



Norwegian Ministry  
of Foreign Affairs

Guideline

# Norwegian guidelines for support to human rights defenders



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# 1. Human rights defenders – who are they and why should we support them?

## 1.1 Who are human rights defenders?

### **Box 1.1 UN Declaration on Human Rights Defenders, article 1**

*Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.*

The term Human rights defenders refers to both individuals and groups who work to promote and protect human rights through peaceful means. Human rights defenders must accept the universality and indivisibility of human rights and uphold the principles of equality and non-discrimination in their work.

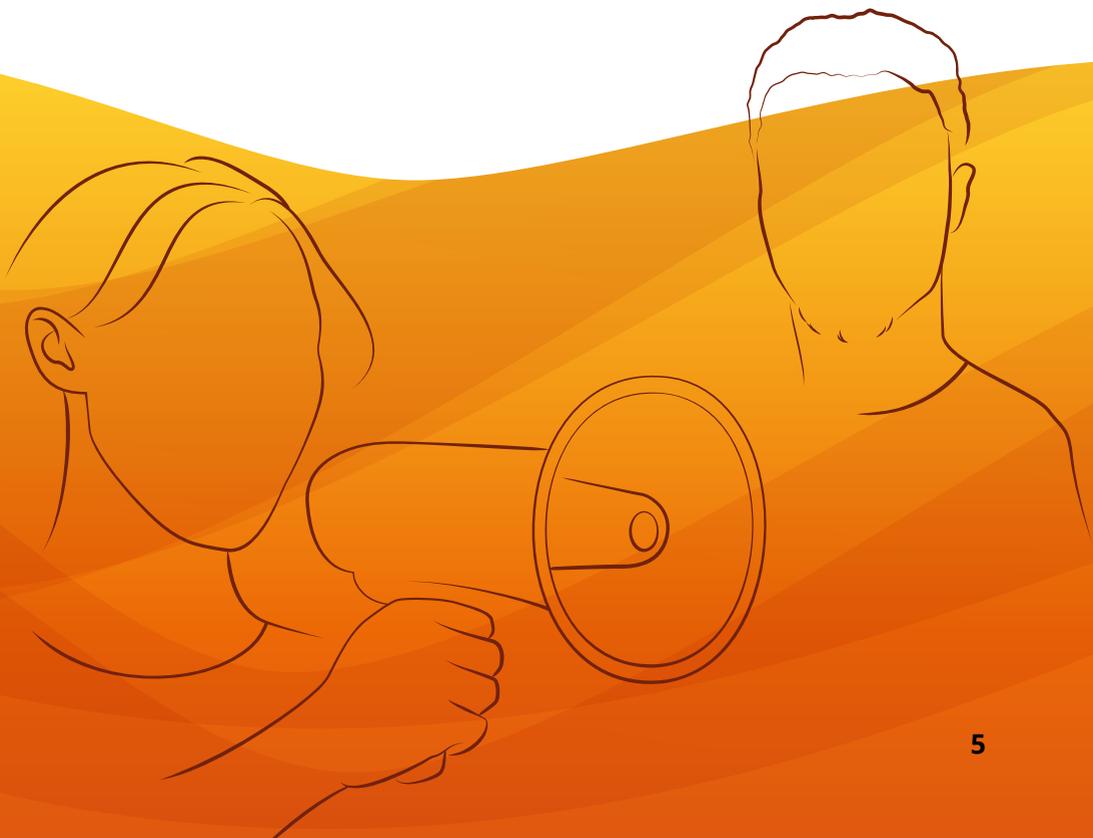
Human rights defenders are defined by what they do. They can address the full range of human rights concerns, for example all forms of discrimination, impunity or the non-fulfilment of rights. Human rights defenders may be spokespersons for vulnerable and marginalised groups. In many cases they represent movements that are working to bring about change within and for their communities.

## 1.2 Why should we support them?

All human beings have rights and freedoms that protect them and their dignity in war and in peacetime. Respect for human rights is an essential element of democracy. In turn, democracy provides an environment for the protection and effective realisation of human rights.

Human rights defenders help to realise human rights. They play a key role by documenting and drawing attention to situations where states do not fulfil their human rights obligations and where human rights violations and abuses are committed.

Because of the nature of their work, human rights defenders and their families may face serious risks and reprisals, including threats, attacks, and administrative and judicial restrictions. In many countries, there is a large gap between the protection afforded



under international human rights law and actual practice. In some countries, human rights defenders or members of their families are tortured, subjected to enforced disappearances or killed. The authorities in many countries perceive criticism from human rights defenders not only as unpleasant but also as dangerous. Anyone fighting for human rights, gender equality, democracy, justice and the rule of law, are, in many places, regarded as a threat to the government.

The extent to which there are restrictions on the activities of **human rights defenders** is an important indicator of the human rights situation in general. Vague or expansive counterterrorism, national security, or cybersecurity laws and regulations are examples of legislation and administrative measures that may unduly restrict the work of human rights defenders.

Human rights defenders may also come under attack from non-state actors, including armed groups, private companies, and individuals, as well as the media. Impunity is a widespread problem in many countries. The inability or unwillingness to investigate attacks on human rights defenders may be seen as acceptance of such attacks. The state has a duty to protect against human rights abuses from non-state actors.

### **Box 1.2 Human rights defenders at particular risk:**

- Women human rights defenders.
- Those working for the human rights of sexual and gender minorities or who are LGBTQI+ persons.
- Environmental human rights defenders: those working for environmental and land rights.
- Indigenous human rights defenders.
- Human rights defenders with disabilities.
- Human rights defenders in conflict zones.
- Individuals or groups engaged in human rights issues involving major economic interests and/or large development projects.
- Human rights defenders promoting workers' rights.
- Civil society organisations and activists fighting corruption.
- Those working for the rights of minorities, including for example the rights of religious and faith-based minorities.
- Human rights defenders in rural areas: these are often less visible and can therefore be in greater need of protection.
- Human rights defenders in exile may be vulnerable, including to refoulement.
- Children and youth who defend human rights.
- Those working for the rights of refugees and migrants.

