

**KILLINGS OF HUMAN RIGHTS DEFENDERS IN THE
PHILIPPINES:
SEARCHING FOR PROTECTION**

The image shows a large, faint watermark of the Mahidol University logo in the background. The logo is circular and contains a central emblem with a stupa-like structure and a flame-like base. The Thai text 'มหาวิทยาลัยมหิดล' (Mahidol University) is written around the inner and outer edges of the circle.

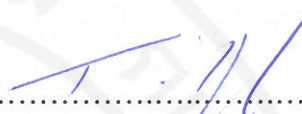
TILMAN JAN PAPESCH

**A THESIS SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR
THE DEGREE OF MASTER OF ARTS
(HUMAN RIGHTS AND DEMOCRATISATION)
FACULTY OF GRADUATE STUDIES
MAHIDOL UNIVERSITY
2017**


Copyright by Mahidol University

COPYRIGHT OF MAHIDOL UNIVERSITY

Thesis
entitled
**KILLINGS OF HUMAN RIGHTS DEFENDERS IN THE
PHILIPPINES:
SEARCHING FOR PROTECTION**




.....
Mr. Tilman Jan Papesch
Candidate




.....
Lect. Bencharat Sae Chua,
Ph.D. (Politics)
Major advisor

Go abroad

.....
Lect. Matthew John Mullen,
Ph.D. (Human Rights and Peace Studies)
Co-advisor



.....
Prof. Patcharee Lertrit,
M.D., Ph.D. (Biochemistry)
Dean
Faculty of Graduate Studies
Mahidol University



.....
Lect. Michael George Hayes,
Ph.D. (Communication and Cultural
Studies)
Program Director
Master of Human Rights and
Democratization
Project for the Establishment of Institute of
Human Rights and Peace Studies
Mahidol University


Copyright by Mahidol University

Thesis
entitled
**KILLINGS OF HUMAN RIGHTS DEFENDERS IN THE
PHILIPPINES:
SEARCHING FOR PROTECTION**

was submitted to the Faculty of Graduate Studies, Mahidol University
for the degree of Master of Arts (Human Rights and Democratisation)

on
July 18, 2017

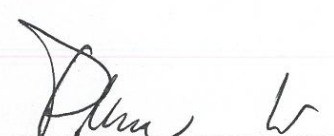

.....
Mr. Tilman Jan Papesch
Candidate



.....
Assoc. Prof. Kritaya Archavanitkul,
Ph.D. (Demography)
Chair


.....
Lect. Bencharat Sae Chua,
Ph.D. (Politics)
Member

Go abroad

.....
Lect. Matthew John Mullen,
Ph.D. (Human Rights and Peace Studies)
Member


.....
Prof. Patcharee Lertrit,
M.D., Ph.D. (Biochemistry)
Dean
Faculty of Graduate Studies
Mahidol University


.....
Lect. Eakpant Pindavanija,
Ph.D. (Peace, Conflict, and Development)
Director
Project for the Establishment of Institute
of Human Rights and Peace Studies
Mahidol University

ACKNOWLEDGEMENTS

First and foremost my warmest appreciation is devoted to the interviewees of this research, whose names are not stated in this research for their security. Thank you for being very welcoming, supportive, and for participating in this research. I deeply acknowledge the personal strength and courage to volunteer in this project, talking about their beloved colleagues, relatives and friends, who lost their lives in the fight for the rights of others.

I sincerely thank Karapatan, the EU-Delegation in the Philippines, Front Line Defenders, the Medical Action Group and IPON, for supporting me in this research by participating in interviews, communications and escorting me on the way to find participants for the data collection.

I am grateful to my advisors Dr. Bencharat Sae Chua and Dr. Matthew Mullen for their unconditional support, constructive feedback and ideas and for accommodating my needs towards the end of the research project.

Last but not least, I would like to thank the program director Dr. Mike Hayes and on behalf of the staff of the Institute of Human Rights and Peace Studies, Kanjana Jantadet, for the consistent support and patience in facilitating this project and the whole master's program on Human Rights and Democratization.

Thank you,

Tilman Jan Papesch

KILLINGS OF HUMAN RIGHTS DEFENDERS IN THE PHILIPPINES: SEARCHING FOR PROTECTION

TILMAN JAN PAPESCH 5938479 HPRD/M

M.A. (HUMAN RIGHTS AND DEMOCRATISATION)

THESIS ADVISORY COMMITTEE: BENCHARAT SAE CHUA, Ph.D., MATTHEW MULLEN, Ph.D

ABSTRACT

Under the Philippine Government's ongoing 'War on Drugs', the killings of human rights defenders (HRDs) have become even more frequent than in previous years. Making the situation worse is the lack of government efforts to protect HRDs from lethal targeting. Thus it has become more important for activists to focus on protection techniques which do not rely on government responsiveness to advocacy efforts. These techniques, which neither contradict nor undermine advocacy work, can be termed Non-Advocacy Protection Techniques (NAPTs). NAPTs refer to those efforts HRDs' use to reduce their own vulnerability by changing certain habits such as disguising oneself to escape surveillance. Furthermore, institutionalized support efforts, such as HRD trainings, protection grants and other activities are offered by domestic and international organizations like the EU or Front Line Defenders. The research analyzes the use of personal protection techniques by Philippine HRDs to identify possible gaps between the protection efforts of the HRDs and the perception of international organizations towards the protection of HRDs. For this, interviews with colleagues and relatives of the killed HRDs as well as experts in the field were conducted. It was disclosed that self-organized protection techniques, such as reducing one's own vulnerability, countering surveillance and temporary relocation as well as HRD Trainings are used by HRDs in the Philippines. A lack of awareness of international institutionalized protection techniques and misperceptions between defenders and organizations have been identified as crucial for the failure to use generally available international institutionalized protection techniques, such as protection grants and protection manuals. The research reveals different perceptions on the accessibility of certain protection techniques which leads to a lack of awareness and use among Philippine HRDs. In addition, power relations between defenders and organizations are analyzed as a central topic throughout the paper, identifying greater equality in relations between both sides when HRDs protect themselves via NAPTs. Eventually it is argued that cooperation projects between international and domestic organizations might help to tackle these problems and thereby enhance the usage of NAPTs and ultimately protect defenders in the Philippines.

