

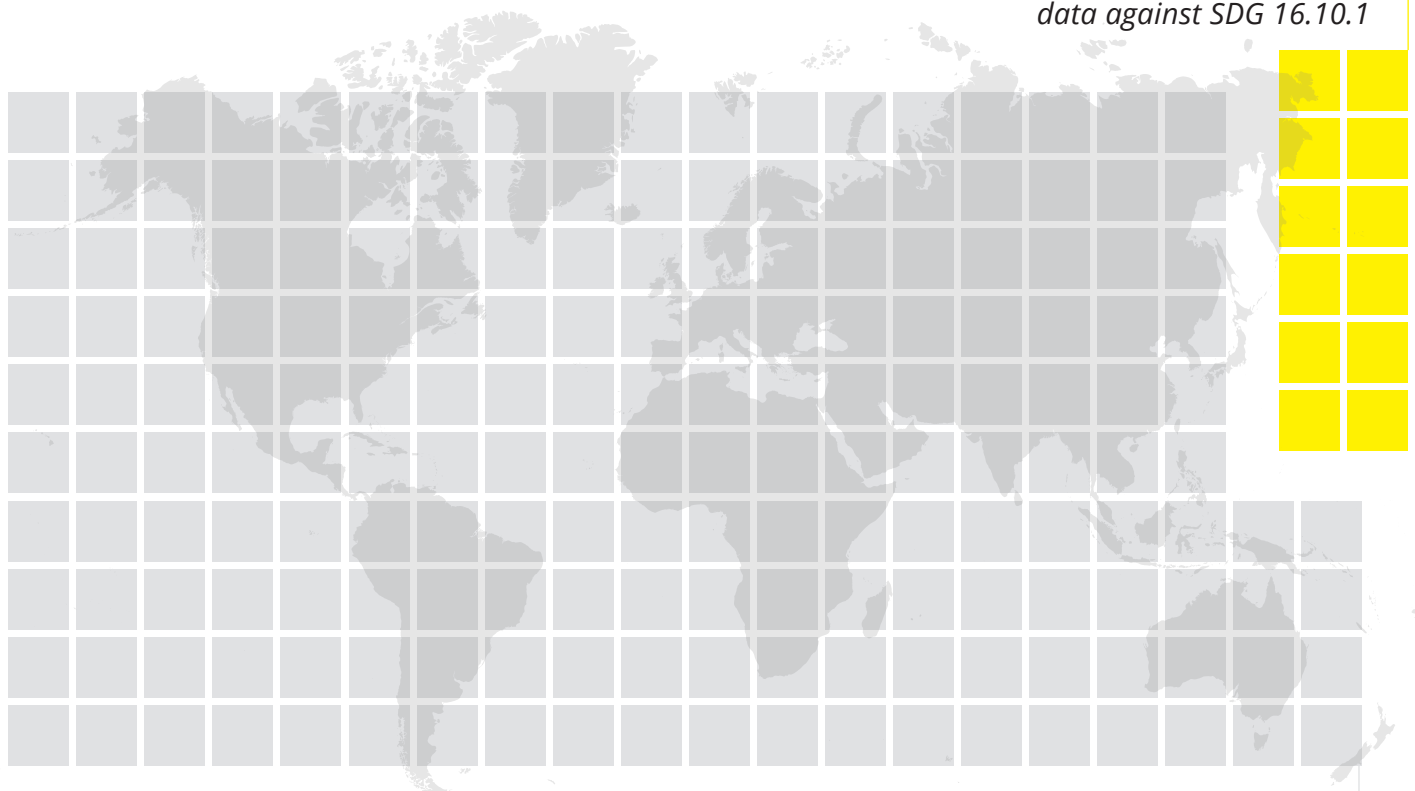
# A CRUCIAL GAP 2023



## THE LIMITS TO OFFICIAL DATA ON ATTACKS AGAINST DEFENDERS AND WHY IT'S CONCERNING

**2.3%**

*In 2022, 1 country reported data against SDG 16.10.1*



**97.7%**

*42 countries did not report any data against SDG 16.10.1*

INTERNATIONAL  
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ALLIANCE FOR LAND,  
INDIGENOUS AND  
ENVIRONMENTAL  
DEFENDERS

## WHAT WE KNOW

*In 2021, the most recent year for which data are available, the UN reported that 320 HRDs were killed, around half of which are estimated to be indigenous, land and environmental human rights defenders*

