IGARAPÉ INSTITUTE
a think and do tank

WHO DEFENDS **THE DEFENDERS?**

An assessment of the incorporation of a gender intersectional approach in protection frameworks for environmental defenders in the Amazon Basin

Index

Introduction: The Need for Protection 1

Understanding International Protection Frameworks 2

United Nations Declaration on the Rights of Human Rights Defenders 2

Regional agreements 2

The Escazú Agreement 2

The Aarhus Convention 3

African Commission on Human and Peoples' Rights Resolution on the Protection of Human Rights Defenders 4

Analyzing Protection Programs in the Amazon Basin: A Gender and Intersectional Approach 6

Analytical matrix 8

Observations on the implementation of protection programs 11

Highlighted Best Practices 13

Comprehensive, intersectional notions of security 13

Ease of accessing assistance 13

Data-driven approaches 13

Transparency and education 14

Conclusion 15

Bibliographic References 16

Laws Consulted 18

Appendix A: Text Citations from Protection Program Laws 19

Appendix B: Practices Outside the Amazon Basin .. 23

Endnotes 25

WHO DEFENDS **THE DEFENDERS?**

An assessment of the incorporation of a gender intersectional approach in protection frameworks for environmental defenders in the Amazon Basin

Introduction: The Need for Protection

Environmental and human rights defenders play a critical role in combating ecosystem degradation and mitigating climate change. They serve as central members of their communities, organizing others to fight injustices and abuses. Environmental defenders are the first line of defense in places where the biome is under pressure from legal and illegal actors and the environment is threatened.

However, due to their advocacy, many live in constant fear of retaliation – sometimes from within their own communities. They worry for their friends, family members, and other defenders, and with good reason. In 2023, at least 196 environmental defenders were murdered for their work, according to the non-governmental organization Global Witness[1]. Despite this clear and present danger, legal protections for environmental defenders are still in their infancy. Few countries have laws explicitly protecting environmental defenders, and even fewer have enacted government-run programs to ensure defenders receive necessary protections.

In this context, women defenders play a paramount, though often invisible, role. As primary caregivers, they frequently care for their families and homes and bear the brunt of environmental changes to their natural habitat. They often lead agroforestry projects, artisanal mining endeavors, and other subsistence activities harmoniously with nature. Their role as guardians of their communities also leads them to spearhead advocacy efforts and protests to defend the biome.

Social and gender roles threaten women environmental defenders' safety. As their activist work contradicts societal expectations, many perpetrators of violence against women defenders are acquaintances.[2] Furthermore, their leadership is contested, they are silenced, and they often feel lonely and invisible. Beyond these impacts, they routinely suffer forms of sexual violence[3] in retaliation for their active protagonism.

This report examines the existing protection programs in the Amazon Basin, highlighting their gender and intersectional approaches and detailing best practices to keep defenders safe. It also analyzes other relevant protection programs in the Americas, reviews relevant literature on the subject, and explores key international normative frameworks. The report concludes with a list of best practices for governments looking to enact new protection programs.

Understanding International Protection Frameworks

This section illuminates critical international frameworks for protecting defenders, highlighting key definitions and best practices for adopting a gender and intersectional approach. Appendix B provides additional examples of protection programs from other countries.

United Nations Declaration on the Rights of Human Rights Defenders

United Nations Resolution 53/144[4], titled 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," was formally adopted in March 1999. This Declaration's most important contributions include defining what constitutes human rights defenders and urging states to adopt measures to protect them. In Article 1, the Declaration recognizes the right of individuals, "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." It further emphasizes the importance of international coordination to uphold this right, as well as the rights of access to information about all human rights and fundamental freedoms, participation in processes affecting human rights, and access to justice in administrative processes.

It is important to note that while the Declaration uses the term "human rights defenders" rather than "environmental defenders," these terms are generally used interchangeably since the United Nations has recognized the right to a healthy environment as a critical human right.[5] To clearly define the additional work that environmental defenders engage in, the United Nations further describes them as "individuals and groups who, in their personal or professional capacity and in a peaceful manner, strive to protect and promote human rights relating to the environment, including water, air, land, flora and fauna."[6]

The Declaration was developed around the same time as the Aarhus Convention and serves as a critical touchstone for various regional agreements and individual country protection programs.

Regional agreements

Globally, the only regional protection program that explicitly protects the rights of environmental defenders is the **Escazú Agreement** in Latin America. However, other regional agreements also protect access to information, participation in environmental decision-making, and the rights of human rights defenders. The **Aarhus Convention** in Europe and the **African Commission on Human and Peoples' Rights Resolution on the Protection of Human Rights Defenders are two important examples.**

The Escazú Agreement

The Escazú Agreement[7] is the first and only legally binding international agreement explicitly aimed at protecting the rights of environmental defenders. It addresses safeguarding the environment and those who defend it by upholding fundamental principles of democracy, the rule of law, and human rights. For this reason, it offers a valuable framework for analyzing the normative standards of protection in the region.

The agreement aims to achieve three main objectives:

1. Ensure the public has reasonable and timely access to information on environmental public policy issues.
2. Provide meaningful opportunities for public participation in environmental decision-making.
3. Secure the right of access to justice in environmental matters.

Lastly, the agreement obliges signatory states to protect environmental defenders who confront governments and corporations, often at significant personal risk.

The Escazú Agreement has been signed by 24[8] countries and ratified by 17,[9] meaning it has entered into legal force. However, not all signatories have yet implemented legal protections for environmental and human rights defenders in their countries.

Despite the agreement's pioneering provisions, the ratification process in several Latin American countries has been unexpectedly slow. Common arguments against joining include concerns that it would harm business interests, infringe on territorial sovereignty, or render existing national laws unnecessary.

Unsurprisingly, resistance has mainly come from conservative governments and extractive industries. However, other forms of opposition reflect the discomfort of several governments with increasing transparency and expanding public participation in decision-making. As a result, interest in the agreement has fluctuated depending on who is in power. Costa Rica, for example, helped negotiate the agreement under President Carlos Alvarado Quesada's government but shelved it in 2023 under the pro-business administration of President Rodrigo Chaves. In Brazil, the opposite occurred. Former President Jair Bolsonaro refused to send the agreement to Congress, but his successor, President Luís Inácio Lula da Silva, reversed this decision in May 2023. (Parliament has yet to ratify the treaty amid opposition from the agribusiness sector.) Similarly, Chile opposed ratification before President Gabriel Boric's election but ratified the agreement in 2022.

Meanwhile, implementation has been slow among the countries that have signed and ratified the Escazú Agreement, particularly regarding the provisions on access to justice. According to the United Nations, 24 countries in the region guarantee freedom of information, and 25 promote public participation in environmental regulatory decisions. However, only 20 countries allow any person or group to file lawsuits to defend the environment, and only six have passed specific protections for environmental defenders. Ensuring compliance has also been challenging, as no international oversight system exists.

The Aarhus Convention

Officially known as the United Nations Economic Commission for Europe (Unece) Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters,[10] the convention was adopted on June 25, 1998, in the Danish city of Aarhus (Århus) during the Fourth Ministerial Conference on Environment for Europe. It entered into force on October 30, 2001. The convention was created to strengthen the role of citizens and civil society organizations in environmental issues based on the principles of participatory democracy.

With this mandate, the convention establishes rights for individuals and civil society organizations regarding the environment.

Parties to the convention must ensure that public authorities at the national, regional, or local levels take the necessary measures to guarantee these rights are effective.

The following rights are particularly highlighted:

Access to environmental information: The right of citizens to receive environmental information held by public authorities.

Public participation in environmental decision-making: The right of citizens to participate in the development of plans, programs, policies, and legislation that may affect the environment.

Access to justice: The right of citizens to have access to review procedures when their rights to access information or public participation have been violated.