#### **Some professional groups that often face risk due to human rights-related work:**

- Journalists and organisations that promote freedom of the media.
- Lawyers, including those offering legal assistance to human rights defenders.
- Trade unionists.
- Artists and authors.
- Students and academics.

**Intersectionality:** Intersectionality is the complex, cumulative way in which multiple forms of discrimination operate simultaneously and interact in an inseparable manner, producing distinct and specific forms of discrimination. Human rights defenders may belong to more than one category, and be subject to multiple and intersectional forms of discrimination.

## 1.3 International legal and normative framework

The main international documents and instruments for the protection of human rights defenders include:

- the [Universal Declaration of Human Rights, a milestone document in the history of human rights.](#)
- the [Core International Human Rights Instruments: nine core UN human rights conventions, all of which have a committee of experts to monitor implementation of the treaty provisions by its States parties](#) (appendix A).
- regional human rights conventions, for example the [European Convention on Human Rights](#), the [American Convention on Human Rights](#) and the [African Charter on Human and Peoples' Rights](#), with associated monitoring mechanisms.
- 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](#), also known as the Declaration on Human Rights Defenders.

All states are obligated to fulfill their treaty obligations. All UN member states are party to at least one of the core UN human rights conventions. Europe, Africa and the Americas also have legally binding regional conventions. States must ensure that human rights are respected, protected and fulfilled. This duty includes, *inter alia*, ensuring that national legislation is in line with international obligations, and that human rights violations and abuses are investigated and those responsible held accountable.

Norway is party to 8 out of 9 core UN human rights conventions. We are also party to the European Convention on Human Rights. See 5.1 Appendix A for more information.

Norway does its utmost to implement and fulfil our obligations. In 2014, the Norwegian Parliament added a separate chapter on human rights to the Constitution. Five core human rights conventions have also been incorporated into national law through the Human Rights

Act, which takes precedence over other legislative provisions in case of conflict.

Norway similarly expects other state parties to comply with their obligations. We encourage states to fulfil their human rights obligations, in bilateral dialogue, and in the multilateral system and as a part of the Universal Periodic Review.

The Declaration on Human Rights Defenders was adopted in 1998 and forms the normative basis for Norway's support to human rights defenders. The declaration sets out how rights enshrined in the international human rights conventions pertain to human rights defenders and their work. It clarifies that states have a responsibility to protect human rights defenders, including against attacks from non-state actors. It also underscores that states have an obligation to promote and respect rights that are of key importance to human rights defenders and their work. This includes freedom of expression, the right to receive and impart information, the right to assemble peacefully and to form associations and non-governmental organisations.

## 1.4 Norwegian policy and priorities

Norway's foreign and development policy is human rights-based. The protection of human rights defenders has been a priority in Norway's international human rights work for decades. Norway led the negotiations that resulted in the adoption of the UN declaration on human rights defenders in 1998. Since then, Norway has been the main sponsor of the [resolutions on human rights defenders](#) that are proposed regularly in the UN Human Rights Council in Geneva and the UN General Assembly in New York. By adopting the resolutions, UN member states confirm, *inter alia*, their duty to protect human rights defenders. Norway also actively promotes efforts to support human rights defenders in other multilateral organisations.

In response to a Norwegian initiative, the UN established in 2000 the mandate of the United Nations Special Representatives of the Secretary General for Human Rights Defenders. The title of the

mandate was changed in 2008 to [Special Rapporteur on the situation of human rights defenders](#). The Special Rapporteur conducts country visits, raises individual cases with the relevant authorities and reports regularly to the UN on the situation of human rights defenders.

At country and multilateral level, Norwegian diplomatic missions participate in joint efforts with other international actors, including civil society, to support the work of human rights defenders. Human rights defenders provide insight into and information about the local human rights situation. They are important contacts and partners for our diplomatic missions.

These guidelines are a tool to help the Ministry of Foreign Affairs and the Norwegian diplomatic missions to systematise measures and efforts to support human rights defenders and their work. The guidelines complement other guidelines and policy documents on human rights and gender equality issued by the Norwegian Ministry of Foreign Affairs (see appendix E).

## 1.5 Key reasons to support human rights defenders

- **Universality:** Human rights are fundamental rights that all people are entitled to, irrespective of personal characteristics such as gender, religion or belief, age, sexual orientation, disability or ethnicity. Respect for human rights is a cornerstone of international peace and sustainable development.
- **Obligations:** All UN member states are party to at least one of the core UN human rights conventions, and all member states should act in conformity with the purposes and principles of the UN Charter, including in the field of human rights. Ensuring tolerance and inclusion is a shared responsibility for all countries, regardless of tradition and culture.
- **Accountability:** It is the duty of states to comply with their human rights obligations. By documenting and drawing attention to situations where human rights are not respected, protected and fulfilled, and where human rights violations and abuses are committed, human rights defenders assist states in complying with their obligations. Human rights defenders also contribute by informing the public and helping people to claim their rights. Governments should see human rights defenders as a resource rather than a threat.
- **The 2030 Agenda:** There are close links between human rights and the 2030 Agenda for Sustainable Development. Fulfilling human rights also helps realise the SDGs. More than 90% of the SDG targets are anchored in human rights norms and standards, according to [the Danish Institute of Human Rights](#). In addition, [SDG indicator 16.10.1](#) records killings of human rights advocates, journalists and trade unionists.
- **Protection:** States have a duty to protect against human rights abuses from non-state actors. This includes protecting human rights defenders.

## 2. Guidelines for diplomatic missions at country level

Norway's diplomatic missions play a key role in the implementation of Norway's human rights policy at country level and in international organisations. All missions should have a contact person for human rights issues.

Different approaches must always be weighed up against the situation in the country in question. It will often be useful to coordinate activities with the diplomatic missions of likeminded countries, civil society, human rights defenders themselves and international and regional organisations. Several other countries also have similar guidelines for human rights defenders (appendix D).

