

Maximum Acuna, Peruvian environmental advocate. Photo: La Mula

THE RISKS OF DEFENDING HUMAN RIGHTS

The rising tide of attacks against human rights activists in Latin America

Oxfam is deeply concerned about the worsening levels of violence, murders and repression against the men and women defending human rights in Latin America. This situation is linked to an economic model that fosters extreme inequality and impacts negatively on the fundamental rights of the people. It is the result of harassment entrenched in a patriarchal culture and governments' failure to fulfil their human rights obligations – and the influence of powerful groups on governments that limits their role as guarantors of human rights for their citizens.



1 INTRODUCTION

Thousands of men and women who defend human rights in Latin America are victims of the violence and repression that seeks to systematically eliminate their legitimate, tireless and invaluable work to build fairer and more equal societies. .

According to the organization Global Witness, at least 185 human rights defenders were murdered worldwide in 2015; 122 of them in Latin America. This trend appears to be continuing in 2016, given that 24 defenders were murdered in Brazil in the first four months of the year; 19 defenders were killed in Colombia between January and March; seven were murdered in Guatemala between January and June and at least six defenders in Honduras and two in Mexico were assassinated between January and April.

Oxfam is deeply concerned about the worsening trend of violence and repression against defenders in recent years; and believes that this situation is linked to an economic model that creates extreme inequality and undermines people's fundamental rights. Other key factors include the cooptation of state institutions by powerful groups and the scant attention paid by governments to fulfilling their obligations to respect, protect and promote human rights.

Evidence of this situation can be found in events such as the murder of Berta Cáceres, who led the indigenous Lenca people's resistance to the construction of the Agua Zarca dam. Furthermore, the financial crisis suffered recently by the Inter-American Commission on Human Rights (IACHR) – the Inter-American System's main body for the observance and defence of human rights – and the Inter-American Court, reflects the lack of will among governments to strengthen local and international instruments on this issue.

There are several factors behind the increase in violence against human rights defenders. In this briefing, Oxfam draws attention to three significant factors in order to understand the nature and scope of this rising tide of violence in the region: first, violence experienced specifically by female human rights defenders due to the prevalence of a patriarchal culture; second, the link between the expansion of extractive activities and projects and the increase in human rights violations in these areas; and third, the cooptation of state institutions in favour of de facto power which is exercised outside of formal channels (i.e. which does not necessarily coincide with the state apparatus). Powerful groups make use their informal authority and capacity to exert pressure thanks to their economic and political strength; or exert power due to their ties with crime in order to neutralize the main function of the state as a guarantor of all people's rights.

This briefing calls on governments, the private sector and civil society to reflect on and act effectively against this increase in violence and repression. In order to do so, it is essential that we highlight the work carried out by human rights defenders in their drive for a fairer and more democratic society. The briefing highlights the need to build an inclusive and sustainable model for business, and to identify the key factors that

cause violence in the region. It makes a series of recommendations aimed at combating this situation and the impunity which sustains it.

With this paper, Oxfam is adding its voice to the various calls from civil society and international organizations for governments, multilateral organizations, economic actors and society in general to act quickly and effectively to protect and safeguard human rights and the work of all those who work to defend them.

2 DEFENDING LIFE

In a world where the majority of the population cannot fully access their fundamental rights, the work of those around the world who defend such rights is essential. Oxfam believes that a human rights defender is anyone who, either individually or collectively, makes an effort to promote and protect human rights, and who acts based on democratic principles in both peacetime and in conflicts; whether in authoritarian states or in democratic systems. The work of these human rights defenders focuses on promoting and demanding that governments fulfil their obligations; fighting against abuses of power by state and non-state agents; promoting inclusive and sustainable development; developing and debating new ideas and principles related to human rights and urging their acceptance, towards building a true democracy.

Oxfam sees as legitimate all democratic mechanisms – including protest – used by activists to seek and demand the full exercise of people's rights and recognizes the UN resolutions establishing that anyone has the right and the responsibility to promote and protect universally recognized human rights.⁷

Thousands of people in Latin America carry out this difficult work, facing situations of poverty, political exclusion and discrimination.

Latin America is one of the most complex settings for the work of human rights defenders. The region has the most unequal income concentration in the world (with a Gini index of 0.48);⁸ 175 million people living in poverty;⁹ the highest rates of violent death in the world (without taking into account figures on armed conflicts),¹⁰ 448,000 refugees (or people with a similar status); more than seven million displaced persons,¹¹ and an average of more than 100,000 Central Americans who migrate to the United States each year because of poverty and violence.¹² These conditions make the work of the human rights defenders who seek to change this reality even more relevant and even more dangerous, since they are faced with weakened states and the lack of an economic model that can guarantee the rights of the majority of the population.