The Aarhus Convention is the first regional convention on this subject. However, its main weakness is that, unlike Escazú, it does not explicitly address the protection of defenders or link its main themes (Information, Participation, and Justice) with the protection of defenders. The convention focuses more on facilitating general citizen participation without explicitly supporting people fighting against states or companies. This convention works well in states where a developed legal and human rights system already exists, but in places where government transparency is lacking, more explicit protections are needed.

In line with the convention's principles, the Protocol on Pollutant Release and Transfer Registers (PRTRs) was adopted at the Fifth Ministerial Conference on Environment for Europe, held in Kyiv, Ukraine, in May 2003 and came into force in October 2009. Its goal is to improve public access to information by establishing coherent national registers of pollutant releases and transfers (PRTRs). These registers are inventories of pollution from industrial sites and other sources.

Moreover, the Organization for Security and Co-operation in Europe (Osce) has supported the creation, operation, and network of Aarhus Centers. The Aarhus Centers assist governments in implementing the Aarhus Convention and help citizens understand and exercise the rights established by the convention. Thanks to close cooperation with the Unece Aarhus Convention Secretariat and the Environment and Security Initiative (ENVSEC) support, the Aarhus Centers network has grown rapidly over the years, now totaling 60 centers.

African Commission on Human and Peoples' Rights Resolution on the Protection of Human Rights Defenders

In 2004, the African Commission on Human and Peoples Rights (ACHPR) adopted a Resolution on the Protection of Human Rights Defenders.[11] The resolution recognizes the contributions of human rights defenders to promoting human rights, democracy, and the rule of law in Africa while raising concerns about the persistent threats faced by defenders and their families. Through the resolution, the ACHPR appointed a Special Rapporteur on human rights defenders in Africa and called upon member states to work closely with this focal point to uphold their obligations under the broader United Nations Declaration on Human Rights Defenders.

According to the Institute for Human Rights and Development in Africa,[12] the ACHPR carries out its mandate to protect defenders through:

Biannual reviews of states' progress toward implementing protection measures: States submit reports to the African Commission, which are published for civil society review before ordinary Commission sessions.

Programming sponsored by the African Commission: Programs may include special working groups, special rapporteurs, fact-finding missions, and investigations.

Interpretation of the ACHPR: Interpreting the ACHPR at the request of states or other parties adds to the body of soft law and international guidance.

Protection through the communications procedure: This is the primary measure available to protect human rights defenders. The African Commission receives and reviews complaints through an established line of communication. Complaints may be submitted when a party alleges that a state has violated the rights outlined in the ACHPR or that a violation may occur.

In addition to the measures carried out by the Commission, the Special Rapporteur for Human Rights Defenders in Africa reviews cases and gathers information on alleged abuses to raise awareness about abuses occurring across the continent. The Commission also works closely with civil society organizations to monitor violations and ensure that states are held accountable for their actions in cases of abuse. In emergencies where the life and safety of human rights defenders are in jeopardy, the Commission may initiate provisional measures or urgent appeals. Provisional measures call for the state subject to the complaint to desist from action or take immediate temporary actions to remedy a situation. In contrast, urgent appeals are issued directly to the state when the violation has not been communicated to the Commission through a formal complaint.

Generally, the work of the Commission serves to draw regional and international attention to violations occurring in member countries, thereby pressuring states to change their behaviors and elevating the efforts of human rights defenders. In cases of noncompliance where states do not implement the measures recommended by the Commission, the Commission can refer cases to the African Court on Human and Peoples' Rights and coordinate closely with the African Union to inform them of violations. According to the Institute for Human Rights in Africa, between 1988 and 2012, the African Commission received over 400 communications and issued about 200 decisions.

Despite the progress made by the Commission and the explicit recognition of human rights defenders' rights, the ACHPR's reach is limited. The most important limiting factor is that decisions rendered by the Commission regarding alleged violations of defenders' rights **are not legally binding**. The Commission's recommendations constitute "soft law," and the Commission itself lacks the legal or military power to compel members to implement recommendations. States that ignore the Commission's recommendations may face repercussions, including losing international prestige, possible economic sanctions, or cessation of diplomatic relations with other countries. However, this is a risk some states are willing to take, mainly where a dictatorial regime is in place.

The Commission can also not intervene materially in emergencies; it cannot provide human rights defenders with financial resources, temporary relocation, or police protection. Only states or civil society organizations can offer this type of immediate support. Given that the Commission may take several years to render a decision in response to a complaint, it is unlikely to aid defenders facing a clear and imminent risk. Consequently, it may not prevent defenders from losing their lives, livelihoods, or material possessions.

Analyzing Protection Programs in the Amazon Basin: A Gender and Intersectional Approach

To determine which countries in the Amazon Basin region have enacted protection programs for defenders, all relevant legislation, jurisprudence cases, and international agreements listed in the Economic Commission for Latin America (ECLAC) Observatory 10 tracker were reviewed.[13] ECLAC tracks the implementation of the Escazú Agreement since it entered into force and lists all pertinent laws and documents in its online tracker. From there, original versions of relevant country laws, including recent legislative changes, were evaluated. A broader internet search was then conducted to verify that no additional protection programs had been adopted but not listed in the ECLAC Observatory 10 tracker.

Based on this review, only four of the nine countries that share part of the Amazon Basin have enacted programs specifically to protect environmental and human rights defenders. Brazil, Colombia, Ecuador, and Peru are the only countries that have established programs to protect defenders working in their territory to date.

While Bolivia does not yet have specific protection programs in place, it is notably in the process of strengthening protections for defenders. The Bolivian Defensoría del Pueblo, the country's ombudsman, has recognized the importance of protecting environmental and human rights defenders and announced earlier in 2024 the creation of a legal mechanism to support this effort.[14] Additionally, Law 71 of 2010[15] explicitly recognizes the rights of Mother Nature and establishes a Defensoría de la Madre Tierra to ensure these rights are protected. However, as of 2024, a functioning Bolivian Defensoría de la Madre Tierra and a protection program explicitly designed to protect environmental and human rights defenders do not yet exist in practice.

Table 1. Summary of relevant Amazon Basin country information

Country	Escazú Signatory? (If applicable)	Escazú Ratified? (If applicable)	Program information			Types of protection instruments[16]		
			Does a specific protection program for environmental defenders exist?	If there is no program for defenders, is there a similar human rights protection program?	Program Name(s)	Political Instrument[17]	Jurisprudence[18]	Treaties[19]
Bolivia	Yes	Yes	No	Yes	Defensoría del Pueblo*	0	0	1
Brazil	Yes	No	Yes	N/A	Programa de Proteção aos Defensores de Direitos Humanos, Comunicadores e Ambientalistas (PPDDH)	2	0	1
Colombia	Yes	Yes	Yes	N/A	Programa Integral de Seguridad y Protección para Comunidades y Organizaciones en los Territorios	4	1	1
Ecuador	Yes	Yes	Yes	N/A	La Promoción y Protección de los Derechos de las Personas Defensoras de Derechos Humanos y de La Naturaleza	1	0	1
Guyana	Yes	Yes	No	No	N/A	0	0	1
Peru	No	No	Yes	N/A	Mecanismo intersectorial para la protección de las personas defensoras de derechos humanos	4	0	1
Suriname	No	No	No	No	N/A	0	0	0
Venezuela	No	No	No	No	N/A	0	0	0
French Guiana	N/A	N/A	No	Yes	Marianne Initiative**	-	-	-

* Law No. 71 on the rights of Mother Earth creates "Defensoría de La Madre Tierra" on paper, but thus far, no Defensoria has been officially created, although a law has been put forth several times describing the functions of the Defensoria

** The Marianne Initiative stands out from other protection programs as it is designed to serve a capacity-building function for the defenders, with cohorts selected through an open annual competition.