KEY WORDS: HUMAN RIGHTS DEFENDERS /NAPT /PROTECTION /KILLINGS /PHILIPPINES

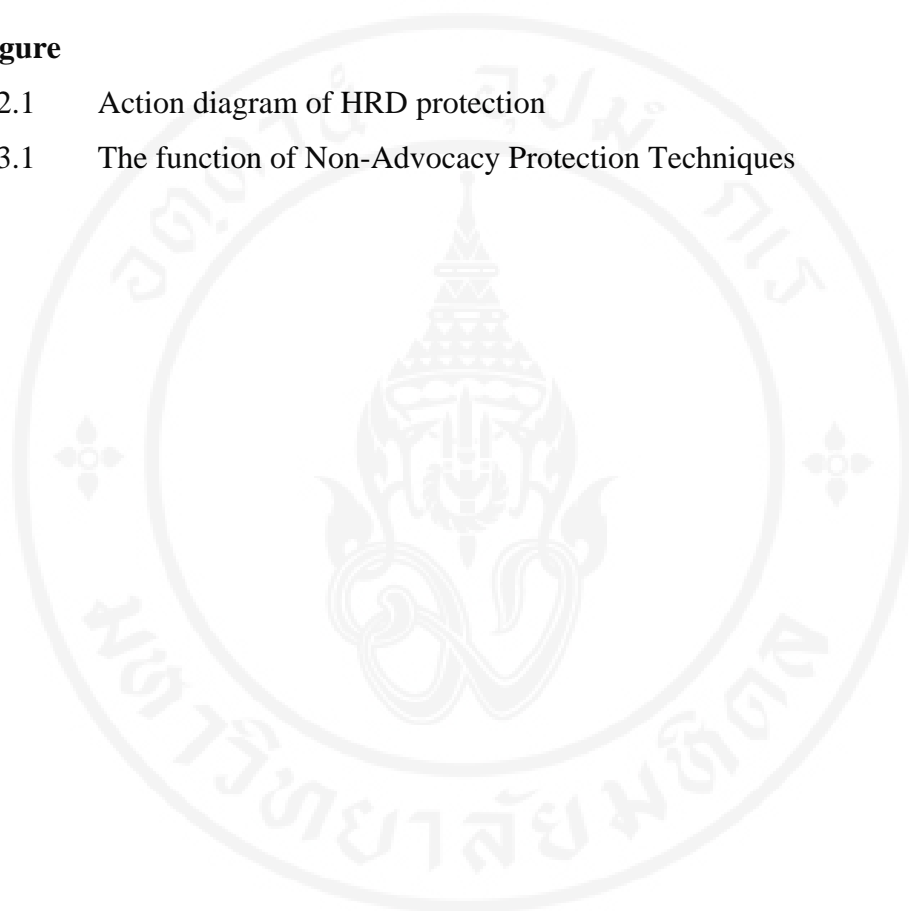
87 pages

CONTENTS

	Page
ACKNOWLEDGEMENTS	iii
ABSTRACT	iv
LIST OF FIGURES	vi
LIST OF ABBREVIATIONS	vii
CHAPTER I INTRODUCTION AND METHODOLOGY	1
1.1 Introduction	1
1.2 Research Problem	4
1.3 Methodology	7
1.4 Progression of the thesis	12
CHAPTER II BACKGROUND AND CONTEXT	15
2.1 Human rights defender	17
2.2 Killings of HRDs	19
2.3 HRDs in the Philippine Context	21
CHAPTER III HOW TO PROTECT HRDS	27
3.1 The concept of protection	28
3.2 Defenders' protection techniques in the Philippines	43
CHAPTER IV APPROPRIATENESS OF PROTECTION TECHNIQUES	52
4.1 International perspectives on protection	52
4.2 Obstacles for HRDs	59
CHAPTER V FINAL CHAPTER	67
5.1 The effectiveness of NAPT's	67
5.2 Enhancing cooperation	73
5.3 Conclusion	77
REFERENCES	79
BIOGRAPHY	87

LIST OF FIGURES

Figure		Page
2.1	Action diagram of HRD protection	15
3.1	The function of Non-Advocacy Protection Techniques	38



LIST OF ABBREVIATIONS

AFP	Armed Forces of the Philippines
AICHR	ASEAN Intergovernmental Commission on Human Rights
AMP	Aktionsbündnis Menschenrechte – Philippinen
Art.	Article
ASEAN	Association of Southeast Asian Nations
CCTV	Closed-Circuit Television
CHRP	Commission on Human Rights of the Philippines
DILG	Department of the Interior and Local Government
ESC-rights	Economic, Social and Cultural Rights
EU	European Union
GO (pl. GOs)	Governmental Organisation
GoP	Government of the Philippines
HRD (pl. HRDs)	Human Rights Defender
HRV (pl. HRVs)	Human Rights Violations
HRW	Human Rights Watch
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
INGO (pl. INGOs)	International Non-Governmental Organisation
IPSP	Internal Peace and Security Plan
ISHR	International Society for Human Rights
NAPT (pl. NAPT)	Non-advocacy protection techniques
NGO	Non-Governmental Organisation
OHCHR	Office of the High Commissioner of Human Rights
OMCT	World Organisation against Torture
PNP	Philippines National Police

LIST OF ABBREVIATIONS (cont.)

TAN (pl. TANs)	Transnational Advocacy Network
UDHR	Universal Declaration of Human Rights
UN	United Nations
UN-ECOSOC	United Nations Economic and Social Council
UN-GA	United Nations General Assembly
UN-OHCHR	United Nations Office of the High Commissioner of Human Rights
UN-SRHRD	United Nations Special Rapporteur on Human Rights Defenders
UPR	Universal Periodic Review

CHAPTER I

INTRODUCTION AND METHODOLOGY

1.1 Introduction

“One perpetrator asked the other once they saw the victim: ‘Is this the one?’ – ‘Yes!’ They came in, grabbed the victim by the neck, pointed a gun at the victim and started shooting. The friend of the victim who was around just stayed seated, being overwhelmed and shocked, not being able to react in any way”

(Colleague of victim 1, personal communication, 28 March 2017)

This scene describes the end of one of the countless sad stories, resulting from governmental failure to fulfil the obligation of ensuring the security of human rights defenders (HRDs). Governments are obliged to protect the life of every person (Art. 3 UDHR) and to ensure effective remedy for human rights violations (Art. 8 UDHR). Since 2003, the Philippines has continuously been one of the most dangerous and deadly countries for HRDs (Global Witness 2014, p. 11), which reflects the government’s failure to protect this vulnerable group.

This climate of killings is the product of inept and predatory governance, as the Government of the Philippines (GoP) participates in the killings as well as providing perpetrators with impunity (World Organisation Against Torture [OMCT] 2009, p. 34). According to the German NGO Aktionsbündnis Menschenrechte - Philippinen (AMP) (2016, p. 3), eye witnesses link more than 2/3 of HRD killings to state agents or directly to the Armed Forces of the Philippines (AFP). Despite this evidence, the perpetrators enjoy broad impunity (International Service for Human Rights [ISHR] et al. 2016, p. 8).

The recent review of the Philippines in the Universal Periodic Review (UPR) on the 27th of May 2017 brought into focus the country's worsening human rights situation under the recently elected President Rodrigo Duterte, giving special attention to deepening vulnerabilities of groups such as HRDs (United Nations General Assembly [UN-GA] 2017). The President was elected in May 2016 and started his term by introducing a rigid anti-drug campaign, paying no respect to human rights and promoting merciless killings of alleged drug users or pushers. Claiming these measures to be an appropriate solution to the country's drug problem, the campaign led to more than 7,000 killings in the first 7 months of its implementation (Duterte 2017; Amnesty International 2017, p. 11).

