

30 YEARS  
SUPPORTING

# THE STRUGGLE FOR THE RIGHT TO FOOD & NUTRITION



## Human Rights Defenders

*Furthering the Realization of All Rights*

### Who are human rights defenders..?

Human rights defenders can be any person or group of persons working to promote human rights, ranging from inter-governmental organizations based in the world's largest cities to individuals working within their local communities. Defenders can be of any gender, of varying ages, from any part of the world and from all sorts of professional or other backgrounds. In short, anyone who, individually or with others, acts to promote, protect and realize human rights. This includes civil and political as well as economic, social and cultural rights. Human rights defenders often address the rights of categories of persons such as women, LGBT, indigenous peoples and peasants, and workers amongst others.

### What are their rights?

Although there is no international binding treaty on the rights of human rights defenders at the moment, the high risk faced by human rights defenders worldwide as a result of their work has brought the issue to the fore at human rights mechanisms. There is now a common understanding in the international human rights community that the basic right to peaceful assembly, to association and to communicate with public and non-public institutions, should be ensured for everyone promoting and protecting human rights. Proof of this is that in 1988, after fourteen years of effort and advocacy of several human rights organizations and States, the United Nations finally adopted the Declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms (informally known as Declaration on Human Rights Defenders).

In 1999, the African Union followed the UN footsteps and adopted the Grand Bay Declaration and Plan of Action, recognizing the UN Declaration and recalling that the promotion and protection of human rights is a priority for the African region. Finally, in 2009 the European Union adopted the Human Rights Defenders Guidelines, which serve to guide EU work with human rights defenders inside and outside its borders.

### Defenders vis-à-vis the right to food

Human rights are indivisible, interdependent and inter-related. The interrelation between those inalienable characteristics of human rights performs as a basis for right to food defenders. As a pre-requisite, the fulfillment of the human right to food and nutrition of the defenders themselves needs to be ensured in all of its different dimensions. Without this, their capability to promote and protect their human rights as well as the rights of their communities is undermined. Moreover, it also implies that in order for defenders of the right to food to bring their work forward, States should ensure the protection, respect and implementation of the rest of the internationally recognized civil, political, economic, social and cultural rights. In particular, their fundamental freedoms, including the right to association and to peaceful assembly must be safeguarded



## Current challenges

Contrary to what is established in international human rights law, the criminal system is often used to justify restrictions to fundamental freedoms and prosecute human rights defenders for their work. Such misuse of national legislation often results in irregular proceedings and imprisonment.

On the other hand, States' failures to protect human rights defenders in danger has led to forced disappearance, torture and even assassination. A recent example is the **killing of well-known indigenous and environmentalist human rights defender, Berta Caceres**. Berta was killed in March this year despite having a high and public profile and holding a special protection from the State of Honduras after the Inter-American Commission issued precautionary measures in her favor due to high risk of her suffering an irreparable harm.

The case of Berta is emblematic, but unfortunately not the only one. 2015 has been pointed out as the “worst year on record for killings of land and environmental defenders”. Last year, there were **more than three people killed every week defending their land, forests and rivers against destructive industries**. Around 185 killings across 16 countries were documented, totaling more than twice the number of journalists killed in the same period. The right to access to and control over natural resources is closely related to the realization of the right to food, and is increasingly being threatened at all levels.

## What comes next?

The next series will look into the struggle of the rural world to meet the right to food and nutrition .

## Required approaches

For the rights of human rights defenders to be adequately protected, legal frameworks should support comprehensive mechanisms (formal and legal structures) that end any hostility against their work or human rights defenders themselves. In turn, such mechanisms should be accessible, independent and capable of effectively taking action when defenders are in danger of suffering an irreparable harm.

Human rights defenders must be defined and accepted according to the rights they are defending, to their own right to do so and under the understanding that all human rights are indivisible and interdependent. If the right to food of a human right (to food) defender is not realized, she or he will be unable to perform. If his or her fundamental freedoms are undermined, the defender will not be able to further the cause.

Want to know more?

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