Table 2. Protection program laws consulted[20]

Country	Law	Description
Bolivia	Law Nº 071, December 21, 2010	The Rights of Mother Nature and associated environmental protections
Brazil	Decree N° 6.044, February, 12 2007	National Policy on the Protection of Human Rights Defenders
	Decree Nº 9.937, July 24, 2019	Program for the Protection of Human Rights Defenders, Communicators and Environmentalists
	Regulation Nº 507, February 21, 2022	Regulations for the protection program for environmental defenders
Colombia	Decree 660, of 2018	Comprehensive Security and Protection Program for Communities and Organizations in the Territories
Ecuador	Resolution N° 077-DPE-CGAJ-2019	Regulations for the Promotion and Protection of the Rights of Human Rights and Nature Defenders
Peru	Supreme Decree N° 004-2021-JUS	Supreme Decree establishing the intersectoral Mechanism for the protection of human rights defenders

Analytical matrix

Based on an extensive review of the literature and consultations with women defenders from around the world,[21] an analytical matrix was developed. This matrix incorporates a comprehensive understanding of security and an intersectional approach. The goal was to highlight existing best practices in normative frameworks to aid governments in developing new programs to protect environmental defenders. The following key elements were evaluated:

- **An inclusive concept of security:** physical, emotional, food security, access to services.
- **Indirect violence:** family, friends, community, territory.
- **Intersectionality.**
- **Aspects related to access to information.**
- **Aspects related to access to justice.**
- **Aspects related to participation.**
- **Prevention.**

The researchers evaluated each program using an analytical grid for a nuanced analysis. The presence of key analytical elements was rated as follows:

Absent: No indication of the referred element in the normative framework.

Incipient: Evidence of the referred element is not fully described.

Partially covered: Evidence and partial description of the referred element are present.

Fully covered: The referred element is fully described following international best practices, normative frameworks, and civil society guidelines.

Table 3. Evaluation of the key analytical[22]

Country	Inclusive security concept	Indirect violence	Intersec-tionality	Access to infor-mation	Access to justice	Participa-tion	Preven-tion
Brazil	Fully covered	Partially covered	Incipient	Incipient	Incipient	Fully covered	Incipient
Colombia	Fully covered	Partially covered	Partially covered	Incipient	Partially covered	Partially covered	Fully covered
Ecuador	Fully covered	Partially covered	Incipient	Absent	Fully covered	Partially covered	Fully covered
Peru	Fully covered	Partially covered	Fully covered	Fully covered	Fully covered	Partially covered	Fully covered

The analysis of the national normative frameworks of the four Amazonian countries reveals disparate approaches to adopting an intersectional and gender perspective in their protection programs.

Notably, all four countries provide an inclusive definition of the risks and vulnerabilities to which defenders are generally subjected, including those that more often affect women than men. However, they neglect to include specific language on how security needs may differ between men and women, particularly when involving other minority groups. Such differentiation is crucial for a comprehensive protection program.

All four countries recognize the threat of violence against people close to defenders. However, it is noteworthy that, in general, acts against their culture, territory, and community are not necessarily included as direct or indirect forms of violence with profound implications for the defender's well-being. Brazilian law explicitly recognizes cultural harms, while Colombian and Ecuadorian laws state that harm can be committed against individuals or groups collaborating. Peruvian law implicitly acknowledges the communal nature of this work by allowing community groups or networks to be beneficiaries of protection programs. Nevertheless, none of the laws overtly mention territorial harm, nor do they clarify how communal or cultural harm differs from individual harm.

Peru is the only country to fully incorporate an intersectional approach or explicitly prohibit discriminatory acts based on different identities. The Peruvian program explicitly defines intersectionality and outlines how it should be integrated throughout the mechanism's implementation, considering the specificities of various identity groups. Colombia and Ecuador also mention specific marginalized groups in their protection programs.

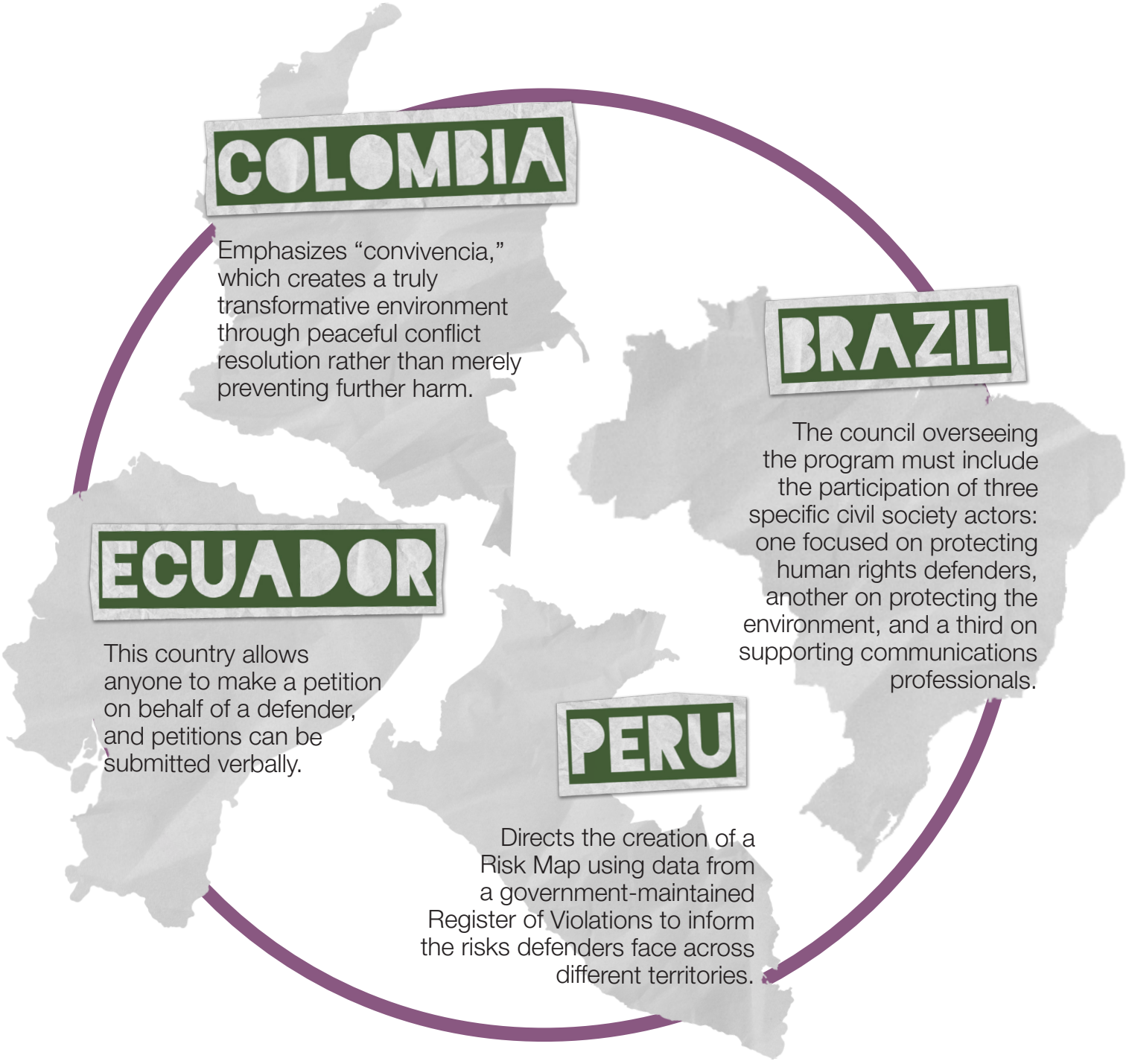
Regarding access to information, most countries acknowledge the need to publish data on violations. However, despite the provisions of the Escazú Agreement, they do not specify how this information will be organized and made accessible to the general public. Ecuador does not address the matter anywhere in its legislation, while Colombia only specifies that internet access will be readily available for grassroots communities. In contrast, Peru explicitly mentions the need for a national report on the situation of defenders to be available for public knowledge.