This environment of violence, paired with a culture of impunity for perpetrators, is not "just" affecting alleged drug users and pushers. HRDs and other groups that are critical of the President for committing this crime against humanity also become targets (Human Rights Watch [HRW] 2017, pp. 86-93; United Nations General Assembly 2017, para. 40). Since the inauguration of Rodrigo Duterte, the number of HRD killings is higher than ever. In the first 3 months of 2017, 15 activists have become victims of killings, making the Philippines the most dangerous country for HRDs outside the Americas (Front Line Defenders 2017b). From such a dangerous situation evolves an urgent need for protection of HRDs.

Protection for HRDs can be implemented in different ways, one of which is advocacy. Advocacy is defined as "*different strategies aimed at influencing decision-making at the organizational, local, provincial, national or international levels*" (Sharma 1996, p. 4). In the context of human rights defenders, this effort to influence decision-making can take the form of trying to promote protection for potential victims and to end impunity for perpetrators attacking HRDs (Quintana & Eguren 2012, p. 117). Such advocacy is appropriate if one believes that the state takes seriously its obligations as such advocacy ultimately relies on the government's fulfilment of its obligations as the main duty bearer for the protection of human rights defenders (UN-GA 1999, p. 3).

Regarding the situation in the Philippines, the government is deeply involved in the killings of HRDs. Thus arises an additional need for protection, beyond advocacy. This additional need does not mean that advocacy efforts lose

importance, as influencing the decision-making instances helps to improve the situation of activists in the long run. But with uncertainty as to when and how this influence might translate to protection for HRDs (European Parliament 2009, para. G), protection techniques which are not based on advocacy and which provide the possibility for immediate protection become increasingly important.

This research paper introduces and uses the term Non-Advocacy Protection Techniques (NAPTs) precisely to describe those techniques for the protection of HRDs which do not try to influence power-holders but to assure immediate protection. It also identifies the existence of equal power relations between HRDs and international organizations when using NAPTs. Contrary to this are the unequal power relations when using advocacy protection where the power mostly stays with the supporting organisation advocating on behalf of the defender. Analysis of the use of these protection techniques in the Philippines reveals that HRDs are in fact making personal efforts to reduce their vulnerability by breaking their own patterns of behaviour or following a buddy-system. Beside HRD training courses, which are frequently conducted by domestic NGOs, it was found that the offers of organizational protection are broadly not taken up by the grassroots defenders. Other techniques covered by the term NAPTs, such as protection grants and manuals or relocation support, are broadly unknown among HRDs in the Philippines. Furthermore a perception was found that threats are inherent to human rights work as was a misperception of certain indicators signalling an increase in danger; both are obstacles to HRDs using personal protection measures.

This research contributes to a lack of research in the field of the effectiveness of protection mechanisms for HRDs identified by Nah et al. (2013, p. 403). The contribution consists of elaborating on the unequal power relations which can be noticed in the field of international advocacy on behalf of local human rights defenders. In these cases the local defenders barely have an opportunity to influence the statements of international organizations (Schmitz 2010, p. 7198). The research points out that the use of protection techniques which are not based on advocacy constitute a more equal Power Relation between HRDs and international organizations than advocacy based protection techniques.

Furthermore this study makes up for a lack of research on the already observed lack of awareness of international protection techniques (Bennett et al. 2015, p. 890). The findings show that this lack of awareness is caused by a misperception by international organizations, expecting to reach the defenders at the grassroots level through their way of promoting protection techniques, and also by HRDs, who expect to be ineligible for international protection support.

Other factors hindering the effectiveness of protection mechanisms which were identified by this study are an acceptance of threats by HRDs and a misperception of indicators of increased danger. Threats have been described by interviewees of this research as “normal” for HRDs and it was observed that certain indicators which can be noticed in the forefront of killings have not been identified by defenders. Both these causes lead to HRDs failing to look actively for protection support and thereby also affect the general extend of use of protection mechanisms.

Differences in power relations arising from the use of advocacy or non-advocacy protection techniques, specific reasons for a lack of awareness towards protection techniques in the Philippines as well as causes for a rare pro-active approach of protection mechanisms are topics which have not been discussed in the theoretical discourse so far and therefore make this research a valuable contribution to existing studies.

1.2 Research Problem

Non-Advocacy Protection Techniques include the range of techniques that do not rely on advocacy to protect HRDs and can therefore be used as an umbrella term for an extensive list of different practices and support mechanisms. This term can refer to a human rights defender’s actions as an individual or to techniques institutionalized by an organization. Individual actions can for instance include a HRD’s practice of not leaving the house every day at the same time to disrupt surveillance. A technique which is institutionalized by an organization might be a protection grant, provided by the European Instrument for Democracy and Human Rights (EIDHR) to install a CCTV camera in front of a defender’s house. Due to this

broad interpretation, the terminology does not describe a new phenomenon but simply serves to frame a variety of techniques so they can be regarded separately.

The first international organisation to institutionalize NAPT's was Front Line Defenders. In 2001, this INGO started to give immediate support to defenders, depending on the urgency of their needs which were formulated by the defenders themselves (Conectas Human Rights 2014, p. 365). In the following part of this thesis, NAPT's which are generally offered by organizations to defenders, independently from a certain setting or context, such as protection grants or manuals, will be called institutionalized NAPT's. Over the years, institutionalized techniques have been developed by both INGOs like Front Line Defenders or Protection International and by intergovernmental organizations like the EIDHR. These include grants for relocation or security expenses, security manuals to raise awareness of personal protection measures like risk assessments, relocation assistance in and outside the defender's country including emergency visas, personal HRD training or respite programmes.

Since the establishment of the first institutionalized NAPT's by Front Line Defenders, the developed techniques have proved their effectiveness. Protection International states that NGO protection mechanisms became competitive with government ones (Quintana & Eguren 2012, p. 66). One example of this success is the Philippine indigenous rights defender Erita Cacion Dialang. After receiving death threats due to her activism for indigenous rights and against a mining corporation in Mindanao, Philippines, Ms. Cacion received relocation support from Front Line Defenders. This support enabled her to leave the dangerous environment where she lived (Front Line Defenders 2016b). Such cases and the implementation of emergency visas, for instance in Ireland 2005 due to the efforts of Front Line Defenders (2007a, p. 10), have "*saved lives*", according to Bennett (2015, p. 919), a researcher from Metropolitan University London.

Research continues to reveal an increasing number of HRD killings. Global Witness (2016, p. 9) ranked the Philippines as the second most dangerous country for human rights defenders in 2015 (Global Witness 2016, p. 9). AMP (2017, p. 8) published statistics and a list confirming the killings of at least 147 human rights defenders between May 2012 and September 2016. Different reasons might be crucial

for the contradiction in the progress of developing NAPT's and the increase in killings of HRDs. Bennett (2015, pp. 913, 919-920) identified a lack of awareness whereas Kogan even presumes that HRDs are not necessarily inspired when organisations start taking responsibility in general (Nah et al. 2013, p. 413). However, without concrete research on the situation of HRDs in the Philippines no explanation for the abovementioned contradiction can be given.

