

<b>Institution:</b> University of York		
<b>Unit of Assessment:</b> 18 – Law		
<b>Title of case study:</b> The Protection of Human Rights Defenders at Risk		
<b>Period when the underpinning research was undertaken:</b> 2013-2020		
<b>Details of staff conducting the underpinning research from the submitting unit:</b>		
<b>Name(s):</b>	<b>Role(s) (e.g. job title):</b>	<b>Period(s) employed by submitting HEI:</b>
Martin Jones Alice Nah	Senior Lecturer Senior Lecturer	2009-present 2012-present
<b>Period when the claimed impact occurred:</b> 2013-2020		
<b>Is this case study continued from a case study submitted in 2014?</b> No		
<p><b>1. Summary of the impact</b> (indicative maximum 100 words)</p> <p>Jones and Nah's research has had a range of impacts which have cumulatively made a significant and sustained contribution to improving the safety, security and well-being of Human Rights Defenders (HRDs) at risk across the globe. HRDs - people or organisations who act to ensure that rights of vulnerable and marginalised people are recognised - frequently face serious risks including death, detention, economic punishment, and physical and mental harm. Jones and Nah have developed a new paradigm of protection which conceptualises HRDs as distinct actors in human rights work, requiring correspondingly distinct protections. The framework and evidence-based strategies they designed have: (1) shaped the global agenda on HRDs at risk through close collaboration with the UN Special Rapporteur on the Situation of Human Rights Defenders; (2) informed and underpinned national approaches to HRD protection; (3) developed knowledge, policies and practices in civil society organisations working with HRDs.</p>		
<p><b>2. Underpinning research</b> (indicative maximum 500 words)</p> <p>Jones and Nah's research has been undertaken at the interdisciplinary Centre for Applied Human Rights (CAHR), jointly operated by York Law School and the Department of Politics. The research revolves around one central, overarching question: <i>how can HRDs be most effectively protected?</i> Uniquely in human rights scholarship, they have developed a major strand of knowledge about the practices and experiences of HRDs at risk, which shows the extent to which the health, safety and security of HRDs is fundamental to achieving effective human rights practice and outcomes. As such, the work provides the basis for a paradigm shift in human rights practice. Among their key findings are:</p> <ul style="list-style-type: none"> <li>• HRDs face a growing constellation of risks. Defenders of already marginalised groups and rights are particularly at risk, including defenders of refugees', migrants', women's and LGBTQ rights, environmental defenders and defenders working against powerful commercial interests. <b>[A][C][D][F]</b></li> <li>• Mental health challenges in communities of HRDs at risk are well above those in comparable traumatised populations and pose an existential challenge to the continuation of human rights activities by HRDs. Yet, this gets little attention despite having negative operational and psychological consequences. <b>[D][E][F]</b></li> <li>• Defenders' families and loved ones are integral to their sense of self, identity, safety, wellbeing and purpose, and need to be included in protection measures. Generally, families that are aware of defenders' work and motivations are better able to protect themselves and provide support. <b>[C][D][F]</b></li> <li>• Risks to women HRDs are especially acute and complex. Threats are often not taken seriously by protection agencies, enforcement officials, communities and even colleagues. Gendered and patriarchal ideas over what makes a 'good woman' and a 'good daughter' affect views about their work and can undermine their ability to continue. Women HRDs may receive threats and intrusions on privacy and family life directly from within their families, organisations and movements. Protection is often inadequate. <b>[A][C][D][E][F]</b></li> <li>• Security planning and training must develop and support feasible, sustainable and context-specific action plans, with involvement of local and international networks. <b>[C][F]</b></li> </ul>		

- Temporary international relocation does not necessarily resolve protection needs and often decreases the wellbeing of defenders. Relocation removes defenders from their support networks and places them into foreign social, linguistic and cultural environments. In turn, those who support defenders on relocation also experience negative effects on wellbeing. A wide range of interventions - many not normally identified as relating to wellbeing - were identified as supporting wellbeing. **[B][E]**
- HRDs are too often left to rely on private and individualised strategies to secure protection from risks. Collective and systemic protections can improve outcomes across a wide range of risks and enable HRDs to sustain activities over time. **[D][F]**

The geographical focus of the research has been expansive, including major research on (for example) Colombia, Mexico, Egypt, Kenya and Indonesia **[A][C][F]**. The methodology was based on engaging directly with HRDs, including through CAHR's landmark Protective Fellowship Scheme, which in this REF period hosted over 40 HRDs in York from more than 20 countries. Research questions were shaped by collaboration with global civil society organisations (CSOs) (e.g., Amnesty International, Protection International, International Service for Human Rights (ISHR)). This strategy of engagement led to co-production of research agendas and outputs, including providing research and expertise for the United Nations Special Rapporteur on the Situation of Human Rights Defenders (UNSR), Michel Forst, which underpinned his reports to the UN General Assembly and Human Rights Council (2016-19). Jones and Nah's work with Forst included coordination of the UNSR's World Report of HRDs, organising and managing a global research team of 30+ researchers and 200+ HRD contributors across 140 countries **[D]**.