Oxfam has been working to overcome poverty and injustice in Latin America and the Caribbean for more than 50 years. Its work is based on defending the rights of communities and pushing institutions to fulfil their responsibility to guarantee these rights. Because the socio-political systems of many parts of the region do not guarantee the effective exercise of rights, there is a need to empower citizens to demand that governments take

responsibility to facilitate the exercise of these rights and to transform institutions in order to do so. These human rights activists are on the front line of the fight to achieve this goal of greater justice and equality and Oxfam stands alongside them and values their daily work to promote fairer and more democratic development.

3 HARASSMENT OF HUMAN RIGHTS DEFENDERS

According to Global Witness, 2015 has been the worst year ever in terms of killings of human rights defenders. The Information System on Attacks against Human Rights Defenders in Colombia (SIADDHH) reported the murder of 63 defenders in that country; Global Witness reported the murder of 50 defenders of land rights and the environment in Brazil, 12 in Peru and eight in Honduras. The Unit for the Protection of Defenders in Guatemala (UDEFEGUA) reported the murder of 13 defenders. Front Line Defenders documented the killing of eight human rights defenders in Mexico.

This trend has been growing in recent years. In Colombia, 45 defenders were murdered in 2014, while 70 were killed in 2013. The NGO Somos Defensores recorded 626 attacks aimed primarily at community leaders and promoters of peace and land restitution; and 200 defenders were threatened over an eight-month period in 2014. The National Protection Unit received requests for protection from 4,140 human rights defenders between January 2012 and September 2013. In Guatemala, UDEFEGUA recorded a total of 493 cases of attacks in 2015. Between 1 June 2014 and 31 May 2015, Urgent Action for the Defence of Human Rights (ACUDDEH AC) and Comité Cerezo México recorded 330 cases in that country, constituting 488 instances of attacks, threats or harassment affecting 248 people, 47 organizations and 35 communities, and resulting in 22 homicides during the period. Since 2014, ultra-nationalist groups in the Dominican Republic have attacked and made death threats to defenders of the rights of Dominicans of Haitian descent.

According to Front Line Defenders, 41 percent of murders of human rights defenders in Latin America were related to the defence of the environment, land, territory and indigenous peoples, while 15 percent were related to defence of collective LGBTTTI rights.²³

A report by Amnesty International²⁴ states that the most common forms of attack are those against personal life and integrity; gender violence; punishments for exercising the right to freedom of expression, association and peaceful assembly; harassment; threats; stigmatization; smearing and attacks on reputation; and criminalization and prosecution.

In this context, of particular concern is the situation of women human rights defenders, who, in a predominantly patriarchal environment are suffering an intensification of violence against them. Meanwhile, the expansion of economies based on exports of commodities in the region and the spreading of mega-projects and their socio-environmental and territorial impact is provoking an increase in human rights violations that is sustained

by government actions or omissions. These government actions, for example, do not respect the right to free, prior and informed consent (FIPC), and have a profound impact on indigenous and rural communities. Finally, it is alarming to see how passive the region's governments are being; both by neglecting their internal role as guarantors of rights, and by limiting the action of international human rights mechanisms. The recent financing crisis within the Inter-American Commission on Human Rights and the Inter-American Court is a clear example.²⁵

4 WOMEN HUMAN RIGHTS DEFENDERS: THE HOSTILITY OF THE PATRIARCHAL CULTURE

The prevalence of the patriarchal culture that is so predominant in Latin America means that women human rights defenders face specific risks and attacks, since their activities involve them challenging cultural, religious and social norms. This means that they are victims of stigmatization, hostility, repression and violence more frequently and to a greater extent than men.²⁶ As well as seeking to neutralize their defence of human rights, such attacks reinforce the discriminatory stereotypes that erode respect for their work and their necessary protection; creating the conditions for more violent attacks that ultimately put their lives at risk.