This thesis contributes to filling the gap in research on the situation of HRDs in the Philippines by answering three main research questions. Analysing the use of NAPT's by certain HRDs in the Philippines answers the first question: what techniques beyond advocacy are HRDs using to protect themselves? It shows that the general development of NAPT's, described in the previous paragraph, is not reflected by the Philippine HRDs' adoption of these techniques.

Second question for this research is: which NAPT's might have improved the protection of the HRDs? An assessment of the accessibility of institutionalized techniques, such as protection manuals, protection/emergency grants, relocation support and HRD trainings in the Philippines contributes to this part.

A comparison of the theoretical availability and accessibility of institutionalized protection techniques and their use in the cases under study enables the identification of gaps between intended use from the perspective of international organizations and the de facto adoption by HRDs in the Philippines. Certain obstacles are described which might induce grassroots defenders not to make use of internationally offered protection techniques. These obstacles are crucial for the non-adoption of these respective techniques. This answers the third research question: why have these techniques, which might have improved protection, not been used?

The main arguments made in this research are that a broad lack of awareness of institutionalized NAPT's exists in the Philippines, that there are different perceptions on the accessibility of NAPT's between local NGOs and international organizations and that an environment of threats and danger for HRDs influences HRDs' personal attitudes towards the use of protection techniques.

1.3 Methodology

The research project, which was conducted from January to June 2017, follows an exploratory multiple-case research design. Exploratory research, in comparison to explanatory or descriptive research, aims to discover phenomena. This kind of research is useful in new fields, by exploring topics when the knowledge basis of a topic is not sufficient to already allow the formation of conceptual frameworks or hypotheses (Bhattacharjee 2012, p. 6). In the field of protection mechanisms for HRDs there has been almost no research conducted in the past (Bennett et al. 2015, p. 889), which makes exploratory research a suitable design.

A multiple-case research design is also more useful to obtain a refined understanding of a phenomenon, whereas single-case research might be more suitable for developing a theory (Bhattacharjee 2012, p. 94). As it is not the objective of this research to develop a theory but to identify characteristics of the availability, use and effectiveness of Non-Advocacy Protection Techniques in the Philippines, the multiple-case design is the better option over single-case research. For these reasons, an exploratory multi-case research design seems to be the most promising.

One strength of the research is its focus on cases of HRDs killed during the last three years. This may appear “unusual” but this method makes it possible to draw more definite conclusions than by looking at cases where HRDs are still alive and active. It is at least very difficult, if not impossible, to distinguish between what actions have shown effectiveness in cases where HRDs are still alive. One reason is that individual protection plans are often compiled out of different advocacy and non-advocacy based techniques, hence it is hard to identify which of the techniques was crucial for the success of the entire protection plan (Conectas Human Rights 2014, p. 370). Also it cannot be foreseen if the perpetrators in these cases, when HRDs might be threatened but not killed, would be willing to take the “final” step and execute a lethal attack. It might be expected but cannot be definitely determined.

In cases of killed HRDs, on the other hand, it can be stated with certainty firstly, that the perpetrator constituted a genuine danger and was willing even to kill in order to stop the defender’s activities and secondly, that the protection techniques of the defender were not sufficient to prevent the attack. These conditions limit the

unknown variables in the data analysis and therefore strengthen the significance of the outcomes.

Another criterion was the availability of at least two participants able and willing to talk about the same case, as triangulation of data was key to the validity of the research. Interviewees according to these criteria were found by checking lists of killed HRDs created by international organizations such as “Aktionsbündnis Menschenrechte - Philippinen” (AMP 2016).

In general, case studies in exploratory research can discover complex phenomena with different actors involved. In conducting the research, it is important to keep this complexity in mind while conducting the research. A double-check by triangulating data, for example, helps to avoid mistakes (Bhattacharjee 2012, p. 94). The function and use of protection techniques for HRDs is in fact a complex issue as a variety of actors are involved (elaborated further in Chapter 3.1.3). To avoid mistakes and biases in data collection, at least two separate interviews have been conducted and cross-checked in each case.

Regarding the background of the study as well as ethical issues, these further criteria required that the key interviewees be older than 18 years and related to or well-known colleagues of an HRD who had become a victim of killing during the last three years. Furthermore, convenience sampling was the method chosen to find an appropriate study population. Convenience sampling consists of conducting interviews depending on the accessibility of participants to the researcher. This means that convenience sampling is not suitable for studies aiming to estimate parameters, such as calculating the percentage of persons as representatives of a larger society, or other quantitative comparisons. But for conducting in depth interviews, analysing the experiences of people and giving an insight about a phenomenon in general, convenience sampling can be appropriate (Bernhard 2011, p.147).

If a case fit the study sample and the location was accessible to the researcher, an organization with an affiliation to the victim was contacted. Thereafter, an e-mail communication was initiated to request interviews. Through a series of contacts, a contact person for each case was eventually identified to help facilitate the interviews. The interviews were all conducted by the author personally. The study population consists of 8 key informants related to 3 different killings of HRDs.

Colleagues and relatives of the victims were interviewed separately and partly with the assistance of an interpreter. The interpreters were not professionals but acquaintances, colleagues or family members of the interviewees.

Additionally, data was gathered from three experts from the European Union (EU) Delegation to the Philippines, the INGO Front Line Defenders and the domestic NGO Medical Action Group (MAG). The representative of the EU Delegation to the Philippines was interviewed personally and the content was later double-checked via e-mail communication. Communication with Front Line Defenders took place via telephone and e-mail. MAG was in contact with the researcher solely via e-mail. These primary sources combined with secondary data from the academic literature, organization reports and other publications constitute the data basis for the thesis.

Gathering primary data followed ethical protocols, suitable to each interviewee's circumstances. The study site, for instance, depended on the preference of the participant. Therefore interviews were conducted in restaurants, in NGO offices or at the private houses and compounds of interviewees.

All interviews with key informants followed the same basic procedure. First, the interviewer described the content and purpose of the study and the interview. Second, the process of interview was explained to the interviewees. Special attention was paid to the explanation of the anonymity of the collected data and of the participant's informed consent. Interviewees were explicitly told that they had the right to withdraw consent up until the examination or publication of the thesis. After assuring that this was understood by the respective participant and after reconfirming that the participant felt comfortable in the environment, the interviews were conducted.

The semi-structured interviews broadly followed a questionnaire of eleven open questions. These questions were however not used to limit the interviewee's elaborations but more to keep up the flow of speech whenever necessary. This broad leeway for the interviewees was firstly used to give the participants the possibility of deciding by themselves what they wanted to talk about and what they personally assumed as important. Secondly this also fulfilled the ethical consideration of giving

participants the opportunity to leave out individual parts which might be psychologically very stressing, such as describing the act of the victim's killing.