It is also worth noting that while Ecuador and Peru fully describe how their respective programs and mechanisms promote access to justice, neither Brazil nor Colombia provide much detail in their legislative texts on how defenders will receive judicial assistance and access to justice.

Brazil and Ecuador are the only countries officially including civil society participation in governance. However, it is essential to note that all countries mention the involvement of civil society, marginalized groups, and defenders in implementing their protection programs.

Finally, it is noteworthy that Colombia's program is defined as a prevention program and specifies several actions focused on strengthening human rights awareness and judicial coverage to address risks and vulnerabilities before they threaten defenders. The Ecuadorian program also defines preventative actions, while the Peruvian program describes a specific early warning system. However, the Brazilian program only addresses preventing further violence against defenders who have already been victimized.

Considering the delicate nature of risks and vulnerabilities faced by women defenders, other notable elements of individual protection program laws include the following:



Observations on the implementation of protection programs

As discussed above, the protection programs in Brazil, Colombia, and Peru include nearly all seven elements, albeit in very heterogeneous manners and with varying degrees of detail. However, it is worth noting that specific text for each analytical element **does not** guarantee effective implementation. Significant challenges remain in program implementation, including prioritizing protection at the national and state levels and securing adequate resources.

For instance, while many praised Brazilian President Lula Inacio da Silva's announcement of a new intersectional protection program at the beginning of his term, the program remains in crisis. It has been criticized for a lack of transparency, issues with civil society participation, low visibility among environmental defenders, and funding problems.[23]

In Colombia, many attacks on environmental and human rights defenders during the armed conflict were perpetrated by paramilitary groups. During the transition to peace, the security measures for environmental defenders established in Decree 660 of 2018 have focused on protecting individuals rather than communities. Wesche (2021) identified this as a significant weakness of the protection program through interviews with defenders. He recommended that the government should instead "follow a collective approach that emphasizes the security of communities and organizations, strengthens their capacities and relations with the state, and strives to dismantle the armed groups responsible for attacking defenders."[24] The United Nations High Commissioner on Human Rights has also observed that program implementation has been hampered by logistical issues such as institutional coordination and budget constraints.[25]

Ecuadorian Resolution No. 077 of 2019 established numerous protections for environmental and human rights defenders on paper, yet some aspects of the program remain unimplemented. As of 2023, the ECLAC Report of the First Annual Forum on Human Rights Defenders in Environmental Matters in Latin America and the Caribbean noted that Ecuador had not yet fully implemented all protections: "Challenges yet to be met included the establishment of a preventive and early warning system and the improvement of the institutional structure through the introduction of preventive policies and policies to promote human and environmental rights."[26]

In 2022, Oxfam representatives in Peru reported that despite an Intersectoral Mechanism to protect defenders, the mechanism had not yet received sufficient funds. The pandemic further slowed implementation, exposing defenders to more significant risks where state protection has failed.[27] These concerns were echoed in a report prepared by Peru for the United Nations Universal Periodic Review, which highlighted that protection measures have been undermined by lack of adequate funding and staff, leading to delays in responding to requests for assistance.[28]

Highlighted Best Practices

This section highlights key best practices identified by researchers through documentary analysis.

Comprehensive, intersectional notions of security

First and foremost, all protection programs must recognize that the threats faced by environmental defenders vary widely based on their diverse identities and gender. Notions of what it means for a defender to be "secure" must be broad and should include consideration of threats to their community, territory, and cultural heritage. Securing their physical and economic well-being and that of their immediate friends and family is insufficient.

All programs should explicitly adopt an intersectional approach in establishing legislation and detail how program staff will implement this approach across all protection and prevention measures. They should consider the cultural specificities of different groups and, whenever possible, involve environmental defense groups when developing the protection program to ensure their needs are fully addressed.

Ease of accessing assistance

Seeking protection should be as easy as possible, and barriers to requesting assistance should be identified and removed. Protection programs should not impose restrictions on who can bring a complaint on behalf of an environmental defender. Defenders themselves may be reluctant to ask for help or may avoid seeking protection out of fear; allowing organizations, family members, and friends to make petitions on their behalf when needed will facilitate access to services. Additionally, complainants should be able to lodge their complaints in a manner most accessible to them, including verbally and through any available communication channels. Barriers such as difficulty writing, inconsistent internet access, or language differences should not prevent defenders from seeking assistance.

As many environmental defenders face death threats and significant risks to their physical security, protection programs should include emergency protocols. These protocols will ensure defenders can access assistance when in immediate danger and prevent permanent harm such as loss of life, property, and livelihood. Defenders who need to relocate due to threats to their person or untenable living situation should receive relocation assistance, as should their immediate family members. Women defenders are often primary caregivers, so protection programs must consider their care responsibilities. The state should have plans in place to facilitate the relocation process.

Data-driven approaches

States must adopt data-driven approaches to understand better the risks defenders currently face, considering their diverse identities and gender and preventing future threats. Data-driven approaches should include creating databases to track threats to defenders, with detailed data such as the defender's demographic information, location, aggressor(s), and case status. These databases can help generate maps indicating areas where defenders are frequently at higher risk, assisting governments to concentrate protection program resources effectively.

Governments can also use this data to create early warning systems to demonstrate how threats typically escalate, identify specific threats and vulnerabilities faced by women, and guide their staff on proactively assisting all defenders before they become victims of violence.

Data on risks to defenders should be anonymized and published annually for public review, with gender-specific risks prominently highlighted. Making this data publicly available will enable communities, defenders, civil society, and other states to hold the government accountable for protecting defenders. It will also raise awareness of women defenders' specific risks, vulnerabilities, and experiences and highlight any deficiencies in protection program deployment.

Given the sensitivity of cases involving defenders in danger, where information such as their current whereabouts or the identities of their close friends, family members, and collaborators could be used to harm them, states should develop robust plans to safeguard this information. This will prevent unintended harm and maintain defenders' trust in the state protection program.

Transparency and education

Finally, protection programs should promote broad transparency and education measures to reduce risks to defenders further. Transparency involves the government being as open as possible with defenders and with the broader public about key information related to human rights and environmental violations. Information and disaggregated data – including key identity markers such as sex, race, ethnicity, disabilities, and LGBTQIA+, among others – should be made available to all interested parties, avoiding omissions whenever possible. Omitting important information that defenders need for their cases or withholding important details during investigations can be as detrimental as not conducting an investigation. Obscuring information about the status of a government protection program from defenders and the public damages public confidence in the program and should be avoided. Information is essential for measuring the impact and success of protection programs and should be accessible to everyone.

One of the best ways to protect defenders is to ensure that the broader population understands the importance of their work and diverse experiences and actively assists the government in upholding their rights. Governments must implement educational programs about the work of defenders for their staff, the general public, and the international community. Additionally, capacity-building programs should focus on implementing a gender intersectional approach, ensuring employees understand how diverse identities and socially constructed roles and experiences can shape risks and vulnerabilities. Training for government staff should explicitly address their roles in supporting defenders.

In times of crisis, defenders may find it challenging to petition the state for help on short notice. States should invest in ongoing outreach and engagement to facilitate timely assistance and ensure defenders receive the necessary resources. Building trust with defenders over time will make accessing resources during emergencies much more straightforward. Additionally, many defenders are members of Indigenous communities and speak multiple languages. Therefore, outreach materials on protection programs should be translated into Indigenous languages to ensure accessibility.