### 3. References to the research (indicative maximum of six references)

**[A]** Alice Nah, Karen Bennett, Danna Ingleton, James Savage, 'A research agenda for the protection of human rights defenders' (2013) 5(3) *Journal of Human Rights Practice* 401-420 <https://doi.org/10.1093/jhuman/hut026>

**[B]** Martin Jones, 'Protecting human rights defenders at risk: asylum and temporary international relocation' (2015) 19(7) *International Journal of Human Rights* 935-960 <https://doi.org/10.1080/13642987.2015.1075304>

**[C]** Karen Bennett, Danna Ingleton, Alice Nah, James Savage, 'Critical perspectives on the security and protection of human rights defenders' (2015) 19(7) *International Journal of Human Rights* 883-895 <https://doi.org/10.1080/13642987.2015.1075301>

**[D]** Martin Jones, 'World Report on the Situation of Human Rights Defenders', Confidential Report to the UNSR, 2018. This was the basis for the UNSR report to the Human Rights Council *UNSR World Report on the Situation of Human Rights Defenders* (2018) [text removed for publication].

**[E]** Martin Jones, Alice Nah, Patricia Bartley, *Temporary Shelter and Relocation Initiatives: Perspectives of Managers and Participants* (ifa Edition Culture and Foreign Policy, MRI publications: Stuttgart, 2019) 7-46. <https://bit.ly/3r3OdBS>

**[F]** Alice Nah (ed), *Protecting Human Rights Defenders at Risk*, Routledge, 2020, incl: ch 1 (Nah, 'Introduction: Protecting Human Rights Defenders at Risk'); ch 2 (Hernawan & Nah, 'Dilemmas in the Ethics of *Tanpa Pamrih* (Selflessness): Risk and Human Rights Activism in Indonesia'); ch 3 (Nah & Hussein, 'Fallen Heroes, Terrorists, Spies, or Unrealistic Dreamers? Repression and the Defense of Human Rights in Egypt'); ch 7 (Nah, 'Protection into the Future').

**Quality Indicators:** **[A][B][C]** are in leading peer-reviewed journals, with **[B]** submitted for REF 2021. **[D]** underpinned a major report by the UNSR. **[E]** is published by a leading civil society organisation. **[F]** is published by a leading academic publisher and has received excellent reviews from senior scholars, including in the US, Europe, UK, Brazil, and Thailand.

### 4. Details of the impact (indicative maximum 750 words)

Jones and Nah's research has improved the safety, security and well-being of HRDs at risk across the globe. It has altered the very premises on which HRD protection is approached. As the Fund for Global Human Rights has observed, their work: "has shaped policy and processes at national and international level [through] its concept and critique of an ecosystem of security and

*protection mechanisms, actors and practices in which - at that time - an orthodoxy had settled that centred largely around the figure of the individual HRD. Their research highlighted the gaps and shortcomings of this approach, and posed an important challenge to the sector and states to address those gaps developing more collaborative protection approaches. Collective protection has since become a major focus for organisations supporting HRDs and is being developed and expanded as a critical part of the security and protection ecosystem, and has resulted in adaptations in protection mechanisms that now provide support for HRDs families, associates and communities.” [9f]*

These effects are evident in three major ways.

### **1. Shaping the global agenda on HRDs at risk through close collaboration with the UNSR**

Jones’ and Nah’s research underpinned six reports by the UNSR on good practices in the protection of HRDs [3a-3f]. As the UNSR explains, these reports “*prompted significant, far-reaching discussions within the United Nations system on these topics, not just in these forums but also in high-level inter-State dialogues*” [8]. They “*have also been part of a larger conversation with regional organisations, national human rights institutions, State authorities, civil society, and the public at large around the important task of recognising and protecting human rights defenders*” [1][8].

Jones and Nah provided the UNSR with critical research support and management in the preparation of the 2018 ‘World Report on the Situation of Human Rights Defenders’ (A/73/215). The World Report subsequently became “*one of the main tools for HRDs at a national level in repealing repressive laws, and in introducing protective and positive laws for HRDs*” [9c]. Jones and Nah’s research ensured that the reports produced by the UNSR accurately reflected the realities and needs of HRDs from across the world. The UNSR has said that their research was “*consistently the key reference point for my reports. It was authoritative, expert research that spoke directly to the challenges I faced in my mandate*” [8]. Jones and Nah’s research, and their collaboration with the UNSR, facilitated a “*deeper and more nuanced understanding among UN officials, member states and practitioners of the situation and needs of HRDs in different contexts. This has enabled states and non-state actors to reflect Jones and Nah’s insights and adapt their approaches around this growing body of knowledge that derives first-hand from their research*” [9f].