Due to a complete anonymization of the data, none of the interviews was recorded. The interviewer took handwritten notes which, already anonymized, were afterwards typed into a computer. The interviews were coded in the computer with numbers from 1 to 8 and the dates when the interviews were conducted were partially altered. These measures of anonymization were necessary because the interviewees are generally at risk. As their family member or colleague has been killed because of their participation in activism, the cases in question needed to be treated sensitively. Speaking with researchers in the field of human rights could pose a potential threat especially if seen by the perpetrators. More importantly, talking could be mistakenly understood as a kind of activism, and could make them a target of the perpetrators of the previous killing. Due to this risk, the data was fully anonymized.

As the cases are completely anonymized, it is not possible to give an elaborate presentation of certain stories with details which might lead to an identification of the victims. However, a short introduction to the three cases which have been the data source for the research is given. Victim number 1 was almost a senior citizen but not very experienced in the field of activism. Living with a big family, the victim got involved in activism because their own grand-children's health was affected by nearby factories, which was not acceptable to the victim. The victim was rising very fast in national politics, being already the president of a local human rights group after one year of activism at the time of the killing.

The second victim was the spokesperson of a local NGO and involved in activism for almost a decade. Although very busy with other jobs, the victim was engaged intensively with different human rights groups, thereby challenging the government to fulfil its obligations. After the killing took place, different organizations stated that objects indicating that the military has carried out the killing had been found at the crime scene.

The third case and youngest victim was an activist living in a very remote area, a human rights advocate and paralegal assistant for victims of human rights violations (HRVs). As the victim's entire human rights work was completely voluntary, the victim also had different jobs to support their own family. The

interviewees stated that the victim was killed by the military, which was the victim's main adversary.

Although the three cases are different, certain similarities can be noticed. All victims were living in rural or remote areas, with financial difficulties and responsibilities towards their families, and all were killed by being shot. Furthermore all victims have been described as outspoken, convincing towards others and therefore very successful with their activism. In subsequent citations, the respective reference will be marked with a number, indicating to which of the cases the interviewee referred.

After the data was collected and transcribed, the statements of the interviewees were organized in thematic clusters. These clusters included all data collected in the research, depending on topic, for instance "indicators for killings", "protection grants" or "relocation". The data within these clusters was compared to identify similarities or contradictions. This primary data and secondary data already gathered were sufficient to answer to the research questions. The outcome and findings are mainly presented in Chapters 3 and 4 of the thesis. Good quality of data respecting ethical standards was ensured by following the same procedures in each interview but acknowledging individual participant's personal sensitivities and fully anonymizing the data.

Though the research reveals human rights violations, these case studies cannot be generalized and seen as representative of the whole country. This arises from the small number of interviewees (8) and the relative geographical closeness of the cases. All cases took place within a maximum distance of 600 kilometres from the capital Manila in different directions.

There were two reasons for the distance. First, the topic is very sensitive in the Philippines, hence people are suspicious of researchers. For this reason, many requests for interviews were denied. Second, not all parts of the Philippines are considered secure, especially for foreigners from western countries unfamiliar with the location. The researcher was strongly recommended to not conduct any research on the island of Mindanao, for instance, although this island is the area in the Philippines with the highest frequency of killings of HRDs and therefore would have been of special interest (AMP 2016). As the purpose and objective of the research is not to

draw an overall representative picture but to analyse single cases, this does not weaken the final outcome.

One limitation which was identified is the fact that all collected primary data is “second hand”, meaning that all the key informants speak mainly about other persons. Identifying this as limitation is a consequence of the fact that the interviewees talked about their assumptions about another person’s experience. But as speaking about a third person also gives leeway to speak out more freely in the absence of personal fear of reprisal, which is an advantage. Therefore making the cases of other persons the focus of the interviews can be regarded as limitation and strength at the same time.

1.4 Progression of the thesis

This thesis is divided into five chapters. Chapter 1 is the introduction. Chapter 2 gives the background, laying out the theoretical foundation of the research as well as explaining the research scope. First of all, the term “Human Rights Defender” is considered from different perspectives in the literature, concluding with an explanation of who is and who is not regarded an HRD in this research. Further, the chapter looks at the international legal framework, regarding the International Bill of Human Rights but also international soft law, and elaborates which laws are violated in the cases of killings of HRDs. To provide a broader contextual backdrop for the Philippines the chapter gives an overview the general situation for HRDs in the country as well as an idea of what actions have been implemented or not implemented in the past to oppose these HRVs.

Chapter 3 consists of two parts. The first part gives an insight into how the protection of HRDs can be conceptualized. Starting with a comparison of HRD protection with other concepts of personal protection evolving out of peasant and resistance studies, the conclusion is drawn that these concepts are not sufficient to analyse HRD protection. Looking at advocacy networks gives the reader an understanding of the “common” international protection support for HRDs, especially by the UN Human Rights Defenders Regime. In contrast to that, the term NAPT is analysed and the function of these techniques is precisely explained.

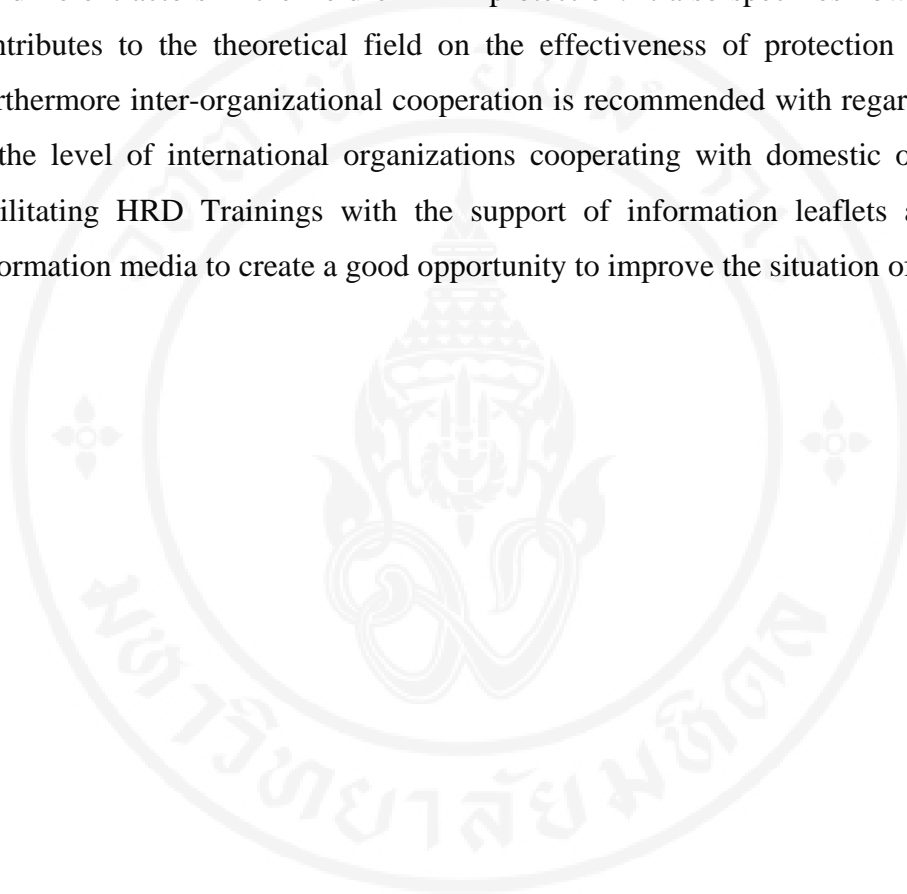
The second part of chapter 3 answers the first research question, elaborating which actions HRDs in the Philippines took to protect themselves beyond advocacy techniques. Firstly an overview is given on what single techniques were developed and used by HRDs in the Philippines to reduce their vulnerability to potential perpetrators without seeking organizational support. Furthermore the chapter elaborates which techniques are used to monitor one's surroundings and oppose surveillance. As self-organized temporary relocation could be recognized as a frequently used technique by defenders, the Section gives an overview showing its advantages and disadvantages. Networking at the grassroots level, which might intentionally be regarded as advocacy, may also be identified as a de facto NAPT used by defenders in these cases. Finally the chapter ends with a description of national and local HRD training which take place occasionally to increase activists' capacity for self-protection.