Conclusion

Fundamental legal protections for environmental defenders, particularly women, are critical. To be binding, actions to protect environmental defenders must have a solid legal basis. Brazil, Colombia, Ecuador, and Peru should be applauded for taking the first meaningful steps toward implementing the provisions of the Escazú Agreement by enacting protection programs for environmental defenders. However, as noted in the section on implementation, programs that exist solely on paper are insufficient.

Countries with existing protection programs should focus on enhancing program effectiveness by adopting the recommendations outlined in this report, including:

1. Adopting comprehensive, intersectional notions of security.
2. Making accessing assistance as easy as possible.
3. Using data-driven approaches to assess general and specific risks that defenders face.
4. Promoting transparency and education increases confidence in the program and prevents future harm.

Implementing these measures will help ensure that programs protect all defenders regardless of gender, ethnicity, and race. Those on the front lines, working to secure a healthy environment, do not need more lip service from their governments. They require genuine outreach, awareness of how to access protection measures for themselves and their communities, and support in raising awareness about their causes.

States that have not yet enacted official protection programs for their defenders, especially those that have signed and ratified the Escazú Agreement, should do so immediately. They can and should use the existing programs in neighboring countries as guides and adapt them to fit their cultural and legal contexts whenever possible. Programs must always recognize the increased risks faced by women environmental defenders, particularly those from Indigenous, Afro-descendants, LGBTQI+, and rural communities. The international community and civil society must continue closely monitoring protection program implementation and publicly pressure states that are not doing enough to protect their defenders.

One hundred and ninety-six environmental defenders were tragically lost to senseless violence in 2023.[29] Countless more suffered retaliation, threats, and abuses for their work. However, states must use the public power entrusted to them to protect environmental and human rights defenders, ensuring that we all enjoy the right to a healthy environment for generations to come.

Bibliographic References

African Commission on Human and Peoples' Rights (2004). Resolution on the Protection of Human Rights Defenders In Africa - ACHPR/Res.69(XXXV)03

Canadian Government (2019). Voices at risk: Canada's guidelines on supporting human rights defenders

Canadian Government (n.d.). Policy background - Human rights defenders

Public Defender's Office of the Plurinational State of Bolivia (2024). Defensoría del Pueblo implementa mecanismo legal para salvaguardar los derechos de la Madre Tierra

Economic Commission of Latin America and the Caribbean (2018). The Escazú Agreement

Economic Commission for Latin America and the Caribbean (2023). Report of the First Annual Forum on Human Rights Defenders in Environmental Matters in Latin America and the Caribbean, Seminars and Conferences series, No. 102 (LC/TS.2023/38), Santiago.

Economic Commission for Latin America and the Caribbean (n.d.) Observatorio del Principio 10 en América Latina y el Caribe

Focus Observatory on Public Policies for the Protection of Human Rights Defenders. (n.d.). Brazil.

Global Witness (2024). Global Witness Annual Defenders Report 2023/2024

Chilean government (2024). Plan Nacional de Implementación Participativa del Acuerdo de Escazú, 2024-2030

Human Rights Watch (2020). Canada: Events of 2019

Ideeleradio (2022). Oxfam Perú advierte dificultades en implementación de mecanismo para proteger a defensores

Igarapé Institute (2023). We are Vitória-Régias

Institute for Human Rights and Development in Africa (2012). A Human Rights Defenders' Guide to the African Commission on Human and Peoples' Rights

International Service for Human Rights (2023). Human rights defenders are the lifeblood of the Universal Declaration of Human Rights

Republic of Peru (2022). Joint Submission to the UN Universal Periodic Review: 42nd Session of the UPR Working Group

United Nations (1999). The United Nations Declaration on the Rights of Human Rights Defenders, Res.53/144

United Nations (2016). Situation of human rights defenders

United Nations Economic Commission for Europe (1998). Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

United Nations High Commissioner for Human Rights (2024). The Right to a Healthy Environment: A User's Guide

United Nations High Commissioner for Human Rights (2021). Situation of human rights in Colombia

United Nations Women (2023). Unpacking the care society: Caring for people and the planet

Wesche, P. (2021). Post-war violence against human rights defenders and state protection in Colombia. Journal of Human Rights Practice, 13(2), 317-338.

Women Human Rights Defenders International Coalition and Association for Women's Rights in Development (2014). Our Right To Safety: Women Human Rights Defenders' Holistic Approach to Protection

World Health Organization (n.d.). Sexual Violence

Laws Consulted

Decree 660 of 2018, President of the Republic of Colombia (2018).

Decree No. 34-2015, Protection Law for Human Rights Defenders, Journalists, Social Communicators, and Justice Operators. Legislative Power of Honduras (2015).

Decree Nº 6.044, of February 12, 2007, approves the National Policy for the Protection of Human Rights Defenders (PNPDDH), sets a deadline for the development of the National Plan for the Protection of Human Rights Defenders, and provides other provisions. President of the Republic of Brazil (2007).

Decree Nº 9.937, of July 24, 2019, establishes the Protection Program for Human Rights Defenders, Communicators, and Environmentalists, and the Deliberative Council of the Protection Program for Human Rights Defenders, Communicators, and Environmentalists within the scope of the Ministry of Women, Family, and Human Rights. President of the Republic of Brazil (2019).

Supreme Decree N° 004-2021-JUS, Supreme Decree establishing the Intersectoral Mechanism for the Protection of Human Rights Defenders, The President of the Republic of Peru (2021).

Portaria Nº 507, of February 21, 2022, Regulation of the Protection Program for Human Rights Defenders, Communicators, and Environmentalists. Official Gazette of the Union of Brazil (2022).

Protection Protocol for Human Rights Defenders, Chilean federal government (2024).

Ley Nº 071, Law of December 21, 2010, Law of the Rights of Mother Earth. The Plurinational Assembly of Bolivia (2010).

Law for the Protection of Human Rights Defenders and Journalists, Chamber of Deputies of the Honorable Congress of the Union of Mexico (2012).

Regulation of the Law for the Protection of Human Rights Defenders and Journalists, Chamber of Deputies of the Honorable Congress of the Union of Mexico (2012).

Resolution No. 077-DPE-CGAJ-2019, Regulations for the Promotion and Protection of the Rights of Human Rights and Nature Defenders. Public Defender's Office (2019).

