

Joint Statement: International Civil Society Organisations call for an effective and enabling EU Visa framework for At-Risk Human Rights Defenders

An initiative of ProtectDefenders.eu, the EU Human Rights Defenders Mechanism implemented by international civil society

Human rights defenders have the right to carry out their legitimate work safely and to access support and protection when they are at risk, especially those who operate in the most difficult contexts. Their **right to defend rights has been systematically enshrined by the European Union** in its political guidelines, and statements, as well as in its financial programming and external actions. In fact, the **European Union is a leading actor in the promotion and protection of human rights in the world** and it is regarded by the human rights defenders' community as an invaluable source of empowerment and legitimacy.

Human rights **defenders often carry out their work at great personal risk**, and increasingly face killings, attacks, threats, and acts of intimidation because of their peaceful activities, in addition to being subjected to repression, restrictive legislation, and judicial harassment. For these at-risk human rights defenders, the possibility of **accessing a visa to a European territory emerges as an essential security and protection tool**, which empowers them to carry out their activities in their countries in a more secure and protected way. Visas and multiple-entry **visas are widely regarded by the international human rights defenders community as a vital element of a comprehensive security strategy**, one that enables defenders to consider the possibility to move in and out of their country in a way that allows them to manage the level of risk that they face as a result of their work, and to continue to work in their communities without forcing them to resort to permanent asylum paths when facing aggravated threats. However, despite political commitments and existing guidelines, the EU and its member states' stated support for **human rights defenders is not consistent with the current EU visa policies and practices, as human rights defenders at risk around the world lack consistent procedures to effectively and predictably access visas for the EU territory.**

The community in support of human rights defenders, including the Consortium of organisations implementing the European Union Human Rights Defenders mechanism **ProtectDefenders.eu, have systematically noted and documented with great concern the numerous, diverse, and blatant obstacles for defenders to access EU visas.** ProtectDefenders.eu - which has supported 45,000+ human rights defenders and civil society organisations to continue their work in the most difficult situations since 2015 - encounters these obstacles also in relation to its daily operations delivering EU-funded programmes of practical support for human rights defenders. Every day, human rights defenders face an array of impediments that hinder their access to this essential security and protection tool, preventing them from accessing safe haven when necessary, as well as from engaging in existing opportunities for rest and respite and temporary relocation programmes, or carrying out essential international advocacy, mobilisation, or networking activities in the EU territory.

This **lack of reliable, predictable, and coherent access for human rights defenders to EU visas unnecessarily aggravates the risk**, isolation, and vulnerability they face as a result of their work – which is exacerbated for those defenders belonging to particularly threatened groups - such as women human rights defenders, LGBTI rights defenders, or indigenous rights defenders; for those facing spurious criminalisation processes aimed at impeding their mobility, or for those without secure access to basic travel documents. Major crises affecting human rights defenders and massive backlash against civil society notoriously reveal the gap in the effective implementation of the EU political commitments and guidelines related to visas, as recently illustrated by the demand for support from those human rights defenders and civil society members in Afghanistan in need of urgent evacuation. **A more predictable, coordinated, and consistent policy on visas for human rights defenders - allowing for flexible and reactive protocols in critical situations, would reportedly have avoided, or at least mitigated the deficiencies of the EU response,** or lack thereof.

With the exception of the positive examples of current good practices and initiatives implemented by some Member States, European institutions, or political actors in the EU, the **EU as a whole has yet to make a serious effort to mainstream the access to at-risk human rights defenders** in their visa policies. The current legislative instruments and established practices fail to comply with the consistency required for the Union's actions enshrined in the EU Treaties and attest to a **lack of harmonisation, effort-sharing, and coordination** among both the Member States and the European institutions.

ProtectDefenders.eu and the undersigned organisations are convinced that with political will and clear guidelines, **the EU can and should return on its political mandate in favour of human rights and human rights defenders**, and lead on the implementation of concrete initiatives, good practises, and policy changes to ensure that at-risk human rights defenders can access European Union visas with guarantees, security, and predictability.

ProtectDefenders.eu and the undersigned organisations are convinced that with political will and clear guidelines, **the EU can and should return to its political mandate in favour of human rights and human rights defenders**, and lead on the implementation of concrete initiatives, good practises, and policy changes to ensure that at-risk human rights defenders can access European Union visas with guarantees, security, and predictability.