The reports produced by the UNSR are hugely influential amongst human rights practitioners. For example, “*the Special Rapporteur’s reports have helped [international CSO] Global Witness to shape its advocacy asks and to demonstrate that these asks are not just based upon our, or defenders’ opinions, but on international expertise and guidance. Through our campaigning, we have encouraged a number of State and corporate entities to take a range of actions and introduce a range of policy developments. On each occasion, we have cited the Rapporteur. Advocacy targets have included: the Honduran government, the Brazilian Government, the Philippines Government, the UK government, the Canadian government, and the US government, as well as the Dutch Development Bank, the IFC, the World Bank, Del Monte Philippines, and Finnfund*” [9a].

Jones’ and Nah’s research via the UNSR’s reports [3g] has also shaped the policy and practice of multinational corporations. For instance, as a direct result of their research, Adidas has issued a commitment to working with HRDs to change its practice and to petition on their behalf [4]. The guidance issued by the Business Network on Civic Freedoms on the challenges and opportunities to support civil society and HRDs was the first statement of its kind from a business group [5a]. The 2019 document ‘Troicare: making a killing’ uses Jones and Nah’s research as the foundation of their call for a legally binding global treaty to regulate the activities of transnational corporations and other business enterprises with provisions to ensure the prevention of human rights violations, access to justice, the primacy of human rights trade, and investments agreements [5b].

### **2. Informing and underpinning the development of national approaches to the protection of HRDs**

Jones and Nah's research has been used to highlight security and protection challenges in a range of nations where HRDs work in high-risk environments [3]. From their research findings they devised seven key principles for effective HRD protection practices, which were published by the UNSR [3a]. These seven principles have become the basis for guidelines on national law, policy and practice on the protection of HRDs, such as International Service for Human Rights (ISHR)'s *Model Law on the Recognition and Protection of Human Rights Defenders* [2][9f]. That model law was endorsed by 28 of the world's leading human rights experts and jurists [2]. It has since shaped the drafting of national laws in Cote d'Ivoire (*Loi 2014-388 portant promotion et protection des défenseurs des droits de l'Homme*, implemented 22 February 2017) and Burkina Faso (*Loi 039-2017/AN, Decret 2017-0681/PRES, portant protection des défenseurs des droits humains au Burkina Faso*, 27 June 2017). Most recently, the Canadian prime minister has directed the Minister for Immigration to introduce a visa scheme to provide a safe haven for human rights advocates for which Jones and Nah's research is 'an important reference point' [9f].

In 2019, the ISHR commissioned Nah to conduct a study on the desirability and feasibility of a global network of national human rights defenders focal points. The study was grounded in Jones and Nah's research methods of extensive interviews with civil society, national human rights institutions and States, combined with desk research. The study promotes the identification of senior-level State officials responsible for promoting international cooperation and sharing lessons learned on the protection of HRDs through the network. The study recommends a series of initial steps including the constitution of a steering group, an advisory board and a secretariat. The ISHR are clear that *"the global network will make a significant contribution to the implementation of the UN Declaration on Human Rights Defenders and their Protection and to the protection of Human Rights Defenders. The study has been and will continue to be critical to ISHR's work in this regard."* [9h]

### 3. Developing knowledge, policies and practices of civil society organisations working with HRDs

Jones and Nah's research has been instrumental in building civil society organisations' (CSOs) understandings of the issues affecting HRDs, and has assisted in the development of guidelines and practical approaches that support defenders. By producing policy briefs in local languages, Jones and Nah have helped NGOs to understand and respond to the needs of minority linguistic, ethnic, and immigrant cultures and communities making their research *"frequently cited as essential references on HRDs for scholars and practitioners... The series of policy briefs on security and wellbeing - and the fact that they have been made available in several languages - has been of direct use to HRDs in multiple countries. I, like others I know who work with HRDs in many countries, shared them with a network of frontline activists for whom these are pertinent issues"* [9f][10].

Their work has been very significant in relation to temporary international relocation initiatives (TIRIs) and the mental wellbeing of HRDs. Jones and Nah's research has been *"crucial for the development of more critical and strategic thinking on the protection of defenders... a thought-leader in the field of protection, that links practice and theory"* [9g]. It has *"brought an empirical base on which practitioners have been able to layer their experience of running such schemes to critically reflect on how to expand them and find a better fit with asylum and refugee frameworks"* [9f].