Appendix A: Text Citations from Protection Program Laws

Analytical matrix element	Brazil
Inclusive concept of security	**Decree 6.044 of 2007, Chapter I, Art. 2, § 2º:** "Violation is characterized by any and all conduct that undermines the personal or institutional activity of the human rights defender or organization and social movement, which manifests itself, even indirectly, on family members or people of their close coexistence, by the practice of attempted or completed murder, torture, physical aggression, threats, intimidation, defamation, illegal or arbitrary arrest, false accusation, attacks or retaliation of a nature political, economic or cultural, origin, ethnicity, gender or sexual orientation, color, age, among other forms of discrimination, disqualification and criminalization of your personal activity that offends your physical, mental or moral integrity, honor or property." **Portaria 507 de 2022 - Art. 4º:** "The vulnerability situation referred to in the main clause is one that arises from risks, threats, violence, or the inability to enjoy human rights, fundamental freedoms, income generation, or any other impediment, even indirect, that prevents, hinders, or limits their conditions for subsistence."
Considers indirect violence	**Ordinance 507 of 2022, Art. 5º:** "The violation or threat against a human rights defender shall be characterized by any and all conduct aimed at preventing the continuation of their personal or institutional activities, which manifests itself, even indirectly, upon the individual or their family members." **Ordinance 507 of 2022, Chapter II, Art. 15º, § 2:** "The measures provided for in the main clause may be extended to the spouse, partner, ascendants, descendants, and other dependents, provided they habitually live with the human rights defenders."
Intersectional approach	**Decree 6.044 of 2007, Chapter II, Section I, Art. 3º:** "The principles of the National Policy for the Protection of Human Rights Defenders (PNPDDH) are: I - Respect for human dignity; II - Non-discrimination based on gender, sexual orientation, ethnic or social origin, disability, place of origin, nationality, professional activity, race, religion, age, migration status, or any other status; III - Protection and assistance to human rights defenders, regardless of nationality or involvement in judicial processes; IV - Promotion and guarantee of citizenship and human rights; V - Respect for international human rights treaties and conventions; VI - Universality, indivisibility, and interdependence of human rights; and VII - Mainstreaming of gender, sexual orientation, disability, ethnic or social origin, place of origin, race, and age dimensions in public policies."
Access to information	**Decree 6.044 of 2007, Chapter II, Section II, Art. 4º:** "The general guidelines of the National Policy for the Protection of Human Rights Defenders (PNPDDH) include: XI - Ensuring broad and adequate access to information and establishing channels of dialogue between the State, society, and the media."
Access to Justice	**Decree 6.044 of 2007, Chapter II, Section III, Art. 5º:** "The specific guidelines for the protection of human rights defenders are: I - Implementation of preventive measures in public policies, in an integrated and cross-sectoral manner, in the areas of health, education, labor, security, justice, social assistance, communication, culture, among others."
Participation	**Decree 9.937 of 2019, Art. 5º, § 9º:** "The selection of the first civil society representatives will be carried out through a public call notice, observing the principles of transparency, gender parity, and representation of various segments of society, ensuring the participation of quilombola, indigenous, and environmentalist communities. (Included by Decree No. 11.867 of 2023)." Additionally, **Decree 6.044, Chapter II, Section II, Art. 4º:** "Establishes the general guidelines of the National Policy for the Protection of Human Rights Defenders (PNPDDH), including: IX - Encouragement of civil society participation."
Prevention	**Decree 6.044 of 2007, Art. 3º:** "Until the Plan referred to in Article 2 is established, the Union, States, and the Federal District may adopt, in accordance with their competencies, urgent measures with immediate, provisional, precautionary, and investigative protection, either upon request or ex officio. These actions must ensure the physical, psychological, and property integrity of human rights defenders when risk or vulnerability to the individual is verified."

Analytical matrix element	Ecuador
Inclusive concept of security	**Resolution n. 077-DPE-CGAJ of 2019, Preamble paragraphs 3 and 4:** "As the Constitution of Ecuador recognizes and guarantees the right to life; to physical, psychological, and sexual security; to various liberties, including freedoms of expression and association, along with the right to resistance before actions or omissions of the public power or of natural or judicial persons which are or could put their rights at risk and to demand the recognition of new rights; As the Constitution of Ecuador recognizes the rights of nature and every person, community, people or nationality can demand that the public authority respect the rights of nature" and Article 5, "Actions or omissions which limit the labor and put at risk defenders of human rights and the rights of nature. These are actions/omissions directed at individuals or collectives, whose end goal is to place obstacles before, impede, or slow down activities realized by human and natural rights defenders, including the following: a. Threats, hostilities, intimidation, assault, persecution, stigmatization, public denunciation and delegitimization of activities; b. Physical aggression; c. Attacks on their livelihoods; d. Processes of criminalization, abuse of power, and inappropriate use of the penal code, e. Disregard for judicial protections and lack of judicial protection; f. Arbitrary detentions, torture, cruel, inhuman, and degrading treatment; g. Forced disappearance; h. Violation of the right to life and personal security; i. Restrictions of freedom of expression, information, association, or the operation of organizations; j. Any type of restriction that limits the work of human and natural rights defenders."
Considers indirect violence	**Resolution n. 077-DPE-CGAJ de 2019, Article 5:** "It is important to recognize that these actions can be suffered personally but can also be suffered by family members or people close to the human and natural rights defenders."
Intersectional approach	**Resolution n. 077-DPE-CGAJ of 2019, Preamble paragraph 14:** "Is it important to recognize that the groups of defenders in special situations of risk are: leaders of syndicates, defenders of human rights and the environment, leaders of rural communities, Indigenous, Afro-descendant, and montubio leaders, defenders of the right to a healthy environment, defenders of people from LGBTI groups and defenders of migrant workers and their families."
Access to information	-
Access to Justice	**Resolution n. 077-DPE-CGAJ de 2019, Article 9:** "d. In Situ visits to defenders who have been deprived of their liberty; e. Vigilance of Due Process; f. Defensorial Investigation; g. Jurisdictional guarantees; h. Obligatory completion methods; i. Public actions; j. Requests for amnesty and pardons; k. Activation of international methods..."
Participation	**Resolution n. 077-DPE-CGAJ of 2019, Article 13 Impact on Public Policy:** "The impact process will promote the participation of environmental and human rights defenders, civil society, academics, and other people interested."
Prevention	**Resolution n. 077-DPE-CGAJ of 2019, Article 12 Promotion:** "The promotion of the rights of environmental and human rights defenders will be done according to impacts on public policy, normative impacts, education processes, sensitization, and raising awareness." **Article 13 Impact on Public Policy:** "The impact process will promote the participation of environmental and human rights defenders, civil society, academics, and other people interested." Article 14 Impacts on norms: "The General Coordination of Production Specialized in Development of Knowledge and Investigation should permanently monitor the activities realized by environmental and human rights defenders..." Article 15 Processes of Education and Sensibilization.

Analytical matrix element	Colombia
Inclusive concept of security	**Decree 660 of 2018, Section 1, Article 2.4.1.7.1.9. Definitions:** "16. Citizen Security: A social situation in which all individuals can freely enjoy their rights, and public institutions possess sufficient capacity, within the framework of a Social State of Law, to guarantee the exercise of these rights and to respond effectively when they are violated. In this way, citizenship is the primary focus of state protection. It is the responsibility of public entities, especially local ones, to adopt measures for the normal exercise of the rights and freedoms of individuals, organizations, and communities, as well as to achieve peaceful coexistence among the inhabitants of the national territory."
Considers indirect violence	**Decree 660 of 2018, Section 2, Article 2.4.1.7.2.6.** Development of conditions for cohabitation and prevention. "15. To repudiate acts that directly or indirectly impede or hinder the work of human rights defenders." It also encompasses "the impacts on the coexistence of communities and organizations in the territories."
Intersectional approach	**Decree 660 of 2018, Section 1, Article 2.4.1.7.1.3.** **Target Population:** "The beneficiaries of this Chapter shall be communities and social, popular, ethnic, women's, gender, environmental, and community organizations, as well as organizations within the LGBTI sectors and human rights defenders in the territories, including their leaders, representatives, and activists. Leaders, representatives, and activists from social, popular, ethnic, women's, gender, environmental, and community organizations, as well as those within the LGBTI sectors and human rights defense organizations who are at risk or under threat, shall be beneficiaries of this Program as a collective group. The comprehensive measures outlined in this chapter shall be applied collectively."
Access to information	**Decree 660 de 2018, Section 2, Article 2.4.1.7.2.7.** Community Access to the Internet: "Municipal or district, departmental, and national authorities shall promote and encourage internet connectivity. These authorities may support conditions conducive to the use of digital tools for public information and provide community access to the internet."
Access to Justice	**Decree 660, Section 1, Article 2.4.1.7.1.7.** Principles: Measures adopted under the Comprehensive Security and Protection Program for Communities and Organizations in the Territories must adhere to the following principles: Strengthening of Justice Administration: Measures adopted within the framework of this Program must contribute to ensuring citizens' access to an independent, timely, effective, and transparent justice system under conditions of equality. These measures should respect and promote alternative conflict resolution mechanisms in the territories to guarantee fundamental rights, uphold impartiality, prevent any form of private justice, and address the behaviors and organizations targeted by this Chapter. Additionally, these measures must contribute to an effective administration of justice in cases of gender-based violence, free from stereotypes related to LGBTI persons, with sanctions proportionate to the severity of the offense, as well as for other populations covered by this Chapter.
Participation	**Decree 660, Section 1, Article 2.4.1.7.1.7, Principles, 13. Participation:** "The implementation of these measures shall involve the active participation of civil society, including communities and organizations, leaders, representatives, and activists from social, popular, ethnic, women's, gender, environmental, and community organizations, as well as those from LGBTI sectors and human rights defense organizations in the territories."
Prevention	**Decree 660, Section 1, Article 2.4.1.7.1.1. Objective:** "The purpose of this Chapter is to establish and regulate the Comprehensive Security and Protection Program for Communities and Organizations in the Territories, aimed at defining and implementing comprehensive protection measures for communities in these territories, including leaders, representatives, and activists from social, popular, ethnic, women's, gender, environmental, and community organizations, as well as organizations in the LGBTI sectors and human rights defenders. The comprehensive security and protection measures adopted within this Program aim to prevent violations and to protect, respect, and guarantee the human rights to life, integrity, liberty, and security of communities and organizations in the territories." **Section 1, Article 2.4.1.7.1.7. Principles:** "Guarantees of Non-Repetition: The measures adopted under the Program regulated in this Chapter, implemented by the State and with the engagement of society as a whole, must be directed at preventing further violations of human rights and breaches of International Humanitarian Law. The guarantees of non-repetition include specific measures for groups that have been exposed to greater risk, such as women, children, adolescents, persons with disabilities, the elderly, and individuals of diverse sexual orientations. Furthermore, these measures should work to eliminate discrimination. The Guarantees of Non-Repetition encompass affirmative, economic, and political actions that develop appropriate measures to ensure that victims are not subjected to repeated violations of human rights and breaches of International Humanitarian Law."

