bringing these ideas to life depends on many actors in the OSCE community. This process will take time, especially given that some participating States may see protection of human rights defenders as "interference with their domestic affairs" and an erosion of their sovereignty. However, we insist that human dimension issues, including the security of human rights defenders, are, according to the Helsinki principles solemnly reconfirmed by participating States as recently as 2010, "a matter of direct and legitimate concern of other participating States"⁴. This principle guides us in our work.

Over the last two decades there have been many discussions in the OSCE about the need to develop more effective mechanisms and institutions to address the issue of security of human rights defenders. It is high time for the OSCE to move from words to actions.

⁴ 2010 Astana Commemorative Declaration, <http://www.osce.org/cio/74985>