This section sets out measures that missions can take to support individuals and organisations that are being prevented from carrying out their work to promote human rights and/or are in danger due to these activities.



## 2.1 Mapping and information gathering

An overview of the human rights situation, including the conditions for civil society and human rights defenders, provides a basis for the mission's efforts and reporting. Missions receiving or in possession of personal data must process them in accordance with the General Data Protection Regulation (GDPR).

### **Box 2.1 List of questions and issues:**

- **What human rights conventions and additional protocols has the country signed and ratified? What are the main human rights challenges in the country?**
- **Who are the human rights defenders – organisations and individuals?** Are they part of a national or international support network of human rights defenders?
- **The conditions and general climate for human rights work**, including any restrictions by the authorities, reprisals and/or restrictive legislation. What kind of rights violations should be emphasised in the country in question? Who are at particular risk?
- **Whether there are legislative obstacles** limiting the independence of human rights defenders and civil society, or the right to freedom of association, assembly and expression, or use of security-related laws and regulations such as **counterterrorism and national security laws and digital security laws** to deter human rights defenders.
- **The authorities' efforts to protect human rights defenders.**
- **The extent to which there is a dialogue between the authorities, human rights defenders and civil society.** Do the authorities facilitate the participation of civil society in public consultations, open debates etc.?
- **The authorities' ability and willingness to investigate and prosecute attacks against human rights defenders** (degree of impunity).
- **The extent to which local UN offices, other international and regional organisations and other countries' missions are working with human rights defenders.**
- **The extent to which access to information is provided**, online and offline, without any restriction or hindrance.

Appendix B contains an overview of relevant sources.

## 2.2 Risk assessments

Human rights defenders face a variety of threats and attacks. The mission must always consider whether direct contact or contact with the authorities could lead to reactions against the human rights defenders in question and their family members. These may be physical (such as death, imprisonment, vandalism, theft etc.) and/or nonphysical (such as threats, online harassment, social exclusion, fines, lawsuits, surveillance, loss of employment etc.). In some countries, authorities or third parties may seek to discredit human rights defenders by branding them as agents of other states, as outside political groups, or harmful or immoral influences.

The mission must also consider whether intervention could have negative consequences for the human rights defender's work. The mission should maintain a close dialogue with the person or group concerned to establish what the best form of reaction would be in each case, either directly or through partners.



### **Box 2.2 Checklist for risk assessment**

- Is the defender/organisation currently facing threats or accusations in connection with their work?
- What caused the threats (i.e. specific incidents or meetings)? Did the defender face reprisals after participating in international events or for meeting with diplomatic missions or representatives of international organisations?
- Has the defender/organisation received threats or faced harassment previously? If so, what kind of threats? How were they carried out? Who are the alleged perpetrators of the threats?
- Is there a link between the suspected perpetrator and national authorities and/or armed groups?
- What is the general environment in the country like for human rights defenders? Is the defender from a particularly marginalised or vulnerable group? Do human rights defenders who report on human rights violations to international human rights bodies experience threats, harassment or attacks?
- How do the police and security forces respond to threats against human rights defenders? Do they investigate threats and/or offer protection?
- Are there other accessible local/national protection mechanisms, or civil society organisations that offer protection assistance?

## 2.3 Regular contact and exchange of information with human rights defenders

Our cooperation with and support to civil society often enable us to establish regular contact with human rights defenders. This contact provides useful insight into the political, economic, social and humanitarian situation, and other issues. Direct contact is also the best source of information about human rights defenders' situation and helps build trust, which can be important in situations where they are under pressure.

By engaging with human rights defenders, the mission makes it clear that they recognise them and their work. Visibility and recognition from the international community may contribute to protection but may also increase exposure.

Keep an open dialogue with human rights defenders on the consequences of different forms of contact. Effective measures may include:

- Inviting human rights defenders to meetings at the mission or at a more neutral meeting place.
- Inviting human rights defenders and civil society to brief the mission and likeminded missions on their situation and/or the human rights situation in a specific context, nationally or in the region.
- Inviting human rights defenders to events organised by the mission.
- Facilitating meetings between human rights defenders, civil society and Norwegian businesses active in the country.
- Visiting human rights defenders at their place of work, and/or taking part in visits to their projects and partners.
- Taking part in seminars, meetings and events organised by human rights defenders, also in rural and marginalised areas.
- Establishing meeting places or support seminars for human rights defenders with a view to competence-building and strengthening contact between them.

- Showing support for human rights defenders publicly, for example in the media or on social media, if they consider this useful and safe.

### **Box 2.3 Secure communication**

Human rights defenders may be at risk of digital surveillance. It is important to ensure that communication between the mission and human rights defenders is secure.

The mission needs to consider what means of communication is most secure. Ideally end-to-end encrypted services are preferable. The choice of communication should always be decided jointly with the human rights defenders. In cases that also involve dialogue between the mission and the Ministry, the mission must consider the appropriate means of communication with the Ministry.

## **2.4 Regular contact with the authorities**

The situation of human rights defenders may be raised with the authorities both in informal dialogue and in formal political talks. Establishing contact with the relevant authorities about the situation for human rights defenders can also facilitate access for dialogue in critical cases. It can be useful to coordinate this with other like-minded countries.

Regular contact with the authorities is also encouraged to follow up our recommendations on the situation for human rights defenders in the Universal Periodic Review.

### **Box 2.4 State duties and best practices**

States are responsible for creating a safe and enabling environment, including, *inter alia*, to:

- Ensure that national legislation is in line with international obligations.
- Ensure that all internal security officials, including the police, receive human rights training.
- Protect against human rights abuses committed by non-state actors.
- Refrain from undue restrictions on citizens' exercise of human rights.
- Investigate threats and attacks against human rights defenders and ensure that those responsible for such attacks are prosecuted. This also applies to non-governmental actors who may be responsible for attacks.