Country-level kill  
of HRDs in 2022, as gathered a  
Memorial partners (repo

## 53 women

## Killings of HRDs in 2022 according to OHCHR

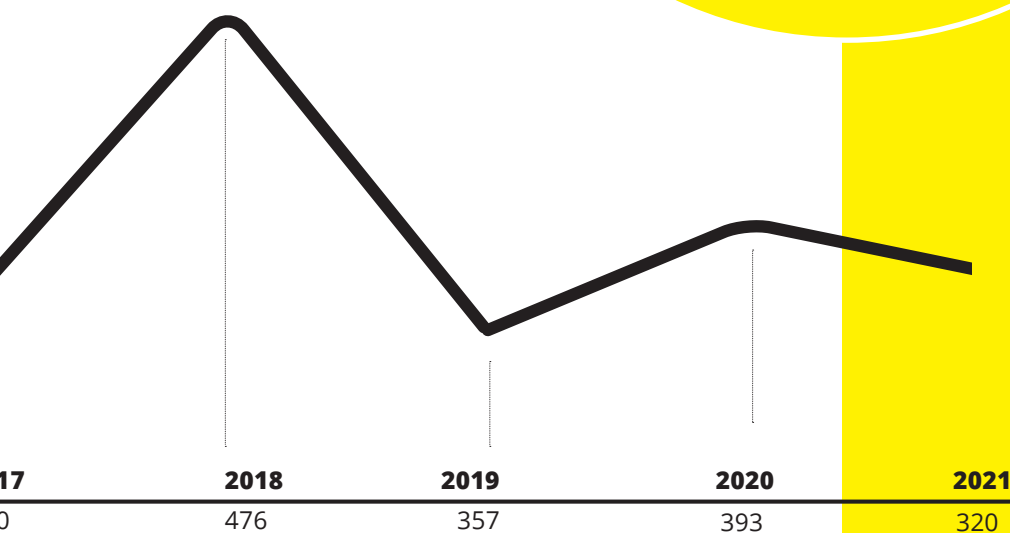


### Killings of HRDs, from 2015 to 2021 according to OHCHR

lings  
nd verified by HRD  
rted via FLD)

# WHAT IS BEING REPORTED

*Of the 162 countries that have submitted VNRs since 2015, only 3 – fewer than 2% – indicated that at least one HRD had been killed or attacked. 7 countries reported zero cases and 94% of countries did not report at all*



**only 2.3%**

*of the 43 countries that submitted VNRs in 2022, only 2.3%, 1 country, indicated that at least one HRD had been killed or attacked in the last 12 months. No other countries reported any data.*

**97.7%**  
*of countries did not report any data on violence against defenders.*

## ALLIANCE FOR LAND, INDIGENOUS AND ENVIRONMENTAL DEFENDERS



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NATURAL  
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# EXECUTIVE SUMMARY

The killing of a *human rights defender* (HRD) represents a direct attack on civic space and an assault on the fundamental freedoms that underpin a sustainable, inclusive and peaceful society.

It strikes at the heart of *Agenda 2030* and *Sustainable Development Goal* (SDG) 16, which aims to promote peaceful and inclusive societies, and more specifically *target 16.10*, which aims to protect fundamental freedoms. *Indicator 16.10.1*, which records killings and attacks on HRDs, including journalists and trade unionists, is the primary indicator of global enjoyment of these fundamental freedoms in the SDG framework.

*However, more than six years after Agenda 2030 was adopted by the United Nations General Assembly, crucial gaps in state-reported data severely undermine our ability to monitor the situation of HRDs, particularly those protecting land, the environment and indigenous peoples' rights.*

As Parties convene at the 2023 High-Level Political Forum to mark the half-way point in the SDGs, violence perpetrated against HRDs continues unabated. Using two publicly-available data sources, this briefing highlights the crucial gap between government reporting on violence against defenders and the documented reality on the ground.

In 2022, Frontline Defenders reported that 401 human rights defenders (HRDs) were killed across 26 countries.<sup>1</sup> And again in 2022, those who worked to defend the land, environment and Indigenous Peoples' (ILED) rights were disproportionately represented in the data. In 2021, Global Witness reported that 200 land and environmental defenders were killed.<sup>2</sup> And as ALLIED data demonstrated,<sup>3</sup> lethal killings of ILEDs are only the tip of the iceberg. In five countries where 137 ILEDs were killed, 355 non-lethal attacks against 536 distinct individuals, communities and organizations were recorded. Last year, the Business and Human Rights Resource Centre registered 555 attacks<sup>4</sup> against defenders raising concerns about harmful business practices. Of these, 75% were against climate, land and environmental defenders.