Chapter 4 answers the second and third research questions: what NAPTs might have improved the defenders' protection and why certain techniques have not been used in the studied cases. Firstly an international perspective on NAPTs is given and compared to its adoption in the Philippines. It is principally shown that protection grants are available and urgently needed as financial scarcity constitutes one of the main exposures to vulnerability for defenders. A description follows of how protection manuals might be made more appropriate to certain HRDs' situations. With regards to permanent relocation, the participants have all been very straight, arguing that is not considered an option for HRDs. Coming back to the research question, Section 4.1 argues that the use of protection manuals might have a positive impact on HRDs' security but most of all financial assistance, for instance via protection grants, is urgently needed.

The second part of this Chapter identifies obstacles for HRDs regarding the use of NAPTs. First and foremost was a need to raise the awareness and promoting the accessibility of the techniques identified. Furthermore HRDs tend to regard danger as inherent to human rights work what creates a culture of acceptance towards threats. A third obstacle is that certain indicators can be regarded in the forefront of killings, but they are either not noticed or not perceived as being real. Therefore an educational

process is needed on how to perceive these indicators but especially on understanding the immediate danger of certain threats.

The study concludes that use of the term NAPT's improves the situation for HRDs by making protection more effective and equalizing power-relations between the different actors in the field of HRD protection. It also specifies how the research contributes to the theoretical field on the effectiveness of protection mechanisms. Furthermore inter-organizational cooperation is recommended with regards to NAPT's at the level of international organizations cooperating with domestic organizations, facilitating HRD Trainings with the support of information leaflets as additional information media to create a good opportunity to improve the situation of HRDs.



CHAPTER II BACKGROUND AND CONTEXT

This chapter explains the various stakeholders in a complex power structure. At the centre of the phenomenon of HRD killings are the HRDs themselves. The killings are a violation of their basic right to life. Hence, the killings of HRDs need to be situated in a larger legal framework. For this research, the larger legal framework is formed by international norms and legal instruments. Subsequently, the chapter provides the context of the Philippines, mainly considering the actors of the GoP and third party organizations.

The power structures between governmental actors, who might be the perpetrators, third parties, such as supporting organizations or also perpetrators, and the defender are unclear. The following figure has been created by the researcher to characterize the present landscape of HRD protection. The figure indicates the areas where research has already been conducted and literature exists.

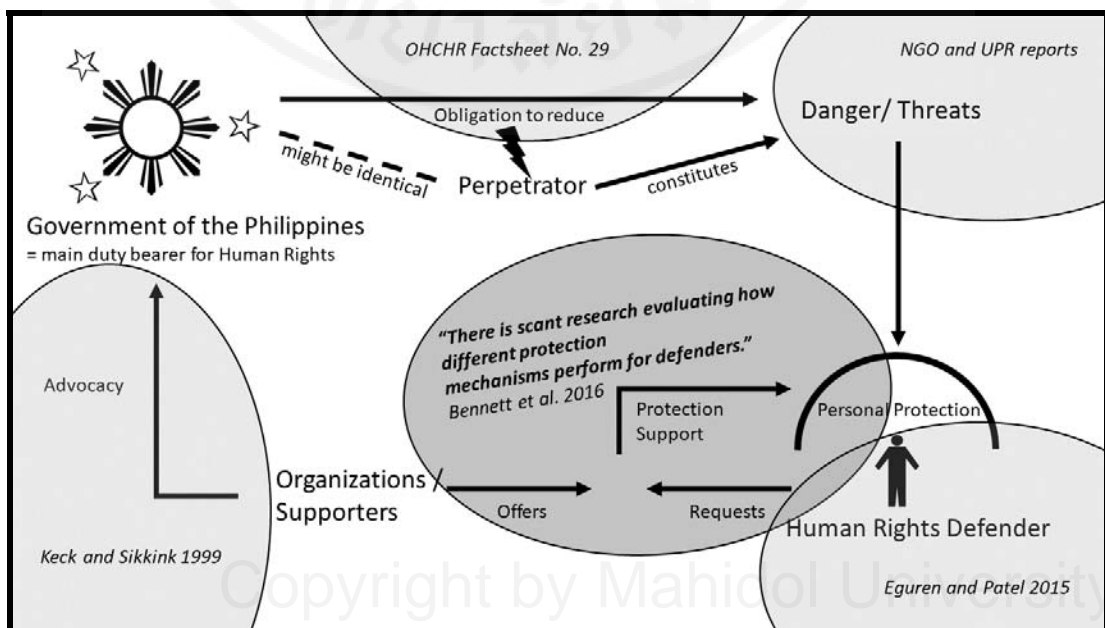


Figure 2.1 Action diagram of HRD protection

Two actors can be seen on the ground working towards the protection of the HRD, Organizations/Supporters and the defender her- or himself. The diagram illustrates two different methods of protection, personal protection and advocacy targeted at the government. In the case of advocacy, the defender can request support from external supporters. In such cases, an advocacy campaign may be launched towards the government on behalf of the affected defender. Again, this figure is not precise but gives a broad overview. Due to its responsibility as main duty bearer for human rights and its obligation arising from international treaties, the GoP is supposed to reduce the threats and attacks against the defender. Aside from advocacy, there exists another form of protection: personal protection. Personal protection can be undertaken by the defender alone or with the support of an external actor. It does not aim to change the government's attitude but addresses the defenders' immediate exposure to danger. The process of facilitating personal protection by the defender relies on the HRD alone as no other actor needs to comply with the action. If personal protection is supported by external actors, the facilitation process is more complex as the defenders' requests for support and organizations' offers of support have to match.