The authorities should also:

- Publicly acknowledge the positive role and work of human rights defenders.
- Provide access to draft legislation and meaningful opportunity for the public, including civil society and human rights defenders, to provide input. In particular, civil society and human rights defenders should have the opportunity to provide input to draft laws on issues affecting them, for example regulation of registration, operation and financing of civil society organisations.
- Support the role of national human rights institutions in protecting human rights defenders.
- Invite the UN Special Rapporteur on the situation for human rights defenders and other relevant special procedures to visit the country.

## 2.5 Reaction to the authorities in critical cases

In critical situations, where the life, health or work of a human rights defender or their family is threatened, the mission should consider expressing its concern to the country's authorities. The following measures are possible if informal dialogue is not appropriate or successful:

- Formal enquiries
- Official meetings
- Official protest (démarche). Approval from the Ministry is required.
- Official statements, such as a press release. Approval from the Ministry is required.

The mission must examine and verify the facts thoroughly before deciding to issue a démarche or official public statement. The planned reaction must be considered together with human rights defenders and local organisations. The mission should always seek the consent of the human rights defender, or – in cases where direct contact is not possible – from close family or legal representatives.

In many cases, it is preferable to work together with likeminded countries, especially the Nordic countries. The need for a rapid decision may make it expedient for Norway to react independently. The mission must consider the overall situation in terms of what would be safest and most appropriate in the situation and for the individual human rights defender.

The mission may also suggest individual cases to the Ministry and diplomatic missions to international organisations, which could be raised in multilateral arenas in which Norway participates.

After issuing a démarche, the mission must report to the Ministry on the effect. This includes giving its view as to whether the protest should be published.

When a reaction concerning a human rights defender has been expressed to the authorities in the country concerned, the human rights defender and their family members should be informed.

### **Box 2.5 Interference in domestic affairs**

Some states and governments consider human rights issues to be domestic concerns. However, the human rights situation in countries has long been recognised as having international significance, for example in the UN Charter and the Helsinki Final Act. As a State Party to several human rights conventions, Norway expects compliance of other State Parties. This expectation also entails raising our concerns with the relevant states.

Norwegian diplomatic missions are also encouraged to have an open dialogue with everyone, including both authorities and civil society. Under article 3 of the Vienna Convention on Diplomatic Relations, the functions of a diplomatic mission consist, *inter alia*, in ascertaining by all lawful means conditions and developments in the receiving state, and reporting thereon to the government of the sending state.

## **2.6 Publicity and public statements**

Drawing national and international attention to the situation of human rights defenders may provide protection. The media (local papers, press conferences, radio) and other relevant channels of communication (the mission's website and/or social media accounts) can be an effective tool to increase visibility and show support for human rights defenders and their work.

Public messaging may also be used to draw attention to and increase protection in cases where human rights defenders are at risk. However, greater exposure may instead increase the risk. Security implications need to be considered in close dialogue with the concerned parties.

The mission may also consult the Ministry about the appropriate channel. In some instances, it may be preferable that tweets or statements are made by the Ministry.

## 2.7 Observation of peaceful demonstrations and protests

The right to peaceful assembly is one of the fundamental pillars of civic space, and closely related to the rights to freedom of expression and freedom of association. It includes the right to hold meetings, sit-ins, strikes, rallies, events or protests, both offline and online. Peaceful assembly is an important vehicle for the public to express their views and opinions.

The mission is encouraged to monitor peaceful assemblies. Peaceful assembly is an important means for human rights defenders to express demands, mobilise public support and raise awareness. Observation may provide first-hand information about size, demands and the response from authorities. The mission must always consider the safety and security of diplomats in advance.

Information on what the right to peaceful assembly entails in practice, including from States, is available in [General Comment No. 37](#) issued by the Human Rights Committee. The OSCE Office of Democratic Institutions and Human Rights together with the Council of Europe's European Commission for Democracy through Law (Venice Commission) have also issued [Guidelines on Freedom of Peaceful Assembly](#) that may be helpful.

## 2.8 Observation of court cases

Diplomatic attendance at court cases – trials and hearings – demonstrates support for the individual (or group) and is an expression of concern. The mission should establish the procedure for informing or requesting the permission of the responsible authorities to attend court cases. Attendance enables the mission to observe whether due process and fair trial guarantees are respected. It is also a helpful means of gaining up-to-date information in cases of interest. Attendance – or requesting permission to attend if it is refused – will also draw international attention to the individual case. This may contribute to improved conditions.

Missions are encouraged to organise diplomatic attendance at court hearings if attendance is considered a relevant measure. Trial monitoring requires resources and likeminded missions should thus consider taking turns and coordinating their attendance. Coordination with likeminded missions fosters information sharing and allows the diplomatic community to cover a variety of trials.

The mission should inform and consult with the Ministry in advance if observation of a court case is deemed relevant.

## **2.9 Prison visits and visits to persons under house arrest**

Visiting – or requesting permission to visit – human rights defenders in detention or under house arrest demonstrates solidarity and support. International attention can also lead to improved conditions in detention and/or early release. In cases where visits to detained human rights defenders is not possible, it may be appropriate to visit the family of an imprisoned or detained human rights defender. Human rights defenders in long-term detention may merit particular consideration.

Requesting a visit will express concern to the state in question. Visiting, or requesting to visit imprisoned or detained persons may give rise to reactions from local authorities, either towards the mission or towards the defender and/or their family. The potential impact must be considered in consultation with the Ministry in advance.

## **2.10 Economic support to human rights defenders**

Providing support for human rights activities is a part of bilateral development cooperation. The mission may invite applications from human rights organisations to support them financially under relevant budget items. Grants may be awarded to support human rights projects, networks of human rights defenders, security training, legal

aid, insurances or other relevant activities provided they are in line with priorities and grant scheme rules.

Economic support from international actors can, in some cases, expose human rights defenders and be used to undermine their work and credibility. The mission should coordinate economic support with likeminded donor countries. The mission may also consider the need to prepare public messages in case of attempts to discredit the support and/or grant recipients.