This specific aspect of the attacks against women human rights defenders has been recognized by the UN General Assembly, which, in its Resolution of 18 December 2013, expressed its concern about 'the systematic and structural discrimination and violence faced by women human rights defenders and defenders of women's rights', asking that governments draw up and implement specific gender policies to guarantee their protection.²⁷

The report of Mesoamerican Initiative for Women Human Rights Defenders (DDHH) on attacks on female human rights defenders²⁸ shows an accelerated increase in attacks in three countries of the region between 2012 and 2014: El Salvador, where there was an increase from 51 to 55 attacks; Guatemala, where attacks increased from 126 to 313;²⁹ and Mexico, where the rate rose from 118 to 308. Over the same period, 14 murders of human rights defenders were reported in Mexico, seven in Honduras, 10 in Guatemala and one in El Salvador.³⁰

The same report claims that the most common types of attack against female defenders are: intimidation and psychological harassment (21 percent), threats and ultimatums³¹ (16 percent), defamation and smear campaigns (9 percent), excessive use of force (6 percent), criminalization and illegal detention (8 percent). The most attacked women human rights defenders were those who work to protect land and territory, followed by those who support victims of gender-based violence.

In relation to attacks arising from a patriarchal culture, we are seeing a specific targeting of human rights defenders who fight for the rights of LGBTTTI groups; as in the case of Honduras, where the IACHR has denounced the murder of at least six defenders of rights related to such groups in the last year.³²

5 VIOLENCE AND EXTRACTIVE INDUSTRIES

In Latin America, land and natural resources are a key source of wealth generation, as well as the main source of subsistence for rural and indigenous communities. The constant increase in land seizures by the agro-industrial and speculation sectors, together with the implementation of mining and energy mega-projects, has placed those who live in these areas in an extremely vulnerable situation and given rise to forced displacement, loss of livelihoods, dispossession of land and environmental impact for rural communities and indigenous peoples.

According to the project 'Mapa de Conflitos envolvendo Injustiça Ambiental', in 2014 alone, 343 socio-environmental conflicts were recorded in Brazil, relating to mining, energy and agro-industry; with the most severely affected populations being indigenous peoples (34 percent), family farmers (32 percent) and *quilombolas*³⁴ (21 percent).

The civil society organization IACHR³⁵ has drawn attention to the significant increase in mining and oil extraction and the presence of monoculture for export on land historically occupied by indigenous peoples, which have a high environmental impact. The IACHR has alerted governments to the lack of mechanisms to prevent human rights violations in these contexts.

In this conflict-ridden scenario, the work of human rights defenders is highrisk, since attacks are more frequent. According to the Front Line Defenders report, ³⁶ 45 percent of murders of human rights defenders worldwide and 41 percent in Latin America in 2015 were related to protection of the environment, land and the rights of indigenous peoples. The report also reveals systematic judicial harassment, physical attacks, threats, intimidation and smear campaigns; particularly in Brazil, Colombia, Ecuador, Guatemala, Honduras, Mexico, Paraguay and Peru; ³⁷ in most cases related to opposition to mining, forestry and energy mega-projects.

In Guatemala, 58.21 percent of the cases of attacks on human rights defenders recorded in 2014 were directed against defenders of the environment and land in the face of mining and hydroelectric mega-projects and the expansion of monoculture, without adequate prior consultation processes.³⁸

There are cases that demonstrate the link between violence and the mining and agro-industrial sectors. A case reported by CODEHUPY in Paraguay involved the execution and disappearance of 115 leaders and members of farmers' organizations between 1989 and 2013. This was part of a strategy to displace rural communities by force and appropriate their land, using a form of state aggression that is a clear example of the appropriation of state institutions in favour of landowning groups linked to agribusiness.³⁹ Another case which demonstrates this link is the murder of 120 rural leaders in Bajo Aguán, Honduras, between 2009 and 2014.⁴⁰ Other such cases include the murders of Rigoberto Lima Choc and Pascual Francisco, a community leader who was tortured and killed in 2015 in Huehuetenango (Guatemala) and charges made against several of his associates for their opposition to

the construction of dams on their land;⁴¹ and the harassment of Peruvian indigenous leader Máxima Acuña by mining company Yanacocha since 2010.

6 IMPUNITY AND COLLABORATION: THE CAPTURE OF DEMOCRACY

When the state fails to fulfil its role and allows the rights of some to be violated while increasing the economic and political power and impunity of others and granting them privileges, it appears that government institutions have been captured for the benefit of economic elites. In Oxfam's view, the capture of democracy is a process whereby an elite co-opts, corrupts or distorts the nature of democratic institutions in order to bring about the creation of policies that maintain its own privileged position in society. 42

The weakness of democracy and the capture of institutions is, in turn, related to the deficit in civic participation in public matters through, for example: a lack of transparency, control over public opinion, the criminalization of social criticism, the repression of protest movements, etc. The capture of the state is accompanied by the erosion of the political rights of its citizens.