More specifically, **ProtectDefenders.eu** and the undersigned organisations **call on the EU stakeholders to:**

- i) propose a specific facilitated procedure for human rights defenders within the EU Visa Code, setting common criteria and defining the elements of a facilitated procedure;
- ii) include instructions in the EU Visa Handbook on granting facilitations to HRDs and their family members;
- iii) work towards amending the legal instruments on visas, particularly the Visa Code,
- iv) create an EU Directive to protect Human Rights Defenders (HRDs), outlining ways to support and protect them in accessing and staying in the EU, as well as meeting their support needs to continue their work. The Directive would provide a legal tool to grant HRDs at risk access and stay in the EU for a specified time.
- v) introduce amendments to the Temporary Protection Directive that allow temporary protection status in the EU to be granted to defenders at risk.

Furthermore, **ProtectDefenders.eu and the undersigned organisations call on the EU Member States to implement consistent policies and guidelines to recognise the right of human rights defenders to access visas**; as well as to promote the exhaustive use of their current prerogatives to urgently guarantee access to visas for those facing severe threats and risks. In coordination with the international human rights defence community, ProtectDefenders.eu and the undersigned organisations look forward to collaborating with all EU public actors at all levels in the efforts to ensure the urgent implementation of an enabling framework for defenders to access visas in the EU.

ProtectDefenders.eu is the European Union Human Rights Defenders mechanism, led by a Consortium of 12 NGOs active in the field of Human Rights:

- Asian Forum for Human Rights and Development (FORUM-ASIA)
- DefendDefenders – East and Horn of Africa Human Rights Defenders Project
- Euro-Mediterranean Foundation Of Support To Human Rights Defenders (EMHRF)
- ESCR-Net
- Front Line Defenders
- ILGA World
- Peace Brigades International
- Protection International
- Reporters Without Borders
- The International Federation for Human Rights (FIDH)
- The World Organisation Against Torture (OMCT)
- Urgent Action Fund for Women's Human Rights (UAF)

This initiative is supported by:

- AfricanDefenders
- African Youths for Peace Development and Empowerment (AFRYDEV)
- Agir ensemble pour les droits humains
- Amnesty International
- Araminta
- Artist Protection Fund
- Artists at Risk (AR)
- Asociación Zehar-Errefuxiatuekin
- Association Francophone des Commissions Nationales de promotion et de protection des Droits de l'Homme - AFCNDH
- Bangladesh Institute of Human Rights (BIHR)
- Board of the EU-Russia Civil Society Forum
- Brot für die Welt
- Cairo Institute for Human Rights Studies
- Center for Applied Human Rights (CAHR), University of York
- CIVICUS Alliance
- Civil Rights Defenders
- Comissió Catalana d'Ajuda al Refugiat (CCAR)
- Committee to Protect Journalists
- Defenders in Dordrecht (DiD)
- Docip (Indigenous Peoples' Center for Documentation, Research and Information)
- Economize Future Environment (SEFE), Cameroon
- European Center for Press and Media Freedom (ECPMF)
- Fédération internationale des ACAT / International Federation of ACAT (FIACAT)
- Freedom House
- Free Press Unlimited (FPU)
- Gulf Centre for Human Rights (GCHR)
- Hamburg Foundation for politically persecuted persons
- Heinrich-Boell-Stiftung (hbs)
- Human Rights House Foundation (HRHF)
- Human Rights House Tbilisi
- Humanists International
- Iniciativa Mesoamericana de Mujeres Defensoras de Derechos Humanos
- International Arts Rights Advisors (IARA)
- International Association of People's Lawyers (IAPL)
- International Dalit Solidarity Network (IDSN)
- International Partnership for Human Rights (IPHR)
- International Peace Observers Network
- International Service for Human Rights (ISHR)
- Justice & Peace
- Kaani Assistance (DRC)
- Mundubat
- Open Society Foundations (OSF)
- PEN America's Artists at Risk Connection (ARC)
- Pen International
- People in Need
- Plateforme Droits de l'Homme - PDH
- Réseau de Défenseurs des Droits Humains de l'Afrique Centrale (REDHAC)
- Right Livelihood
- Scholars at Risk
- Southern Africa Human Rights Defenders Network
- Tbilisi Shelter City
- Tournons La Page - TLP
- Un Ponte Per
- Unit for the Protection of Human Rights Defenders of Guatemala (UDEFEQUA)
- World Barua Organization