The Ministry also supports several organisations and funds with the aim of supporting human rights organisations and defenders locally and regionally. The mission may direct applicants to apply for funding from relevant organisations and mechanisms (see appendix B).

## 2.11 Cooperation with the UN and other international organisations

The UN and other international organisations also have an important role and mandate in protecting human rights. The UN has its own [Guidance Note on the Protection and Promotion of Civic Space](#), which includes relevant steps to strengthen the protection of human rights defenders. The guidance note is valid for all UN agencies, including at country level.

Other international and regional organisations may also be of interest where they are represented. The mission should map and establish contact with the organisations that have a presence in the country. For example, the OSCE follows up work on human rights defenders through missions and offices at country level, mostly in the Balkans and Central Asia.

## 2.12 Cooperation with likeminded countries

It is useful to cooperate with diplomatic missions from other likeminded countries, and in particular the Nordic countries. Human rights forums are a useful format for sharing information on the general situation for human rights defenders, as well as individual cases. It is also useful to coordinate involvement and dialogue with authorities. Where no such forums exist and when relevant, the mission should take the initiative to develop such a forum.

## 2.13 Cooperation with national human rights institutions

National human rights institutions have been established in several countries in line with the Paris Principles on National Human Rights Institutions. National human rights institutions are mandated to promote and protect human rights in their respective countries. They can be important sources of information, especially when they are independent. The mission is encouraged to collaborate with them.

The [Global Alliance of National Human Rights Institutions](#) (GANHRI) is responsible for [accreditation](#) of NHRIs through a peer review system that assesses their compliance with the Paris Principles. In the [Marrakech Declaration](#), national human rights institutions acknowledge the important role of human rights defenders.

## 2.14 Contact with Norwegian enterprises (the Transparency Act)

States' obligation to protect against human rights abuse within their territory and/or jurisdiction by third parties includes abuses committed by business enterprises. All business enterprises are also expected to respect human rights. The [UN Guiding Principles on Business and Human Rights](#) (UNGPs) alongside the [OECD Guidelines for Multinational Enterprises on Responsible Business Conduct](#) are the global standards for preventing and addressing the risk of

adverse impacts on human rights linked to business activity. They provide the internationally accepted framework for enhancing standards and practices regarding business and human rights.

In Norway, the international frameworks are reflected in the *Act relating to enterprises' transparency and work on fundamental human rights and decent working conditions* ([the Transparency Act](#)) which became effective in 2022. The law requires larger enterprises to conduct due diligence with respect to the risk of adverse impacts on human rights and working conditions in their operations, business partners and supply chains. The due diligence assessment must be in line with the OECD Guidelines. The law also requires reporting on due diligence and gives the public a right to information regarding how enterprises address adverse impacts on human rights and decent working conditions. The Transparency Act applies to larger enterprises that are resident in Norway and that offer goods or services in or outside Norway. It also applies to larger foreign enterprises that offer goods and services in Norway, and that are liable to tax to Norway.

The mission should assist Norwegian enterprises with information on the national context and relevant laws and regulations. Civil society and human rights defenders are important sources of information. The mission may facilitate dialogue and organise meetings or seminars between Norwegian enterprises and relevant stakeholders, including human rights defenders. The Norwegian Consumer Authority (*Forbrukertilsynet*) monitors compliance with the provisions of the Act.

## 2.15 Visa

Human rights defenders may need visas for several reasons, including to travel to seminars, events and conferences. In order to be issued a visitor's visa to the Schengen area (a Schengen visa), a person must fulfill certain criteria, set out in the Schengen Visa Code, including concrete plans to travel and a clear intention to leave the Schengen area before the expiry of the visa (maximum 90 days after entry). In cases where the applicant does not fulfill the criteria in the Visa Code, Norwegian diplomatic missions will not be able to issue a Schengen visa. In certain cases, the Directorate of Immigration (UDI)

may approve an application for a national visa, valid only for Norway. Such a visa is also valid for a maximum of 90 days and is issued on the presumption that the applicant leaves Norway before the visa expires. Information about the visa and residence permit application procedure can be found on the Norwegian embassies website.

## 2.16 Acute need for protection

From time to time, situations arise where human rights defenders and/or their family members are at serious risk of death or injury. Involvement in such cases is politically sensitive and requires thorough preparation and careful consideration by the mission.

The mission should cooperate with international organisations, civil society and likeminded countries locally. Local and regional protection mechanisms may be available, in addition to international protection schemes (appendix C).

### 2.16.1 Need for short-term protection

Sometimes it may be necessary to provide short-term protection in a safe house or refuge. In such cases, it is often advantageous to cooperate with the regional networks of human rights defenders as well as with the diplomatic missions of likeminded countries.

In certain cases, it may be appropriate to provide financial support or practical assistance to enable the person concerned to move to another part of the country or even to another country in the region. Front Line Defenders and the Lifeline fund may also provide emergency funding and relocation advice.

### 2.16.2 Need for more long-term protection

Persons who need to move to another country for reasons of protection should be referred to the UN High Commissioner for Refugees (UNHCR) if it is represented in the country of refuge. In exceptional cases, it may be appropriate to help a human rights defender to obtain the right to reside in Norway. Residence may only be granted within the framework of Norwegian immigration law.

Normally, an application for asylum or residence on humanitarian grounds must be submitted by a person who is already in Norway. However, refugee status may be granted without the person being in Norway, on the condition that the person is registered as a refugee with the UNHCR.

In accordance with section 35 of the Immigration Act, diplomatic missions may in exceptional cases request that persons are granted an entry permit to Norway. The conditions are that the person concerned is in danger, the Norwegian criteria for asylum are met, and that the case is of significance to Norwegian interests. In certain cases, human rights defenders may meet these criteria. See the guidelines set out in [circular GI-13/2010 from the Ministry of Justice](#) (in Norwegian only).