Jones' and Nah's scholarship on the psychological wellbeing of HRDs has directly changed the policies and procedures of CSOs. In 2019, Jones and Nah co-wrote *The Barcelona Guidelines on Wellbeing and Temporary International Relocation of Human Rights Defenders* to provide guidance to practitioners implementing TIRIs [6]. Defend Defenders have found the research and Guidelines *"a great reference point for our well being and resilience programme for HRDs"* [9d]. The Guidelines have been formally adopted and promoted by, International Cities of Refuge (ICORN) and Justice and Peace Netherlands (JPNL), in their 70 and 17 cities respectively [7]. ICORN states that the research *"fundamentally changed the way we speak and think about these issues"* [9b]. Jones and Nah's research *"not only collected stories and personal practices that could inspire defenders and the sector of protection, but it has helped the donors to understand this burning need to support wellbeing work"* [9b]. After engaging with the research, ICORN *"made a policy decision that all those that come into one of our cities of refuge should be*

approached in a formal way to raise these issues of wellbeing...it is on the agenda at our national meetings...and we put it into the programme as mandatory [9b]. HRDs that have engaged with ICORN's programme 'have said very clearly that they're calmer, they have less fear of the future, they are more able to make decisions...we see very clearly the impact on their wellbeing' [9b].

Jones and Nah's work on wellbeing has also had a beneficial impact on those that support HRDs. Front Line Defenders have "integrated wellbeing and stress management in our protection training which is delivered in the countries where HRDs operate" [9e]. Front Line have 20 field-based workers across five world regions that are 'very exposed to the potential of burn out because they have very strong relationships with HRDs [9e]. Forum Asia observes that human rights practitioners have "personally benefited from engaging with this work too ... I have been working in this field over [text removed for publication] years and I find it difficult. I see lots of my peers leaving the Human Rights movement and [Jones and Nah's research] helped me think about local activism and how we can have a strong and resilient community that can have more young people to join this field" [9c].

##### 5. Sources to corroborate the impact (indicative maximum of 10 references)

[1] Human Rights Council [Resolution on Protecting Human Rights Defenders](#) A/HRC/31/L.28, 21 March 2016

[2] International Services for Human Rights (ISHR), [Model Law for the Protection of Human Rights Defenders](#) (2017)

[3] Reports of the special Rapporteur on the situation of human rights defenders: (a) [Good practices in the protection of human rights defenders](#), Human Rights Council A/HRC/31/55 (1 February 2016); (b) [Environmental human rights defenders](#), General Assembly A/71/281 (3 August 2016); (c) [Defenders of people on the move](#), Human Rights Council A/HRC/37/51 (16 January 2018); (d) [On the 20th anniversary of the Declaration on Human Rights Defenders](#), General Assembly A/73/215 (23 July 2018); (e) [Situation of women human rights defenders](#), A/HRC/40/60 (10 January 2019); (f) [World Report on the Situation of Human Rights Defenders](#) (December 2018); (g) [Defenders working on business and human rights](#), A72/170 (19 July 2017)

[4] Adidas Group, [The Adidas Group and Human Rights Defenders](#) (2017)

[5] (a) Business and Human Rights Resource Centre, [Business Support for Civic Freedoms and Human Rights Defenders, Guidance for Companies](#) (2018); (b) Troicare, [Making a Killing: Holding corporations to account for land and human rights violations](#) (2019)

[6] [The Barcelona Guidelines on Wellbeing and Temporary International Relocation of Human Rights Defenders at Risk](#) (2019)

[7] (a) [ICORN Cities of Refuge](#); (b) [Justice and Peace Netherlands Shelter Cities](#)

[8] **Testimonial Statement** from United Nations Special Rapporteur on the Situation of Human Rights Defenders, 27 September 2020

[9] **Testimonial Statements** from civil society organisations: (a) [text removed for publication] Global Witness, 2 June 2020; (b) [text removed for publication] International Cities of Refuge Network (ICORN), 10 July 2020; (c) [text removed for publication] Forum-Asia, 8 September 2020; (d) [text removed for publication] Defend Defenders, 5 June 2020; (e) [text removed for publication] Front Line Defenders, 14 July 2020; (f) [text removed for publication] The Fund for Global Human Rights, 3 July 2020; (g) [text removed for publication] Human Rights Initiative, Open Society Foundations, 15 June 2020; (h) [text removed for publication] International Service for Human Rights, 12 June 2020

[10] [Policy Briefs 1-9](#), Centre for Applied Human Rights, University of York, 2017-2020, English, Arabic, Bahasa Indonesia, Kiswahili, Spanish, French.