The violence to which human rights defenders are subject, the role of states in maintaining this situation and the special interests that benefit from it prove that states' fundamental function is being distorted in favour of special economic and political interests and discriminatory and exclusive practices.

Anyone seeking to challenge this injustice faces, on a daily basis, both the absence of state protection and, in many cases, violence perpetrated by the state itself. This is more visible in cases where economic projects supported by the state are at stake. That was the case with the repression of inhabitants of La Puya in Guatemala; the forced displacement of the riverside population of the Xingu river basin in Brazil; the repression and detention for protests against the Conga mining project in Peru; the murder of indigenous leaders in the Cauca department of Colombia; the landmark case of the criminalization of Bettina Cruz in Juchitán, Mexico for her fight against a wind power project; and the imprisonment in 2013 of farmers in Maracaná, Paraguay, who were prosecuted for attempted homicide and invasion of property after protesting against fumigation using agro-toxins that would affect their plots.

Although there are different ways in which states permit and exercise violence, in the current context we have identified two mechanisms that are unfortunately becoming more widespread: the first is the ineffectiveness of prevention and impunity in the administration of justice; the second is the criminalization of the actions of human rights defenders.

a. Ineffective states, unpunished violence

States' ineffectiveness at protecting human rights defenders is visible throughout the region. Many murder victims had previously reported threats, harassment or attacks and, in several cases, had been placed under precautionary measures by the IACHR or under the protection of state institutions, as was the case with the leaders of COPINH in Honduras. A report by the Somos Defensores programme⁴³ reveals that, of the 63 human rights defenders murdered in Colombia in 2015, 21 had previously reported threats and four were under the protection of the National Protection Unit. In Honduras, 14 people under IACHR precautionary measures have been killed in the past four years.

Though international pressure and the demands of organizations such as the IACHR have led to the creation – in some countries – of special protection authorities, various reports suggest that these are not very effective. In Colombia, the National Protection Unit has accepted only 36 percent of requests. In Mexico, between its creation in 2012 and 30 September 2016, the Protection Mechanism for Human Rights Defenders and Journalists received 443 requests for admission, of which it rejected 76. During this period, it accepted 364 human rights defenders (178 women and 186 men) and 248 journalists (84 women and 164 men).

Ineffective protection is accompanied by ineffective administration of justice. There is a widespread impunity for crimes against human rights defenders, as a recent report by the IACHR makes clear: 'The Commission expresses its deep concern about the high levels of impunity that persist in the region [...] one of the big problems that affects defenders is the lack of investigation into attacks on them, which has exacerbated the situation of vulnerability in which they find themselves'.⁴⁴

The seriousness of this situation can be seen in Colombia, where 219 cases of the murder of human rights defenders between 2009 and 2013 resulted in only six sentences (with one acquittal). Only 12 cases have progressed to the investigation, trial or sentencing stages; which means that 95 percent of crimes go unpunished. In 2014, the Mexico National Network of Human Rights Defenders (RNDDHM) reported that 98.5 percent of attacks against human rights defenders go unpunished in that country. A year earlier, the United Nations High Commissioner for Human Rights (UNHCR) confirmed that none of the cases recorded led to a conviction. Of the many cases of impunity, one that stands out is the lack of an impartial investigation into the massacre of 11 farmers during a violent eviction in Curuguaty, Paraguay in 2012.

In addition to the lack of justice and compensation for victims, this growing impunity has dangerous consequences, in that it conveys a message of tolerance in the face of these crimes and the lack of protection for their victims. In the words of the UN Secretary-General: 'Governments' inability or lack of will to hold these entities to account for the acts they have committed against human rights defenders has increased the vulnerability of the latter and has strengthened the general perception that it is possible to violate human rights with impunity.'48

b. State responsibility for the criminalization of the defence of rights

There is a growing tendency in the region to hinder and obstruct the work of human rights defenders by means of unfounded accusations, unfair detention, fabricated evidence and irregular and drawn-out trials; proving that both state and non-state actors make undue use of the justice system. This trend is reinforced by a legal structure that, under the justification of 'national security', is oriented specifically towards the criminalization and penalization of those who fight for their rights. ⁴⁹ Use is also made of broad or vague definitions of crimes which do not fit the legal criteria required in order to criminalize the activities of human rights defenders.