### **Box 2.6 Checklist in the event of urgent need for protection**

This checklist shall help ascertain the situation for human rights defenders, and to identify local and regional measures to support human rights defenders in urgent need of protection. To protect the human rights defender(s) concerned, it is crucial that this information is treated confidentially and in accordance with the GDPR.

1. **Who:** Name of individual, group or organisation and contact information. For individuals: Gender, age, nationality, occupation.
2. **What and where:** What kind of human rights activities are the human rights defenders engaged in? In which town, city or region are they working?
3. **Type of incident:** Describe abuse or threats in chronological order. If, for example, the person was imprisoned, what rights did they have (access to a lawyer, visits from family, access to medicines and/or medical assistance) and what were the general conditions like in prison? What did the imprisonment lead to (charge, court case)?
4. **Connection between the incident and the victim's human rights activities:** Is there reason to assume that the incident is a reaction to the victim's human rights activities? Have there been previous incidents or threats? Have others in a similar situation been subject to abuse?
5. **Alleged perpetrator:** Government or non-governmental actor? Note details of the person(s) believed to be responsible (number, gender, title, name). Were there any witnesses?
6. **Reaction from the authorities:** Has the incident been reported to the authorities, and if so by whom? What was the authorities' response? Is information about the incident publicly available?
7. **Reaction from other actors:** Have other actors (diplomatic missions, international organisations or civil society) reacted? What has been their response?
8. **Source:** If relevant, indicate who has provided the embassy with this information.
9. **Contact with the embassy:** Does the embassy already know the human rights defender? If so, what contact has there been?
10. **Recommended action(s):** What risk assessments have been made? What can the embassy do? Are there other actors that the embassy should consider collaborating with?
11. **Results of action(s):** Positive and negative consequences (new contacts, new incidents of abuse, security assessments, relations with the authorities, situation for the human rights defender's family).
12. **Updates:** Remember to update information if the situation changes.



### **3. Guidelines for diplomatic missions to international organisations**

Supporting human rights defenders' access to and cooperation with international organisations is a priority for Norwegian missions to international organisations. International organisations, both global, such as the UN, and regional, such as the Council of Europe and the OSCE, play a key role in supporting human rights defenders directly and by providing the normative framework for their work. Human rights defenders in turn assist these organisations in fulfilling their mandates.

Supporting human rights defenders in multilateral arenas is an important part of Norway's overall efforts. Below are some measures diplomatic missions to international organisations may consider. In addition, section 2.2 on risk assessment and section 2.6 on publicity and public statements are also valid.

#### **3.1 Regular contact with human rights defenders**

The mission should facilitate contact with civil society and human rights defenders from different countries when they visit international organisations or participate in multilateral arenas. The mission's direct contact and meetings with human rights defenders increase their visibility and show support for their right to participate in relevant international arenas, in addition to providing useful information about the country situation. Effective measures include:

- Inviting human rights defenders to meetings and events at the mission.
- Consulting with human rights defenders on country-specific initiatives within the framework of the organisations, including for example resolutions and joint statements.
- Supporting the participation of human rights defenders and civil society in multilateral arenas.
- Taking part in meetings, conferences, seminars, and side events where human rights defenders participate or have speaking roles.
- Showing public support, for example in the media or on social media.
- Identifying security measures in case of reprisals.

Diplomatic missions to international organisations should maintain close contact with the relevant bilateral missions and country desks.

## 3.2 Regular contact with international organisations

The mission should maintain an ongoing dialogue with the organisations about their efforts to support human rights defenders within their mandates. Promotion and protection of human rights are included in the mandates of several international organisations, including regional ones like the Council of Europe, the OSCE, the EU, the African Union, the Organisation of American States and ASEAN.

International organisations should address instances of reprisals against human rights defenders for cooperating with the organisations. This can include for example reporting on and developing responses to cases of reprisals.

### 3.3 Resolutions and statements in multilateral arenas

Norway is the penholder on the resolutions on the situation of human rights defenders in the UN Human Rights Council and the General Assembly. Norway presents substantial resolutions in the Human Rights Council every third year, and every second year in the General Assembly. Norway is also the penholder on the resolution on the mandate of the Special Rapporteur on Human Rights Defenders, which is renewed every three years in the Human Rights Council.

Norway promotes and supports language recognising human rights defenders and their need for protection in other UN resolutions and negotiated documents in other international organisations when relevant.

The situation of human rights defenders may be raised in Norway's statements, including at the UN, the OSCE and the Council of Europe, as well as other multilateral arenas where Norway participates. The situation for human rights defenders is a priority in Norway's comments and recommendations in connection with the Universal Periodic Review in the UN Human Rights Council.

### 3.4 Raising individual cases in multilateral arenas

In particular instances, expressing concern for the treatment of individual human rights defenders in multilateral arenas through national statements or joint statements with others could be considered. Both bilateral and multilateral missions may suggest cases to the Ministry. Bilateral missions are encouraged to be in contact with relevant multilateral missions. Multilateral missions should consult bilateral missions when civil society organisations ask them to work on individual cases.

The risk of reprisals needs to be considered when raising individual cases in multilateral arenas. The likelihood of positive developments in the case resulting from the action, or preventing deterioration, should also be considered. The mission needs to be in close dialogue with the human rights defender directly or via civil society before and after the statement.



## 4. The role of the Ministry of Foreign Affairs

The Ministry of Foreign Affairs has the overall responsibility for formulating and implementing policies related to human rights, including human rights defenders. Country desks are the primary point of contact on all country-specific issues. The Section for Human Rights, Democracy and Gender Equality assists on request and should contribute to consistency and quality in human rights positions and responses.

### 4.1 Division of labour and responsibilities in the Ministry

#### 4.1.1 **Department for Regional Affairs / Department for Security Policy and the High North / Department for European Affairs and Trade Policy:**

- Responsible for the bilateral relationship including, when relevant, efforts to support human rights defenders at country level.
- Primary point of contact for questions from Norwegian missions abroad regarding support to human rights defenders, including responsibility for approving démarches and public statements proposed by the missions.
- Responsible for coordinating cases concerning individuals in cooperation with the relevant Norwegian mission abroad. Coordinates with the Section for Human Rights, Democracy and Gender Equality and the Communication Unit.
- Responsible for considering which human rights issues to raise during political meetings or visits.