Analytical matrix element	Peru
Inclusive concept of security	**Supreme Decree N° 004-2021-JUS, Title 1, Article 3.3:** Acts against human rights defenders include: "a) Attacks on life or integrity; b) Arbitrary detentions; c) Harassment and intimidation (including cyber-harassment); d) Defamation of honor, image, and/or reputation; e) Discrimination and reprisals; f) Destruction of property or livelihood; g) Environmental harm and natural resource degradation; h) Obstruction of the right to free movement, assembly, or association; i) Interference with advocacy efforts; j) Threats to security while performing advocacy work; k) Stigmatization and hate speech; l) Gender-based violence: physical, sexual, psychological, or economic; m) Theft of information; n) Acts of torture or other cruel, inhumane treatment; o) Acts impeding the exercise of cultural rights; p) others."
Considers indirect violence	**Supreme Decree N° 004-2021-JUS, Title 1, 3.3.** "Acts Against a Human Rights Defender: Any assault, threat, or situation of risk that is perpetrated to harm a human rights defender or their family or personal environment due to their advocacy activities and which may affect their life, physical, psychological, sexual, and/or economic integrity, personal liberty, image, dignity, honor, property, privacy; freedom of opinion, expression, and access to information; freedom of movement, peaceful assembly, association, and the right to form, join, and/or participate effectively in non-governmental organizations, collectives, platforms, and advocacy fronts; the right to participate in public affairs; the right to communicate with international bodies; the right to non-discrimination; the right to due process; or other individual and collective rights, (...)". **Supreme Decree N° 004-2021-JUS, Title 1:** In defining the approaches to implement the mechanism (Article 4.2.), besides highlighting a human rights-centered approach, a gender-sensitive approach, an intercultural approach, a differentiated approach, also highlights an intersectional approach, which the documents outline as"e) Intersectional Approach: Complementary to the differential approach, the intersectional approach highlights situations where multiple conditions of vulnerability may intersect within an individual, which must be considered in the design, implementation, monitoring, and evaluation of interventions. Thus, a form of exclusion or discrimination can be exacerbated or take on specific forms when it interacts with other existing mechanisms of oppression based on prejudices, stigmatizations, and stereotypes related to ethnic-racial identity, sex, language, nationality, religion, political opinion, age, sexual orientation, gender identity, gender expression, physical appearance, social origin, nationality, or any other condition or circumstance that aims or results in obstructing or nullifying the recognition or exercise of individuals' rights."
Intersectional approach	**Supreme Decree N° 004-2021-JUS, Transitory Complementary Dispositions, Segunda:** "The Registry on risk situations of human rights defenders includes information on attacks, threats or risk situations, including those that subsist upon the entry into force of this regulation. Likewise, it incorporates the ethnic variable." Title 1, Article 3.3. Acts against a human rights defender: any aggression, threat, or risk situation that is carried out to harm or with the aim of harming to a human rights defender (....) freedom of opinion, expression, and access to information; f) Provide information about attacks, threats or other risk situations identified by the sector for the Registry on risk situations of the human rights defenders."
Access to information	**Supreme Decree N° 004-2021-JUS, Chapter III Methods to Promote Access to Justice Before Situations of Risk**, Article 35 Coordination with the Entities of the Justice Administration System and Article 36 Formation and Training.
Access to Justice	**Supreme Decree N° 004-2021-JUS, Preamble:** "As the literal interpretation of o) of Article 7 of the cited Legislative Decree N° 1013 establishes as a specific function of the Ministry of the Environment to promote citizen participation in the process and to take decisions for the sustainable development and develop a national environmental culture..."
Participation	**Supreme Decree N° 004-2021-JUS, Preamble:** "As the literal interpretation of o) of Article 7 of the cited Legislative Decree N° 1013 establishes as a specific function of the Ministry of the Environment to promote citizen participation in the process and to take decisions for the sustainable development and develop a national environmental culture..."
Prevention	**Supreme Decree N° 004-2021-JUS, Title 1, 4.1 General Principles, a) Prevention:** "The ministries linked by the Intersectoral Mechanism for the Protection of Human Rights Defenders must avoid, to the extent possible, that human rights defense work is hindered or truncated. When it is not possible to eliminate the causes that generate the risk, they must mitigate possible impacts on the rights of human rights defenders."

Appendix B: Practices Outside the Amazon Basin

The analysis revealed a general lack of compiled best practices for creating and implementing a protection program that addresses today's significant challenges while considering the specific needs and challenges of women defenders from marginalized identity groups. As a result, the researchers would like to highlight some key examples across the Americas to further contribute to reference materials on this subject.

Canada

Generally considered one of the most diverse, inclusive, and stable democracies in the world, Canada notably launched a program in 2021 to resettle human rights defenders persecuted overseas within its territory. The federal government also seeks to defend human rights defenders abroad through various means, such as bilateral and multilateral agreements and trade negotiations. Despite these efforts, the country lacks laws or declarations explicitly addressing the rights of human rights defenders operating within its territory. It has faced criticism in the past from organizations such as Human Rights Watch for abuses against Indigenous peoples, who frequently act in defense of environmental resources.

Chile

Chile, which recently acceded to the Escazú Agreement after several years of delay, passed the Protection Protocol for Human Rights Defenders (Protocolo de Protección a las Personas Defensoras de Derechos Humanos) in April 2024, explicitly recognizing the rights of defenders. The protocol is relatively short and less detailed than legislation in other countries, possibly leaving more room for interpretation. Notably, the document does not include provisions for access to justice in environmental matters, participation in decision-making processes, or preventing harm. However, in June 2024, the Chilean government did approve the much more comprehensive "Plan Nacional de Implementación Participativa del Acuerdo de Escazú 2024-2030". This plan includes a diagnostic analysis of the current protections available in Chile and performance in each of the areas outlined in the Escazú Agreement, along with specific government actions. One area for improvement includes strengthening access to information, which is lacking in the examples analyzed from the Amazon region. Additionally, the protocol states that any person can file a request for assistance on behalf of a defender; however, requestors may only petition for help via a digital form. This restricts access for native speakers of Indigenous languages, those lacking reliable internet access, or those with difficulty reading and writing.