Examples of this include the case of Bettina Cruz (Assembly of Indigenous Peoples of the Isthmus of Tehuantepec in Mexico), who has been prosecuted for the crime of damage to 'consumption and national wealth' as a result of her fight against the construction of a wind farm; and Federico Guzmán, Efraín Arpi and Carlos Pérez, community leaders who protested against a new water law and were prosecuted by the Ecuadorian state for 'obstructing roads'. In 2013, the Honduran state initiated proceedings against Berta Cáceres for the crimes of illegal possession of arms, misappropriation, coercion and ongoing damage against the company DESA-SINOHYDRO.⁵⁰ Another such case is that of Curuguaty, Paraguay, where 11 farmers were convicted of homicide, criminal association and invasion, with no regard for truth and justice. The proceedings did not guarantee the independence and impartiality of the judicial authorities, and on several occasions there were reports of a failure to investigate the deaths of farmers, tampering with evidence, and torture carried out in detention. 51 In Mexico, José Ramón Aniceto and Pascual Agustín, Nahua authorities from Atla, in Puebla, were falsely accused of car theft and sentenced to more than six years in prison as reprisal for defending the right to water and opposing a caciquil group's control of the water supply.

Prior to the increase in criminalization, in 2013, the UN Human Rights Council adopted a resolution urging governments to adopt safeguards that would allow human rights defenders to carry out their work and to give the legal guarantees agreed in international law with regard to any abuses that may arise from the judicial and security systems.

This trend of criminalization is being accompanied by an even more worrying phenomenon: the complicity and direct participation of some state actors and entities in violent actions against human rights defenders. For example, the disappearance of a group of students from Normal de Ayotzinapa teachers' school⁵² in the state of Guerrero, Mexico, shows that there is a link between civil servants, security bodies, authorities and criminal organizations in acting violently against those who exercise their legitimate right to protest and demonstrate.

7 RECOMMENDATIONS

In light of this situation, the UN Declaration on Human Rights Defenders has been adopted as a framework. The declaration sets out the basic measures that governments must adopt to permit the defence of human rights, such as the obligation to protect, promote and implement human rights, and to take all measures necessary to protect human rights defenders against any kind of violence, threat, reprisal, discrimination or pressure, or any other undue action in response to the legitimate exercise of their rights.

Oxfam recommends that governments:

- Provide structural solutions to the crisis that the Inter-American Commission on Human Rights is undergoing, and help to strengthen it as the main body in the region with a mandate to promote the observance of human rights and the capacity to issue precautionary measures:
- Comply with the various protocols aimed at preventing any kind of attack against human rights defenders, journalists, civil society leaders, etc.;
- Establish effective measures to ensure that human rights defenders enjoy full protection and a safe and favourable environment in which to carry out their actions in defence of human rights, without fear of reprisals;
- Draw up protection policies for the work and integrity of human rights defenders, their families and their surroundings, with broad participation from civil society and under the leadership of competent authorities, ensuring that the latter have the resources and budget to implement the policies;
- Investigate, prosecute and convict any kind of attack (threats, persecution, murder, etc.) against human rights defenders effectively and appropriately;
- Eliminate any form of repression, harassment and criminalization that may be exercised by government institutions against the work of human rights defenders;
- Ensure that existing governmental protection mechanisms adopt
 measures to prevent attacks against human rights defenders and create
 conditions in which they can carry out their work without fear of reprisals
 and with full social recognition;
- Collect disaggregated data on crimes committed against human rights defenders and actions taken, and publish them regularly in order to promote transparency, to improve access to information, to diagnose and prevent problems, and to provide accountability;
- Ensure that there is adequate gender analysis in governmental protection mechanisms for the protection of female human rights defenders;
- Boost safe access for human rights defenders to international human rights protection mechanisms, such as the Declaration on Human Rights

Defenders⁵³ and the UN General Assembly Resolution on the protection of female human rights defenders and defenders of women's rights.⁵⁴

To the private sector:

- Ensure that all actions are carried out within the framework of human rights and eliminate any form of attack against human rights defenders in business practices by complying with the Guiding Principles on Business and Human Rights,⁵⁵ the OECD Guidelines for Multinational Enterprises, the Global Reporting Initiative (GRI), and the ISO 26000 standards.⁵⁶
- For extractive businesses, adopt a clear and explicit policy of respect for the principle of free, prior and informed consent (FPIC)⁵⁷ and develop detailed guidelines for its application, which should be made publicly available.
- In order to maintain individual corporate responsibility for respecting human rights, avoid the temptation to hide behind inadequate government practices and laws on indigenous peoples' rights. Instead, encourage governments to ensure that processes of respect for the principle of FPIC are carried out in the first stages of planning for the use of land and resources before awarding concessions or contracts.

