



Doc. 12957 – Compendium of written amendments

(Final version)

The situation of human rights defenders in Council of Europe member States

Contents	Page
A. Draft Resolution	2

A. Draft Resolution

1. The Parliamentary Assembly pays tribute to human rights defenders, whose dedicated and selfless work is highly appreciated. Regrettably, in some member States of the Council of Europe, they risk their own personal security, especially when they champion sensitive issues such as fighting the impunity of State officials for serious crimes including murder, torture and corruption or promoting the rights of oppressed minority groups.
2. The Assembly welcomes the fact that, in most member States, human rights defenders are able to work unimpeded and enjoy the protection of the law.
3. It strongly condemns all attacks on human rights defenders that have nevertheless occurred, irrespective of whether they were carried out by agents of the State or others. It deplores the fact that some of the most serious attacks on human rights defenders in some countries, including murders, abductions, and torture, have still not been properly investigated.
4. The Assembly recalls its Resolution 1660 (2009) on the situation of human rights defenders in Council of Europe member States and the Committee of Ministers' Declaration on Council of Europe action to improve the protection of human rights defenders and promote their activities, of 6 February 2008. It recalls that the responsibility for promoting and protecting human rights defenders lies first and foremost with States.
5. The Assembly therefore calls on the member States of the Council of Europe to:
 - 5.1. ensure full observance of the human rights and fundamental freedoms of human rights defenders as guaranteed by the European Convention on Human Rights (ETS No. 5);
 - 5.2. put an end to any harassment of human rights defenders and ensure, in all circumstances, that they are able to carry out their activities without any hindrance, reprisals or threat thereof;

Amendment 2

Tabled by Ms Mailis REPS, Mr Klaas de VRIES, Mr Christoph STRÄSSER, Mr Serhii KIVALOV, Mr Mevlüt ÇAVUŞOĞLU

In the draft resolution, paragraph 5.2, before the word "harassment", insert the following words: "administrative, fiscal or judicial".

Amendment 4

Tabled by Mr Leonid KALASHNIKOV, Mr Sergey KALASHNIKOV, Ms Svetlana GORYACHEVA, Mr Alexander SIDYAKIN, Ms Nadezda GERASIMOVA, Mr Vladimir ZHIDKIKH, Mr Yuriy SHAMKOV

In the draft resolution, paragraph 5.2, after the word "activities", insert the following words: "in accordance with international human rights standards and the national legislation of the country where they work".

Amendment 1

Tabled by Ms Marietta de POURBAIX-LUNDIN, Mr Björn von SYDOW, Mr Andrej HUNKO, Mr Jonas GUNNARSSON, Mr Kent HÄRSTEDT, Ms Kerstin LUNDGREN, Ms Tina ACKETOFT, Mr Mikael CEDERBRATT, Mr Andres HERKEL, Mr Andreas GROSS

In the draft resolution, after paragraph 5.2, insert the following paragraph:

"facilitate the visa issuing process for human rights defenders during periods of intense disturbances and extreme violence in their country of residence;"

- 5.3. create an enabling environment for their work, including appropriate infrastructures and assistance programmes for defenders at risk;
- 5.4. comply with international instruments on human rights defenders, especially the United Nations "Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms" and the "Declaration on Council of Europe action to improve the protection of human rights defenders and promote their activities";
- 5.5. put an end to the impunity of perpetrators of violations against human rights defenders, in line with the Guidelines of the Committee of Ministers on eradicating impunity for serious human rights violations;
- 5.6. stop accusing human rights defenders of being extremists or agents of foreign powers and subjecting them to administrative, fiscal and judicial harassment;

Amendment 5

(If adopted, amendment 3 falls)

Tabled by Mr Leonid KALASHNIKOV, Mr Sergey KALASHNIKOV, Ms Svetlana GORYACHEVA, Mr Alexander SIDYAKIN, Ms Nadezda GERASIMOVA, Mr Vladimir ZHIDKIKH, Mr Yuri SHAMKOV

In the draft resolution, replace paragraph 5.6 with the following paragraph:

"avoid groundless accusations against human rights defenders of being extremists or agents of foreign powers, as well as their unfounded administrative, fiscal and judicial harassment;"

Amendment 3

(Falls if amendment 5 is adopted)

Tabled by Ms Mailis REPS, Mr Klaas de VRIES, Mr Christoph STRÄSSER, Mr Serhii KIVALOV, Mr Mevlüt ÇAVUŞOĞLU

In the draft resolution, paragraph 5.6, after the words "foreign powers", replace the words "and subjecting them to administrative, fiscal and judicial harassment" by the following words: "unless there exists compelling evidence to this effect".

- 5.7. encourage and support the development of vibrant civil societies and provide public recognition for the work of human rights defenders.
6. The Assembly calls on national parliaments and their members to ensure that:
 - 6.1. legislation relating to human rights defenders and their work is in conformity with international standards, and to refrain from adopting laws imposing undue restrictions and administrative burdens on human rights defenders, or if appropriate to repeal such laws;
 - 6.2. human rights NGOs and defenders are involved in the process of drafting legislation concerning them through proper public consultations.
7. The Assembly recognises the crucial role played by the Council of Europe Commissioner for Human Rights in protecting and supporting human rights defenders and reiterates its willingness to pursue its co-operation with him.