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## **Briefing to Oireachtas Joint Committee on Foreign Affairs and Trade and Defence on risks to human rights defenders in development contexts**

Ed O'Donovan, Head of Protection, Front Line Defenders

Good morning everyone,

Thank you for the opportunity to speak this morning. I work with Front Line Defenders, an Irish organisation which protects and supports human rights defenders at-risk around the world. There are many causes for the level of risks faced by peaceful activists but, as Siobhan has pointed out, the sector of human rights work which is most dangerous is work on the defence of land rights, indigenous people's rights and environmental rights. As has been stated, these killings often take place in the context of big business or mega-projects where human rights defenders objecting to environmental degradation or corruption, or indigenous communities objecting to the appropriation of their land are targeted in an effort to silence them and their communities. The role of business and the need for states to do more has already been addressed. To add to this, I would also like to bring in the role played by Development Finance Institutions (DFIs) who fund or part fund many of the projects where violence is being carried out against those who stand up for the rights of their communities. Occasionally the DFIs will even be shareholders of the companies behind the project.

While development interventions can be a powerful tool for the realisation of human rights, too often activities undertaken in the name of development fail to adequately consider human rights conditions and impacts, and end up exacerbating the risks faced by human rights defenders, who are arrested, smeared, attacked and killed. The most infamous case in this regard was the murder of Honduran human rights defender Berta Caceres, who was killed in 2016 for defending the territory and the rights of the indigenous Lenca people in the face of a dam being built, which was being funded by the Dutch and Finnish Development Banks.<sup>1</sup> Despite numerous previous threats and attacks against Berta, the respective banks did not respond adequately. In November last year a Honduran court

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1 A recently released [report](#) by the Defenders in Development Campaign highlights 25 Case Studies of human rights defenders at risk in the context of development project and examines the role that DFIs played in mitigating or exacerbating those risks.

convicted employees within the company constructing the dam of Berta's murder, although the intellectual authors have not been apprehended.

While Ireland does not have a national development bank, it has a voice in the strategic direction of a number of multilateral development banks, including the European Investment Bank, the World Bank, the European Bank for Reconstruction and Development and the Asian Infrastructure Investment Bank, as a shareholder and funder of these banks. We fully recognise Ireland's supportive position on human rights defenders, but it is concerning that we may actually be undermining these efforts through the actions of DFIs in which we participate. Currently DFIs are failing to adequately assess risks and are too slow to act, if they act at all, when informed that threats have been made against local communities for peacefully opposing a project. They tend to be too quick to accept the word of their local project partners that human rights defenders are 'criminals' or 'violent' or that arrests or killings were totally unrelated to their work in the context of the project. Threats and attacks often start with the labeling of communities, groups, and individuals as "anti-development". The imposition of development activities without the consent or meaningful consultation of local communities and marginalized groups is one of the key root causes of threats for human rights defenders in this context. At Front Line Defenders we have documented numerous such cases over the past number of years and have been trying to engage with DFIs as part of a wider campaign to raise their human rights standards.

This leads me to the question of what can Ireland be doing to push the European Investment Bank, the European Bank for Reconstruction and Development, the World Bank and the Asian Infrastructure Investment Bank to be better in this area? We believe that Ireland, in line with its supportive position on human rights defenders more generally, should take the lead in urging banks to develop policies on human rights defenders and protocols to prevent and respond to risks of reprisals, to ensure meaningful access to information, and robust free, prior and informed consent of indigenous peoples and consultation of other affected communities. We believe it is essential that DFIs conduct ongoing human rights due diligence to identify and address human rights risks in all of their activities and they must also ensure effective mechanisms whereby defenders can safely alert them to deteriorating environments or risks of conflict and reprisal. DFIs must also look to take effective measures to prevent any form of retaliation against defenders who might come under threat in a project in which they have invested and set up a protocol to respond to any retaliation if and when they occur.

I would further encourage the Committee to ask the government to regularly update it on measures it is taking as a shareholder to ensure DFIs act in line with Ireland's supportive position on human rights defenders.