To civil society:

- Make a clear stand against attacks on human rights defenders; making use of protection mechanisms, laws and protocols and demanding that they be obeyed.
- Keep data on attacks, so as to be able to compare them with the data collected by the government.
- Always monitor and denounce any attack on human rights defenders.
- Reject messages and mechanisms that stigmatize and undermine human rights defenders.
- Strengthen alternative communication networks in order to break the media siege and create networks of solidarity.

NOTES

- B. Kyte. On Dangerous Ground. 2016. Global Witness. https://www.globalwitness.org/en/reports/terreno-peligroso/ (viewed on: 5 September 2016).
- Instituto Humanitas Unisinos. No Brasil, pelo menos 24 defensores de direitos humanos foram mortos em 4 meses, 2016 (viewed on: 5 September 2015. http://www.ihu.unisinos.br/espiritualidade/rezar-noticias/555545-no-brasil-pelo-menos-24-defensores-de-direitos-humanos-foram-mortos-em-4-meses
- G. Adolfo Ulcué. L. Díaz, C. Guevara, L. Restrepo, K. Schipkowski. Attacks against Human Rights Defenders in Colombia http://www.somosdefensores.org/attachments/article/139/boletin-enero-marzo-SIADDHH-2016.pdf (viewed on: 5 September 2016).
- 4 UDEFEGUA. Situation of Human Rights Defenders in Guatemala January–June 2016. 2016, http://udefegua.org/wp-content/uploads/2015/08/bimensual_junio.pdf (viewed on: 5 September 2016).
- 5 Comité Cerezo register. Cases of extrajudicial execution. The results of political repression in Mexico. 2016 http://vientodelibertad.org/spip.php?rubrique183 (viewed on: 5 September 2016).
- We adopt the position of the United Nations High Commissioner for Human Rights, On human rights defenders', approved by the United Nations General Assembly in its Resolution 217 A (III), of 10 December 1948. Oxfam sees human rights as an indivisible whole, by which we mean all rights recognized by the different instruments of international law. http://www.ohchr.org/SP/Issues/SRHRDefenders/Pages/Defender.aspx (viewed on: 5 September 2016)
- 7 Resolution approved by the UN General Assembly. Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms'. Article 1 and Article 2.1., A/RES/53/144, 8 March 1999.
- 8 Oxfam International. 2015. Privileges that deny rights. Externe inequality and the Hijacking of Democracy in Latin America and the Caribbean, 2015. https://www.oxfam.org/en/research/privileges-deny-rights (viewed on: 5 September 2016)
- 9 'Social panorama of Latin America' (CEPAL: 2015).
- 10 D. Gagne. 2015. Insight Crime report on homicides in Latin America in 2015. http://es.insightcrime.org/analisis/balance-insight-crime-homicidios-latinoamerica-2015 (viewed on: 5 September 2016)
- 11 Of this total, 6,939 thousand originate from Colombia. See: 'Global trends in forced displacement in 2015'. (ACNUR 2016) http://www.acnur.org/fileadmin/Documentos/Publicaciones/2016/10627.pdf (viewed on: 5 September 2016)
- 12 Estimate from the Inter-American Dialogue. See: 'Central American migration: where violence and crime know no borders' (Fundación Avina) http://www.avina.net/avina/incontext-56/
- B. Kyte. On Dangerous Ground, 2016, https://www.globalwitness.org/en/reports/terrenopeligroso/ (viewed on: 5 September 2016)
- 14 C. Guevara, G. Ulcué, L. Morales, L. Restrepo, K. Schipkowski. Change. SIADDHH annual report on attacks against human rights defenders in Colombia. http://somosdefensores.org/attachments/article/137/el-cambio-informe-somosdefensores-2015.pdf. (viewed on: 06 September 2016)
- 15 B. Kyte. On Dangerous Ground, 2016, https://www.globalwitness.org/en/reports/terreno-peligroso/ (viewed on: 5 September 2016)
- 16 Unit for the Protection of Human Rights Defenders, Guatemala NGO (UDEFEGUA) My essence is peaceful resistance. Report 2015. http://udefegua.org/wp-content/uploads/2015/08/informe_final_2015.pdf. (viewed on: 06 September 2016)
- 17 Front Line Defenders. Killing. 2015 https://www.frontlinedefenders.org/en/violation/killing. (viewed on: 06 September 2016)
- 18 According to the Non-Governmental Programme to Protect Human Rights Defenders, between January 2012 and September 2013, the National Protection Unit '...received 20,537 requests (4,140 of them from defenders or social leaders) and considered 1,524 cases involving defenders to be genuinely at risk'. See: 'Defending human rights in the Americas: necessary, legitimate and dangerous'. (Amnesty International 2014).
- 19 Unit for the Protection of Human Rights Defenders, Guatemala NGO (UDEFEGUA) My essence is peaceful resistance. Report 2015. http://udefegua.org/wp-content/uploads/2015/08/informe_final_2015.pdf. (viewed on: 6 September 2016)
- 20 Fourth report on human rights violations against human rights defenders. Defending human