Despite well-documented violence against Indigenous Peoples, land and environmental defenders, State-led reporting on the situation of these and other human rights defenders is notably absent.

**401**  
HRDs killed in 2022  
according to FLD

<sup>1</sup> Frontline Defenders: [Global Analysis 2022](#)

<sup>2</sup> Global Witness: [Last Line of Defence](#)

<sup>3</sup> ALLIED: [Uncovering the Hidden Iceberg](#)

<sup>4</sup> Business Human Rights Resource Center [data](#)

# METHODS

Relying on two publicly-available data sources – the database of Voluntary National Reviews (VNRs)<sup>5</sup> and the SDG Global Database<sup>6</sup> – this document reviews to what extent States are acknowledging the situation of human rights defenders and the risks they face, including violence perpetrated against them.

**1**

*To assess the VNRs, a number of questions were raised: Had the State indicated progress towards SDG 16, and did they say anything specific about human rights defenders? Did they mention other factors that contribute to an enabling environment for human rights defenders, such as the presence of a National Human Rights Institute (NHRI) or a similar dedicated body? Finally, did they report on violence perpetrated against HRDs in the context of 16.10.1 or otherwise? Did they publicly provide data to prove they are monitoring the situation or to back their claims?*

**2**

*Data on 16.10.1 from the SDG Global Database was reviewed to understand the status of official data being reported and published against the SDG indicator that monitors violence against HRDs.*

Because Indigenous Peoples, land and environmental defenders (ILEDs) are considered HRDs, and given that there is no specific mention of ILEDs in the SDG framework, this analysis seeks to understand to what extent HRDs are accounted for by these sources as an indication of some level of commitment to the concerns and risks faced by ILEDs.

<sup>5</sup> Database of submitted Voluntary National Reviews (VNRs): <https://hlpf.un.org/countries>

<sup>6</sup> SDG Global Database: <https://unstats.un.org/sdgs/dataportal>



# FINDINGS

## VOLUNTARY NATIONAL REVIEWS (VNRS)

### SDG 16

Nearly all of the 43 VNRS submitted in 2022 mentioned SDG 16 and, to some level, acknowledged an institutional or policy framework that aimed to support the realization and enjoyment of human rights. The quality and detail of the reporting varies widely across the reports. In several countries, such as Djibouti, States note that they have worked to align indicators across SDG 16, without reporting detailed data. In others, such as Botswana, States claim a certain level of progress – in this case, 50% – without further indication of how the measurement is being made. Reporting on SDG 16 across the VNRS tended to focus on decreases in corruption and homicide rates, improving government administration, especially criminal justice systems, gender equality in representation, and birth registration.

While most 2022 VNRS did not reference state-led policies or programs aiming to improve the situation of human rights defenders, Sri Lanka noted that OHCHR, in response to “concerns raised by the civil society and human rights defenders in the country,” had adopted a resolution to strengthen the Office’s capacity to collect, consolidate, analyze and preserve evidence of international crimes allegedly committed in Sri Lanka. In Ethiopia, the VNR noted that following the repeal of an oppressive law, civil society organizations, especially those involved in the protection of human rights, have flourished and are actively participating in the realization of the SDGs.

Several VNRS did, however, include mentions of efforts to establish or strengthen a National Human Rights Institution (NHRI) or similar designated body, representing an important factor contributing to the enabling environment of HRDs.

## SDG 16 .10.1

In 2022, of the 43 countries<sup>7</sup> that submitted Voluntary National Reviews (VNRs) of their progress towards Agenda 2030, four countries mentioned the SDG indicator 16.10.1 – signaling their awareness of the situation it seeks to monitor – while two countries went further, mentioning threats to human rights defenders, including journalists, in their reports. But of the 43 reports reviewed, **only one country – Uruguay – reported data against indicator 16.10.1.** Uruguay notes that national-level data indicated one victim, while global data sources indicated two. The VNR does not specify the time period or the type of attack, but the number represents recognition by the State and an attempt to monitor and report on the violence faced by human rights defenders, including trade unionists and journalists.