Within this picture, different literature is helpful to understand how this very theoretical schema plays out in reality. Eguren and Patel (2015) for example follow up the questions: who is a HRD and what difference does it make, if someone is considered to be an HRD. Further elaboration on that can be found in Section 2.1. An analysis of the international normative framework and the obligations arising for the GoP can be found in Section 2.2. Section 2.3, relying mainly on NGO and UN reports, especially from the UPR, allows an insight in the practical characteristics of the HRVs. It describes the involvement of the GoP in the killings of HRDs as well as its countermeasures. Subsequently the topic is presented in the current context of the Philippine 'War on Drugs' and an overview of the different stakeholders for HRD protection in the Philippines is given.

Besides this, in the field of analysing protection of HRDs and accordingly part of Chapter 3, different authors, such as Keck and Sikkink (1999), explain in their research the field of advocacy efforts to influence the government as a main stakeholder for the protection of defenders. Based on this framework of literature, Bennett et al. (2015) identified a lack of research in other aspects of the protection of HRDs. One field

where research is needed is the effectiveness of protection mechanisms as “*there is scant research evaluating how different protection mechanisms perform for defenders*” (Bennett et al. 2015, p. 889). Focusing on non-advocacy efforts in this research enables exploration of a field which has not been examined separately so far.

This chapter builds the capacity to interpret the statements of the interviewees, which is crucial for an understanding and interpretation of the subsequent arguments.

2.1 Human rights defender

In analysing protection of HRDs, it is necessary to determine who is and who is not considered a human rights defender. Although it might look unnecessary to be very distinct in this issue, eventually the definition of the term HRD makes a big difference for the people in question regarding their ability to access protection measures (Nah et al. 2013, p. 405). In the literature, different points of view can be found. The most common is the definition provided by the UN in the ‘Declaration on Human Rights Defenders’, defining HRDs as everyone who “*individually and in association with others, [promotes] and [strives] for the protection and realization of human rights and fundamental freedoms at the national and international levels*” (UN-GA 1999, p. 3). This term has been further specified in a later published Fact Sheet, stating that there is no “*qualification*” necessary to be a human rights defender. However, three requirements should be fulfilled by the person in order to enjoy the protection of the declaration (United Nations Office of the High Commissioner of Human Rights [UN-OHCHR] 2004, p. 8-10).

1) A defender has to acknowledge the universality of human rights, every time at any place. This means it is not possible to claim one specific human right, e.g. the right to freedom of religion (Art. 18 UDHR) and in the meantime to deny other peoples’ human rights, e.g. the right to life (Art. 3 UDHR).

2) The person has to defend a human right. Thereby, it is irrelevant if the defender is legally “right” according to domestic standards, it merely matters that the right the defender is fighting for is universally recognized as a human right.

3) The way of defending human rights has to be categorically peaceful.

This definition is very broad and may thereby also include groups which are not typically regarded as human rights defenders, such as teachers, social workers or medical doctors (Bennett et al. 2015, p. 888). This breadth is praised by Eguren and Patel (2015, p. 897) because it enables the declaration to apply universally, independent of historical or political contexts. This argumentation can be generally acknowledged although it is still necessary to look at a contrary opinion to be able to understand the context of why the definition is important.

There are various arguments against such a broad definition, even though most of the critiques still use the definition of the Factsheet of the UN High Commissioner of Human Rights (2004). Eguren and Patel (2015, p. 901) argue, for instance, that demonstrating the universality of human rights can be difficult because HRDs might not have the capacity to address all human rights issues equally. This argument might be regarded as an overinterpretation of the term because Fact Sheet No. 29 does not mention the active demonstration of the universality of human rights (UN-OHCHR 2004, p. 9) whereas the acceptance of the universality of human rights can be interpreted as the passive act of simply not violating any human rights.

With regard to the requirement of peaceful action, the question of what constitutes violent behaviour allows leeway of interpretation. Throwing stones at human beings is definitely a non-peaceful action. The example of throwing stones at tanks when provoked in a peaceful protest seems less clear (Eguren & Patel 2015, p. 902).

In contrast, perpetrators might start calling themselves HRDs under such a broad definition (Bennett et al. 2015, p. 888). For instance, police forces might claim to fight for the right to security of a person and to acknowledge the universality of human rights by being justified under Art. 30 of the UDHR while violating people's rights according to domestic law. Nah concludes that there is no clarity and an urgent need for further research on what constitutes the term HRD and whom it includes (Nah et al. 2013, p. 405). This paper consequently adopts the term as characterized by the UN and largely acknowledged in the field of academe by setting the requirements of accepting the universality of human rights whilst defending human rights peacefully. However, as there can still be no concrete distinction between who falls within this scope and who does not, it is necessary to look at the "*relational context*" (Eguren & Patel 2015, p. 902) and to see if the broader picture, not the single action, meets the abovementioned requirements.

2.2 Killings of HRDs

One killing of a human rights defender includes multiple human rights violations. Firstly the defender's individual rights are violated and secondly the rights of every person whose human rights the victim defended are violated as well. The violation of a defender's individual rights applies first and foremost in a violation of the inherent right to life, declared in Art. 3 of the Universal Declaration of Human Rights (UDHR). The right to life is simultaneously a positive and negative right. The positive right to life is the duty of the state to protect people from being killed, manifested in Art. 7 UDHR. This "right to be protected" implicates not only protection from violations by state-actors but also by non-state-actors (United Nations Special Rapporteur on Human Rights Defenders [UN-SRHRD] 2011). The negative right is the right to not be killed unlawfully by the state. The only ways in which a person can be killed lawfully is either by receiving a death sentence by a mandated court or for the sake of prevention. Since the death penalty was abolished in the Philippines on the 24th of June 2006 (Republic Act No. 9346), there is no way of killing a person lawfully as a measure of repression.

This positive and negative right to life has also been expressed in Art. 6 of the International Covenant on Civil and Political Rights (ICCPR) and became legally binding with the Philippine's ratification of the treaty in 1986. Art. 2(3) of the ICCPR, which concretises Art. 7 UDHR, imposes an effective remedy in all cases of killings of HRDs. An effective remedy means a due process of law by "competent authorities", including all executive and judicial measures of law enforcement. The violation of the human rights of whomever the defender was speaking for is dependent on the area of work.

For example, in case of the killing of a labour rights defender, the rights to just remuneration Art. 23(3) UDHR and Art. 7(a) the International Covenant on Economic, Social and Cultural Rights [ICESCR] of every person who was represented by the HRD would be violated (UN-GA 2015, para. 36). The International Bill of Human Rights, as a legally binding instrument, obliges the states to protect the lives of HRDs in order to fulfil their obligation as duty-bearers to guarantee the abovementioned human rights of the citizens.