- rights in Mexico: political repression, a widespread practice. 2015 http://www.comitecerezo.org/spip.php?article2204. (viewed on: 06 September 2016)
- 21 Fourth report on human rights violations against human rights defenders. Defending human rights in Mexico: political repression, a widespread practice http://www.comitecerezo.org/spip.php?article2204
- 22 Resolution of the Inter-American Court of Human Rights, 23 February 2016, pages 3-4 http://www.corteidh.or.cr/docs/medidas/nadege_se_01.pdf
 - Resolution 2/2014 of the Inter-American Commission on Human Rights, 30 January 2014 https://www.oas.org/es/cidh/decisiones/pdf/2014/MC408-13-ES.pdf
- 23 Another group of human rights defenders that has suffered attacks is trade union leaders. In both Colombia and Guatemala, they account for a great many murder victims, with 53 union members assassinated between 2008 and 2014 in Guatemala, and 27 in Colombia in 2013 alone. See: 'Defending human rights in the Americas: necessary, legitimate and dangerous'. (Amnesty International 2014)
- 24 Ibid
- 25 Oxfam International. Oxfam urges donors and governments to overcome IACHR financial crisis, 2016 https://www.oxfam.org/es/sala-de-prensa/reactivos/oxfam-urge-donantes-y-gobiernos-superar-crisis-financiera-del-cidh. (viewed on: 6 September 2016)
- 26 Report on Attacks against Female Human Rights Defenders in Mesoamerica 2012-2014 (Mesoamerican Initiative for Female Human Rights Defenders 2015).
- 27 Amnesty International. 2015. Defenders under attack! Promoting sexual and reproductive rights in the Americas.
- 28 C. Samayoa, A. Hernánde, C. Hardaga, V. Vidal, M. López, A. Romero, A. Facio. Mesoamerican Initiative for Female Human Rights Defenders Exchange Alliance 2015
- 29 According to UDEFEGUA, attacks on female human rights defenders over a 15-year period increased at an average annual rate of 18.4%, compared with a rate of 12.6% for attacks on men. See: 'Report on the Situation of Human Rights Defenders from January to December 2015' (UDEFEGUA 2015)
- 30 Mesoamerican Initiative for Female Human Rights Defenders 2015.
- 31 'Ultimatums' refers to a specific demand by the attacker, failure to comply with which would result in the execution of a violent act, often against the victim's life.
- 32 Organization of American States. IACHR Condemns Killings and Other Acts of Violence against Human Rights Defenders of LGBT Persons in Honduras, 2016 http://www.oas.org/es/cidh/prensa/comunicados/2016/027.asp (viewed on: 6 September 2016)
- 33 Fiocruz. Mapa de conflitos envolvendo injustiça ambiental e saúde no Brasil. 2010 http://www.conflitoambiental.icict.fiocruz.br/index.php?pag=resumo (viewed on: 6 September 2016)
- 34 Communities made up of people whose ancestry (territorial, cultural, family, etc.) is descended from *quilombo* communities. The Brazilian state gives these communities a special territorial and political status.
- 35 Indigenous Peoples, Communities of African Descent and Natural Resources: Protecting Human Rights in the Context of Extraction, Exploitation and Development Activities (IACHR 2015)
- 36 Frontline Defenders. Annual Report 2016 https://www.frontlinedefenders.org/es/resource-publication/2016-annual-report (viewed on: 6 September 2016)
- 37 One significant example of attacks against defenders of woodland occurred in Peru in 2014. Edwin Chota, leader of the native community of Alto Tamaya-Saweto (Ucayali) and founder of the Association of Native Asháninka Communities of Masisea and Callería (Aconamac), was murdered, together with Jorge Ríos, Francisco Pinedo and Leoncio Quinticima, for fighting against illegal logging. Regional and national authorities had been informed of threats against their lives.
- 38 Report on the Situation of Human Rights Defenders from January to December 2015 (UDEFEGUA 2015)
- 39 Chokokue Report 1989 2013. The systematic plan of executions in the fight for rural land (Paraguay Human Rights Coordinator 2014)
- 40 Defending human rights in the Americas: necessary, legitimate and dangerous. Amnesty International 2014
- 41 B. Kyte. On Dangerous Ground, 2016, https://www.globalwitness.org/en/reports/terreno-peligroso/ (viewed on: 5 September 2016).
- 42 Oxfam International. 2015. Privileges that deny rights. Exteme inequality and the Hijacking of Democracy in Latin America and the Caribbean, 2015. https://www.oxfam.org/en/research/privileges-deny-rights (viewed on: 5 September 2016).
- 43 'El Cambio' report. (Somos Defensores 2015)
- 44 Inter-American Commission on Human Rights. Report on the situation of human rights