- Considers organising meetings with relevant Norwegian NGOs before and after political visits.
- When planning political visits, consideration should be given to organising meetings with representatives of local civil society and human rights defenders.
- When applicable, prepares bilateral consultations on human rights together with the Section for Human Rights, Democracy and Gender Equality.

#### **4.1.2 Section for Eastern Europe, Central Asia and Regional Organisations**

- Coordinates Norway's work in the Organisation for Security and Cooperation in Europe.

#### **4.1.3 Section for Human Rights, Democracy and Gender Equality:**

- Thematic responsibility for support to human rights defenders globally.
- Supports country desks and embassies on request and contributes to consistency in human rights positions and responses, including in urgent cases.
- Coordinates Norwegian policy and initiatives on human rights defenders at the UN in consultation with relevant country desks and other relevant Ministry sections and diplomatic missions.
- Coordinates Norway's work in the UN Human Rights Council in Geneva and the Third Committee of the UN General Assembly in New York.
- Coordinates Norway's work in the Council of Europe.
- Develops and provides an internal training course in collaboration with the Foreign Service Institute (UKS).
- Facilitates information sharing between missions on supporting human rights defenders.
- Maintains and updates the internal resource on human rights defenders.

#### **4.1.4 Section for Humanitarian Affairs**

- Coordinates the tasks assigned to the Ministry as regards the processing of cases submitted by a Norwegian embassy in accordance with section 35 of the Immigration Act.

#### **4.1.5 Section for Business Promotion and Green Transition**

- Coordinates the Ministry's work on responsible business conduct, and is the Ministry's contact point for questions about the Transparency Act.

#### **4.1.6 Norwegian National Contact Point for Responsible Business Conduct**

- Promotes the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct and contributes to the resolution of issues that arise relating to the implementation of the Guidelines.

#### **4.1.7 The regional hub missions for Immigration Affairs**

- The responsibility for Immigration cases in the Foreign Service is regionalised to 11 hub missions. Depending on an applicant's country of residence, the relevant hub mission may be consulted with questions regarding visa policy and application procedures.
- The following are hub missions: Abu Dhabi, Accra, Amman, Ankara, Bangkok, Beijing, London, Nairobi, New Delhi, New York and Pretoria.

## 5. Annexes

### 5.1 Appendix A: International human rights treaties and treaty bodies

Adopted	Treaty	Treaty Body
Core UN human rights treaties		
1965	<a href="#">International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</a>	<a href="#">Committee on the Elimination of Racial Discrimination (CERD)</a>
1966	<a href="#">International Covenant on Civil and Political Rights (ICCPR)</a>	<a href="#">Human Rights Committee</a>
1966	<a href="#">International Covenant on Economic, Social and Cultural Rights (ICESCR)</a>	<a href="#">Committee on Economic, Social and Cultural Rights (CESCR)</a>
1979	<a href="#">Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)</a>	<a href="#">Committee on the Elimination of Discrimination against Women (CEDAW)</a>
1984	<a href="#">Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)</a>	<a href="#">Committee Against Torture (CAT)</a>
1989	<a href="#">Convention on the Rights of the Child (CRC)</a>	<a href="#">Committee on the Rights of the Child (CRC)</a>

Adopted	Treaty	Treaty Body
1990	<a href="#">International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW)*</a>	<a href="#">Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW)</a>
2006	<a href="#">Convention on the Rights of Persons with Disabilities (CRPD)</a>	<a href="#">Committee on the Rights of Persons with Disabilities (CRPD)</a>
2010	<a href="#">International Convention for the Protection of All Persons from Enforced Disappearance (CPED)</a>	<a href="#">Committee on Enforced Disappearances</a>
Regional human rights treaties**		
1950/1959	<a href="#">European Convention on Human Rights</a>	<a href="#">European Court of Human Rights</a>
1969	<a href="#">American Convention on Human Rights</a>	<a href="#">Inter-American Commission on Human Rights (IACHR)</a>
1986	<a href="#">African Charter on Human and Peoples' Rights</a>	<a href="#">The African Commission on Human and Peoples' Rights (ACHPR)</a>  <a href="#">African Court on Human and Peoples' Rights (AfCHPR)</a>

\* Norway has not acceded to this convention.

\*\*The [ASEAN Human Rights Declaration](#) is not legally binding.

## 5.2 Appendix B: List of organisations and sources of information

### 5.2.1 UN including special procedures:

- [UN Office of the High Commissioner for Human Rights \(OHCHR\)](#). OHCHR also tracks country-specific information: [UN Status of Ratification](#), and [UN Treaty Collection](#).
- [OHCHR also publishes annual reports on cases of reprisals for cooperating with the UN](#).
- The [UN Special Rapporteur on human rights defenders](#) publishes [annual reports](#) on the situation for human rights defenders, including individual cases.
- Other [Special Procedures of the Human Rights Council](#).
- [Universal Periodic Review](#). [UPR info](#) provides an overview of previous recommendations.
- [International Labour Organization](#).
- [UNESCO's information on the safety of journalists](#).