Only Greece, Jamaica and the Philippines highlighted data gathering, generally, as a critical means of monitoring progress towards implementation of their own SDG 16 commitments.

While the Philippines did not report data on 16.10.1 in its VNR, it noted that in 2022, the Philippines Statistics Authority (PSA) partnered with OHCHR to address gaps in indicator 16.10.1, resulting in a memorandum of understanding between the Commission on Human Rights and PSA to strengthen data collection.

## SDG 16.a.1

Of the 43 reports submitted in 2022, only nine made reference to indicator 16.a.1 while another five mentioned the broader target, 16.a. Just over half of the VNRs – 23 out of 43 – made reference to a national human rights institute (NHRI) or similar body. Despite 20 of the VNR reporting countries having an NHRI accredited as “A” or “B” level with the Global Alliance of NHRIs, only six of these countries mentioned the accredited bodies.

Some countries, such as Botswana and Jamaica, detailed efforts to establish or strengthen an NHRI in their country, while Jordan and Ethiopia mention efforts of the NHRI to jointly conduct investigations with the UN Human Rights Council. In other cases, such as Ghana, the report describes the important work of the long-established NHRI (1993) to track complaints, ensure adjudications of these cases and strengthen new mandates, for example, around anti-corruption.

<sup>7</sup> Andorra, Argentina, Belarus, Botswana, Cameroon, Cote d'Ivoire, Djibouti, Dominica, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Greece, Grenada, Guinea-Bissau, Italy, Jamaica, Jordan, Kazakhstan, Latvia, Lesotho, Liberia, Luxembourg, Malawi, Mali, Montenegro, Netherlands, Pakistan, Philippines, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Sudan, Suriname, Switzerland, Togo, United Arab Emirates, Uruguay.

# VNRs OVER THE YEARS

Looking back at the prior two Crucial Gap reports, the pattern is not encouraging. Between 2015 and 2020 – over the course of five reporting years – 10 countries reported data against SDG indicator 16.10.1, with seven of the 10 indicated that there had been zero attacks on HRDs in their countries. This was during a period when OHCHR had documented 1,940 killings of human rights defenders. Last year alone, five countries reported data against indicator 16.10.1, all of them indicating that there were zero attacks against HRDs in their countries while OHCHR, in the year prior, had registered 393 killings of HRDs.

Since VNR reporting began in 2016, Uruguay – in 2022 – became the fourth country to acknowledge that at least one HRD had been killed in the country in the past 12 months.

## GLOBAL SDG DATABASE

The Global SDG Database includes all official data reported against indicator 16.10.1: Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months.

Since the first Crucial Gap<sup>8</sup> publication in 2021, official data on indicator 16.10.1 has been updated and, as of June, 2023, included regionally and globally aggregated data on killings and enforced disappearances between 2015-2021, summarized in Table 1 and Table 2, below.

<sup>8</sup> [A Crucial Gap](#): The Limits to Official Data on Attacks against Defenders and Why It's Concerning, 2021

Year	Total Killings	Men	Women
<b>Sum, 2015-2021</b>	<b>2653</b>	<b>2327</b>	<b>326</b>
2021	320	267	53
2020	393	345	48
2019	357	314	43
2018	476	430	46
2017	370	324	46
2016	388	344	44
2015	349	303	46

**Table 1:** Global SDG Database data for indicator 16.10.1 on killings of HRDs, including trade unionists and journalists.

Year	Total Enforced Disappearances	Men	Women
<b>Sum, 2015-2021</b>	<b>133</b>	<b>108</b>	<b>25</b>
2021	9	5	4
2020	18	14	4
2019	30	27	3
2018	32	23	9
2017	5	4	1
2016	25	25	0
2015	14	10	4

**Table 2:** Global SDG Database data for indicator 16.10.1 on enforced disappearances of HRDs, including trade unionists and journalists.

*Despite widespread recognition of the fact that the majority of attacks on HRDs are against land, environmental and indigenous peoples' rights defenders, their plight remains invisible in official numbers.*

Despite a wealth of potential data sources that could provide verified cases of killings, kidnappings, enforced disappearances, arbitrary detention and torture of HRDs, officially

reported data for 16.10.1 are still limited and largely relying on civil society and other secondary data sources.