- defenders in the hemisphere http://www.cidh.org/countryrep/defensores/defensorescap5.htm (viewed on: 6 September 2016)
- 45 'Protección "Al Tablero" report 2014 (Somos Defensores programme 2015)
- 46 Information for the UN human rights committee about the situation of female human rights defenders and women journalists in Mexico 111th period of sessions (7 25 July 2014). (National Network of Female Human Rights Defenders in Mexico 2014) http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/MEX/INT_CCPR_ICS_M EX_17213_S.pdf (viewed on: 6 September 2016)
- 47 Amnesty International. Contents. 2012. http://amnistia.org.mx/nuevo/2016/07/12/paraguay-amnistia-internacional-y-oxfam-demandan-justicia-para-familias-campesinas-del-caso-curuguaty/ (viewed on: 6 September 2016)
- 48 Inter-American Commission on Human Rights. Report on the situation of human rights defenders in the hemisphere http://www.cidh.org/countryrep/defensores/defensorescap5.htm (viewed on: 6 September 2016)
- 49 P. Molina. 2014. Los problemas de Chile y su ley antiterrorista. http://www.bbc.com/mundo/noticias/2014/08/140801_chile_ley_antiterrorista_nc (viewed on: 6 September 2016)
- 50 CEJIL. Joint pronouncement on the criminalisation of human rights defenders in Honduras. 2012. https://cejil.org/es/pronunciamiento-conjunto-criminalizacion-defensores-y-defensoras-derechos-humanos-honduras#sthash.GfvTrfVO.dpuf (viewed on: 6 September 2016)
- 51 Amnesty International. Contents. 2012. (viewed on: 6 September 2016) http://amnistia.org.mx/nuevo/2016/07/12/paraguay-amnistia-internacional-y-oxfam-demandan-justicia-para-familias-campesinas-del-caso-curuguaty/
- 52 The IIEG reports describe a series of events involving civil servants from state security bodies in the detention and subsequent forced disappearance of the 43 students. See: Ayotzinapa I-II report (Interdisciplinary Independent Experts Group 2016) https://www.oas.org/es/cidh/actividades/giei/GIEI-InformeAyotzinapa1.pdf (viewed on: 6 September 2016)
- 53 United Nations. The declaration on human rights defenders http://www.ohchr.org/SP/Issues/SRHRDefenders/Pages/Declaration.aspx
- 54 UN Women. Resolution of the UN General Assembly on the protection of female human rights defenders and defenders of women's rights. 2016. http://im-defensoras.org/wpcontent/uploads/2016/07/RESOL-DE-LA-ASAMBLEA-GRAL-ONU_010616-MED_WEB_2.pdf (viewed on: 6 September 2016)
- 55 J. Ruggie (2011) "United Nations 'Protect, Respect and Remedy' Framework. Guiding Principles on Business and Human Rights". http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf (viewed on: 6 September 2016)
- 56 Human Rights at Work (2013) "UN Guiding Principles for Business and Human Rights" . http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf (viewed on: 6 September 2016)
- 57 Oxfam International. 2015. Community Consent Index.https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bp207-community-consent-index-230715-es.pdf (viewed on: 6 September 2016)

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This document was written by Christian Ferreyra. Oxfam is grateful for the assistance of Asier Hernando, Tania Escamilla, Alejandro Matos, Damaris Ruiz, Carolina Fonseca, Gianandrea Nelli Feroci and Andrea Costafreda in the development of this paper. It is part of a series of papers written to inform public debate on development and humanitarian policy issues.

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The information in this publication is correct at the time of going to press.

Published by Oxfam GB for Oxfam International under ISBN 978-0-85598-757-11 in October 2016.

Oxfam GB, Oxfam House, John Smith Drive, Cowley, Oxford, OX4 2JY, UK.

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