### 5.2.2 Regional organisations and mechanisms:

- [African Commission on Human and Peoples' Rights](#): The commission has its own mandate for a [Special Rapporteur](#) on human rights defenders in Africa.
- The [Inter-American Commission on Human Rights](#) has its own [rapporteurship](#) on human rights defenders and justice operators.
- The [Council of Europe](#) has a [Commissioner for Human Rights](#).
- There is a [Special Rapporteur](#) under the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) on environmental defenders.
- [The Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights \(ODIHR\)](#) supports [human rights defenders](#). See also OSCE guidelines on the Protection of Human Rights Defenders in appendix D, and a [compilation of all OSCE human rights commitments](#).
- [ASEAN Intergovernmental Commission on Human Rights \(AICHR\)](#)

### **5.2.3 Norwegian civil society organisations with a particular focus on human rights defenders:**

- [Amnesty International Norway](#)
- [Human Rights House Foundation \(HRRF\)](#)
- [The Norwegian Helsinki Committee](#)
- [The Norwegian Human Rights Fund \(NHRF\)](#) provides small-scale grants to local human rights organisations.
- The [Rafto Foundation](#)
- [SAIH](#): Norwegian Students' and Academics' International Assistance Fund.
- [FRI – The Norwegian Organization for Sexual and Gender Diversity](#).
- [PEN Norway](#)

### **5.2.4 Examples of international civil society organisations with a particular focus on human rights defenders:**

- [AfricanDefenders](#): Pan-African Human Rights Defenders Network.
- [Amnesty International](#)
- [Asian Forum for Human Rights and Development \(FORUM-ASIA\)](#)
- [Civicus](#)
- [Civil Rights Defenders](#)
- [Committee to Protect Journalists \(CPJ\)](#)
- [DefendDefenders](#): East and Horn of Africa Human Rights Defenders Project
- [Freedom House](#)
- [Front Line Defenders](#) (The International Foundation for the Protection of Human Rights Defenders): Runs a hotline service for human rights defenders, issues urgent appeals and provides emergency support. See also the yearly global analysis.
- [Human Rights First](#)
- [The International Center for Not-for-Profit Law \(ICNL\)](#)
- [International Federation for Human Rights](#): Publishes annual reports on the situation of human rights defenders in a number of countries.
- [International Service for Human Rights](#): Provides advocacy training and support for human rights defenders including towards UN and other international organisations.
- [Peace Brigades International](#): Can escort and protect human rights defenders in critical situations.

- [People in Need](#)
- [SouthernDefenders](#): Southern Africa Human Rights Defenders Network.
- [World Organisation Against Torture \(OMCT\)](#): Issues urgent appeals and provides emergency support.

### 5.2.5 Other relevant sources:

- [The Norwegian Ministry of Foreign Affairs' webpage on human rights defenders](#)
- Local human rights defenders. National and regional networks of human rights defenders.
- Independent national human rights institutions. [Home - GANHRI](#)
- UN offices in the country, in particular the Office of the United Nations High Commissioner for Human Rights (OHCHR), and/or UN human rights advisers.
- Reports and recommendations from the UN human rights system, in particular the [Special Rapporteur on the situation of human rights defenders](#), and the [country's own Universal Periodic Review under the Human Rights Council](#)
- Other countries' diplomatic missions.
- Reports and recommendations from regional organisations for example the Council of Europe and the OSCE.
- National public institutions (ministries, ombudsmen, commissions, etc.), national research institutions and universities.
- Speeches and addresses by the authorities in national and international forums.
- Reports on human rights in the local media and international press.
- Norwegian and international human rights organisations working in the country in question.
- [Freedom House: Freedom in the World Report](#): Annual report tracking global trends in political rights and civil liberties.
- [Freedom House: Freedom on the Net Report](#): Annual report on internet freedom.
- [Varieties of Democracy \(V-Dem\) Reports](#): Produces the largest global dataset on democracy.

## 5.3 Appendix C: Examples of international protection mechanisms

- The [United Nations Special Rapporteur on the situation of human rights defenders](#): At-risk human rights defenders may contact the mandate directly.
- [Dignity for All: LGBTQI+ Assistance Program](#): Provides emergency assistance, advocacy funding and security support to human rights defenders and civil society organisations under threat or attack due to their work for LGBTQI+ rights.
- [Front Line Defenders](#) (the International Foundation for the Protection of Human Rights Defenders): Runs a hotline service for human rights defenders, issues urgent appeals and provides emergency support.
- [ICORN international cities of refuge network](#) (Fribynetttverket): Offers protection to persecuted speakers/artists, for example writers, poets and journalists, based on applications.
- [LIFELINE: embattled CSO assistance fund](#): Provides financial support to civil society organisations under pressure. Organisations can seek support directly for various purposes, including support in emergencies, to strengthen the ability to resist pressure, or the ability to influence.
- [Oslo as a Breathing Space City for human rights defenders](#).
- The [Students at Risk \(StAR\)](#): Programme gives students, who have experienced persecution, threats or expulsion from their higher education institution because of their peaceful activism for human rights and democratic change, a chance to finish their education abroad.
- [Scholars at Risk \(SAR\)](#): Protects scholars suffering grave threats to their lives, liberty and well-being by arranging temporary research and teaching positions at institutions in their network as well as by providing advisory and referral services.
- [Shelter City](#): A movement of cities, institutions and people that offer human rights defenders temporary relocation
- [ProtectDefenders.eu](#): The EU human rights defenders mechanism includes a helpdesk, emergency grants and relocation support.

- [Urgent Action Fund](#): Supports women human rights defenders.
- The Women’s Peace and Humanitarian Fund’s [Window for Women Human Rights Defenders](#): Includes a safety net stream and an advocacy stream.

## 5.4 Appendix D: Countries and organisations with guidelines to support human rights defenders

- [Canada](#)
- [EU](#)
- [Finland](#)
- [OSCE](#)
- [Switzerland](#)
- Ireland
- [UK](#)
- [USA](#)
- [UN](#)

## 5.5 Appendix E: Other guidelines and policy documents on human rights and gender equality issued by the Norwegian Ministry of Foreign Affairs

- Action plan for women’s rights and gender equality.
- Action plan: Women, Peace and Security (2023–2030).
- [Strategy for promoting freedom of expression in Norwegian foreign and development policy.](#)
- [Guidelines on freedom of religion or belief.](#)
- [Guidelines on human rights, sexual orientation and gender identity.](#)
- [Guidelines on promoting indigenous peoples’ rights.](#)
- [Guidelines on promoting abolition of the death penalty.](#)
- [Guidelines on sexual and reproductive health and rights](#)





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