Mexico

The Mexican Law for the Protection of Human Rights Defenders and Journalists (Ley para la Protección de Personas Defensoras de Derechos Humanos y Periodistas) and the associated Regulation (Regulamento) laying out roles and responsibilities for the law's implementation serve as a solid legal base for protecting environmental defenders. Both the original law and the Regulation were published in 2013. The program features all seven analytical criteria evaluated for the Amazon Basin countries, including a notable emphasis on intersectionality and recognizing the differentiated situation of women, minorities, and children's rights. The law also requires a register of victims to enable the government to track cases of abuse more effectively. It mandates that the state publish an annual report with disaggregated data using a gender-based approach. Another notable aspect is that the law explicitly states that victims shall incur no costs for services the state provides to assist them.

Honduras

The Protection Law for Human Rights Defenders, Journalists, Social Communicators, and Justice Operators (Ley de protección para las y los defensores de derechos humanos, periodistas, comunicadores sociales y operadores de justicia) was adopted by the Honduran government in May 2015. Although the country abstained from signing the Escazú Agreement, the law encompasses all seven analytical criteria evaluated for the Amazon Basin countries. Article 41 states that petitions for government protection may be made informally, verbally, or via "any means of communication" ("cualquier medio de comunicación"). Notably, Article 66 includes the creation of a specific fund dedicated exclusively to protecting human rights defenders.

Other Regions

Several countries outside the Americas have implemented notable protections for human rights defenders. According to the International Service for Human Rights, countries such as Côte d'Ivoire, Burkina Faso, Mali, Niger, the Democratic Republic of the Congo, and Mongolia have enacted the United Nations Declaration on the Rights of Human Rights Defenders at the domestic level. Other states, including Norway, Finland, Switzerland, Ireland, and Canada, have adopted human rights defender guidelines inspired mainly by this Declaration. The Philippines, a country with significant primary forest coverage and a high incidence of environmental rights defenders being killed for their work, has recently implemented additional protections to prevent future killings.

Endnotes

1. Global Witness (2024). Global Witness Annual Defenders Report 2023/2024.
2. Igarapé Institute (2023) We are Victoria-Regias.
3. Sexual violence, as defined by the World Health Organization, encompasses "any sexual act, attempt to obtain a sexual act, or other act directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting." This includes rape, which is defined as "the physically forced or otherwise coerced penetration of the vulva or anus with a penis, other body part or object." Violence Info, World Health Organization (n.d.).
4. United Nations (1999). The United Nations Declaration on the Rights of Human Rights Defenders. United Nation Resolution 53/144.
5. Office of the United Nations High Commissioner for Human Rights (2024). The Right to a Healthy Environment: A User's Guide.
6. United Nations (2016). Situation of human rights defenders.
7. Economic Comission for Latin America and the Caribbean (2018). The Escazú Agreement.
8. The 24 countries that have signed the Agreement include: Atingua and Barbuda, Argentina, Belize, Bolivia, Brazil, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, Grenada, Guatemala, Guayana, Haiti, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, and Uruguay.
9. The 17 countries that have ratified the Agreement include: Antigua and Barbuda, Argentina, Belize, Bolivia, Chile, Colombia, Dominica, Ecuador, Grenada, Guayana, Mexico, Nicaragua, Panama, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, and Uruguay.
10. United Nations Economic Commission for Europe (1998). Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters
11. African Commission on Human and Peoples' Rights (2004). Resolution on the Protection of Human Rights Defenders In Africa - ACHPR/Res.69(XXXV)03.
12. Institute for Human Rights and Development in Africa (2012). A Human Rights Defenders' Guide to the African Commission on Human and Peoples' Rights.
13. Economic Commission for Latin America and the Caribbean (ECLAC). Observatory on Principle 10 in Latin America an the Caribbean.
14. Public Defender of the Plurinational State of Bolivia (2024). Defensoría del Pueblo implementa mecanismo legal para salvaguardar los derechos de la Madre Tierra.
15. Legislative Assembly of the Plurinational State of Bolivia (2010). Ley Nº 071, Ley de Derechos de la Madre Tierra.
16. The table was created based on documents available on the page Observatory on Principle 10 in Latin America and the Caribbean, produced by ECLAC to monitor the implementation of the Escazú Agreement.
17. A political instrument refers to laws, decrees, plans, protocols and other legal documents that facilitate the implementation of protection policies.
18. Jurisprudence refers to decisions made by a court of law that can serve as a basis for future decisions regarding the protection of defenders.
19. The table was created based on documents available on the page Observatory on Principle 10 in Latin America and the Caribbean, produced by ECLAC to monitor the implementation of the Escazú Agreement.

20. Full references to all laws, along with links, are included in the Bibliography.

21. Women Human Rights Defenders International Coalition and Association for Women's Rights in Development (2014). Our Right To Safety: Women Human Rights Defenders' Holistic Approach to Protection.

22. See Appendix A for direct citations from the laws consulted that relate to the analytical elements.

23. Focus Observatory on Public Policies for the Protection of Human Rights Defenders. Brazil. Status: adopted national policy.

24. Wesche, P. (2021). Post-war violence against human rights defenders and state protection in Colombia. Journal of Human Rights Practice, 13(2). p. 317.

25. United Nations High Commissioner for Human Rights (2021). Situation of human rights in Colombia.

26. Economic Commission for Latin America and the Caribbean. (2023). Report of the First Annual Forum on Human Rights Defenders in Environmental Matters in Latin America and the Caribbean, Seminars and Conferences series, No. 102 (LC/TS.2023/38), Santiago. p. 23.

27. Ideeleradio. (2022, July 20). Oxfam Perú advierte dificultades en implementación de mecanismo para proteger a defensores.

28. Republic of Peru (2022). Joint Submission to the UN Universal Periodic Review: 42nd Session of the UPR Working Group.

29. Global Witness (2024). Global Witness Annual Defenders Report 2023/2024.

Institutional Office

Igarapé Institute

Ilona Szabó de Carvalho
Co-founder and President

Robert Muggah
Co-founder and Chief Innovation Officer

Melina Risso
Research Director

Leriana Figueiredo
Programs Director

Maria Amélia L. Teixeira
Operations Director

Credits

Authorship

Melina Risso
Research Director

Vivian Calderoni
Program Coordinator

Renata Giannini
Senior Researcher

Caitlin Wiley
Researcher

Editing

Debora Chaves
Editor

Graphic Project

Raphael Durão
Creative Coordinator

Julia Venegas
Designer

IGARAPÉ INSTITUTE
a think and do tank

The Igarapé Institute is an independent think-and-do tank that conducts research, develops solutions, and establishes partnerships with the aim of influencing both public and corporate policies and practices in overcoming major global challenges. Our mission is to contribute to public, digital, and climate security in Brazil and worldwide. Igarapé is a non-profit and non-partisan institution, based in Rio de Janeiro, operating from the local to the global level.

Support:

UK Government

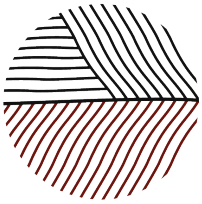
Rio de Janeiro - RJ - Brazil
Tel.: +55 (21) 3496-2114
contato@igarape.org.br
igarape.org.br

Press office
press@igarape.org.br

Social Media

facebook.com/institutoigarape
x.com/igarape_org
linkedin.com/company/igarapeorg
youtube.com/user/InstitutoIgarape
instagram.com/igarape_org

igarape.org.br



IGARAPÉ INSTITUTE
a think and do tank