At the global level, there are a number of challenges related to the consistency of reporting across countries, reflecting a lack of regular, systematic reporting at the national and regional levels. A number of global, regional and national mandated bodies, as well as human rights mechanisms and institutions that generate and maintain administrative data exist, but the way that they report information varies greatly, as does their capacity to accurately report violations at the national level.

Due to the fact that data reported for indicator 16.10.1 still predominantly comes from civil society, that not all available civil society data

is used by OHCHR for this purpose, and that official government data remains extremely limited, the data reported under 16.10.1 is still largely restricted in ways that limit its use:

*- 16.10.1 is not reported at the national level, but in regional aggregate numbers.*

*- Data do not allow for specific groups such as land, environmental and Indigenous human rights defenders to be identified.*

*- Cases reported in the data are limited to killings and enforced disappearances, with no data on kidnapping, arbitrary detention or torture, as specified in the indicator.*

*- The sources of reported data cannot be seen, making it difficult to identify good practices in state-led reporting*

*These defenders  
have a key role in the  
realisation of rights  
enshrined in the  
Universal Declaration of  
Human Rights.*

# CONCLUSIONS

From the findings above, it is clear that despite ALLIED sounding alarm on government non-reporting of attacks on HRDs, especially ILEDs, the situation is not improving fast enough. Because of that, our joint recommendations from the first Crucial gap report still stand:

*1. States must develop and sustain mechanisms that collect and report data on attacks against HRDs, using this information to inform more effective policies and protection mechanisms to reduce attacks on these defenders.*

*2. Reporting agencies and bodies must make the work of particularly vulnerable groups, including land, environmental and indigenous human rights defenders, more visible, highlighting the issues and challenges involved in this work and evaluating how existing supports to these groups can be improved.*

*3. At the global level, the UN should report country-level data wherever such data is available, acknowledging limitations to the data but also highlighting situations that are especially concerning, while recognising reporting countries.*

*4. States should develop and support NHRIs that adhere to the Paris Principles, promoting their role as independent, authoritative monitoring bodies engaged in data collection with the support of state bodies, as outlined in the Marrakech Declaration.*

*5. States and reporting agencies must recognise and protect the important role played by civil society data collectors, engaging them through official reporting mechanisms and supporting their sustained role as advisors in these processes.*

*6. Globally, it is essential to develop a database in line with 16.10.1 that captures – in a safe, participatory and inclusive way – the verified cases of killings, threats against and attacks on HRDs, especially defenders of land, environmental and indigenous peoples' rights, with data generated by diverse actors at many levels.*

*7. International efforts to advance Agenda 2030 should take into account the data available (or unavailable) through indicator 16.10.1 when providing development aid to states and evaluating its impact, seeking to address the root causes of these attacks.*

In addition, over the past two years, in large part thanks to persistent civil society advocacy, there have been significant developments related to ILEDs in both soft and hard law. For example, the inclusion of strengthened stakeholder consultation requirements and the language of human rights defenders in the European Union corporate sustainability due diligence legislation text approved by the European Parliament's Committee on Legal Affairs (JURI) on 25 April, 2023, making it more likely that the final text of this historic corporate accountability legislation could include requirements related to defenders. The EU Council's General Approach adopted by Member States on 1 December, 2022 also includes language on defenders and explicitly mentions them as stakeholders whose rights or interests could be affected by corporate activity.

Moreover, the appointment of former UN Special Rapporteur on Human Rights Defender Michel Forst as the first-ever Special Rapporteur on Environmental Defenders under the Aarhus Convention, which protects the right to live in a healthy environment in the European Union, marked the establishment of first such mechanism specifically safeguarding environmental defenders to be established within a legally binding framework either under a UN system or other intergovernmental structure.

These developments show that awareness of attacks on and protection of ILEDs is increasingly seen as a policy priority, and a matter of legal compliance. In the near future, information on attacks on HRDs could therefore be increasingly required by investors and companies, trying to comply with the new regulations, as well as by the newly established institutions, such as the Special Rapporteur on Environmental Defenders under the Aarhus Convention, who is charged with keeping environmental defenders safe.

With these considerations in mind, as parties convene at the HLPF in New York with merely seven years to realize the ambitions of the SDGs, it is high time for governments to start showing leadership and acting on their responsibility to monitor and address attacks on defenders.











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## STRATEGIC PARTERS AND CORE DONORS





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