Additional to this manifestation of HRDs' rights in the International Bill of Human Rights, 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”, abbreviated “Declaration on Human Rights Defenders”, was adopted in 1998 (UN-GA 1999, p. 2). The difficulty to find a commonly accepted formulation of the declaration on HRDs is reflected in the length of the drafting process. This 15-year process concluded in a declaration which itself did not even mention the term describing the people in question, human rights defenders (Bennett et al. 2015, p. 883).

According to the OHCHR, the declaration itself is not legally binding but, as a specification of standards from the International Bill of Human Rights, it represents the strong commitment of UN state parties to implement the declaration in domestic law (UN-OHCHR 2004, p. 19). This statement seems questionable as the state parties and NGOs were demanding a Special Rapporteur on HRD in 2000 due to the declaration’s lack of domestic implication (United Nations Economic and Social Council [UN-ECOSOC] 2000). The Declaration consists of articles describing the rights of HRDs and their protection, articles describing the duties of states and society as well as articles describing how the declaration is supposed to be implemented into domestic law (UN-OHCHR 2004, p. 20-22).

In the example of the killing of a HRD, mentioned in the previous paragraph, the defender’s rights “to promote and to strive for the protection and realization of human rights” (Art. 1 Declaration on HRDs) as well as the state’s duty to protect the defender (Art. 2 Declaration on HRDs) would have been disregarded. Although the domestic implementation of the declaration is crucial for its effectiveness, the institutionalisation of an independent monitoring mechanism for this implementation was not intended at the time of the adoption. In conclusion, the final adoption of the declaration underpinned the decision to multiply the protection of human rights by protecting their defenders (Sekaggya et al. 2008, p. 3) but was overshadowed by the long drafting process and vagueness of its formulations and implementation approaches.

2.3 HRDs in the Philippine Context

Reports of diverse organizations confirm the urgency of the issue of Human Rights Defenders in the Philippines, which has been steadily evolving in the country. From 2003 to 2013, Philippines was continuously one of the states with the highest number of victims in this field worldwide (ISHR et al. 2016, p. 8). The German NGO “Aktionsbündnis Menschenrechte – Philippinen” (2017, p. 8) published statistics and a list, which confirms the killings of at least 147 human rights defenders between May 2012 and September 2016. In 2015 alone, Global Witness (2016, p. 9) counted 33 killings, which ranked the Philippines the second most dangerous country for HRDs in the world. The number of killings remained high in the following year, amounting to 31 killings in 2016 (Front Line Defenders 2016a, p. 13).

The vast majority of these victims were defending economic, social and cultural rights (Karapatan 2016, p. 4; European Parliament 2009, para. G). Economic, social and cultural rights include the field of indigenous people’s rights, land rights and environmental rights. As indigenous people mostly live in remote areas without effective channels of expressing their challenges, big mining or plantation companies for instance rarely fear any reprisals when threatening or perpetrating violations of the rights of these indigenous groups. The vulnerability of indigenous peoples’ rights and environmental rights defenders and the impunity of the perpetrators pose as critical challenges to human rights in general, as claimed by the UN Secretary General in 2016 (UN-GA 2016a, para. 1, 35-36, 51).

The former Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, recognized a spate of killings on leftist activists since 2002, on his mission to the Philippines in 2008. These killings also included HRDs as they are sometimes associated with each other (UN-GA 2008b, para. 11). The numbers themselves make a clear statement. The topic of killings of human rights defenders in the Philippines is not a recent issue but an entrenched, long-lasting and increasingly worrying problem in the country.

Killings of economic, social and cultural rights defenders, contrary to civil and political rights, are often in the major interest of a non-state party, such as mining companies for instance. However, although the majority of actual victims are economic social and cultural rights defenders, most killings seem to show links to the

state authorities. In the lead up to these killings, it is recognizable that the victims faced harassment by government officials (OMCT 2009, p. 32). This harassment might play out in being accused of membership of a communist political group and therefore being anti-terrorism measures imposed like house searches or surveillance. Alleged membership of communist political groups like the New People's Army (NPA) is also cited by security forces in order to justify killings if their active involvement cannot be denied (AMP 2016, p. 3).

The World Organisation against Torture (2009, p. 34) calls the active or at least passive involvement of the Philippine authorities in these incidents obvious, whereas the EU even states an official involvement to be "*evidential*" (European Parliament 2009, para. G). The main state actor involved in the killings seems to be the Armed Forces of the Philippines (AFP). According to research of AMP (2016, p. 3), eye witnesses link more than two thirds of the reviewed incidents to state agents and half of them directly to the AFP.

The Internal Peace and Security Plan (IPSP) is a policy paper with the goal to "*outline [the] strategic direction in the performance of [the] constitutional mandate*" of the Armed Forces of the Philippines. It acknowledges human rights violations by military personnel and describes them as the "*greatest hindrance*" to a stronger cooperation between military and civil society (AFP 2010, pp. iii; 8). Another problem occurs once the AFP is involved in killings. In these cases, the Philippine National Police (PNP) seems to be either unwilling or incapable of investigating the cases (OMCT 2009, p. 34). The impunity of the perpetrators, which is given in most of the cases anyway, seems to become the norm if the AFP is involved. As the research presented by human rights organisations proves, a majority of HRDs killings is related to state authorities. This relationship can either be active, which means that state actors execute the killing themselves, violating the victim's right to life (Art. 3 UDHR), or passive, which means the state is knowledgeable about the killing but doesn't undertake any efforts to prevent it, violating the victim's right to be protected (Art. 7 UDHR).

Confronted with accusations of accepting and committing human rights violations, the Philippines had to defend its position within the UN Charter-based human rights body Universal Periodic Review (UPR) in 2008 and 2012. In the national report for UPR 2008, the Philippines stated that the Commission on Human

Rights' (CHRP) budget was enhanced to address the killings of HRD's. Furthermore, a Task Force under the PNP was implemented with the mandate to investigate the unexplained killings of 141 activists. Addressing the origin of these killings, instructions and training for all personnel of the PNP and the AFP were ordered to reiterate the non-tolerance of human rights violations by "*men in uniform*" (UN-GA 2008a, para. 101, 106).

In the aftermath to this UPR session, the Internal Peace and Security Plan was published and implemented. This policy paper, which no longer denied human rights violations, was supposed to extend a "*strategic imperative*" to respect human rights within the whole AFP. It should, from its publication onwards, give primacy to human rights while guaranteeing human security (AFP 2010, pp. 25, 27). The national report to the UPR 2012 confirmed further action against the killings of HRDs. For instance, the AFP's human rights education and training curricula were reviewed and revised in May 2009 with the participation of different human rights organisations. In addition, a national monitoring mechanism for extrajudicial killings was set up (UN-GA 2012a, para. 50, 63). This implementation of a national monitoring mechanism represents the GoP's interest in not being evaluated externally. Although it was recommended by the United Kingdom of Great Britain and Northern Ireland, the Philippines did note that it would not agree to invite the Special Rapporteur on Human Rights Defenders as an external monitoring mechanism (UN-GA 2012b, para. 131.15; UN-GA 2012c, para 3[i]).

Regarding the UPR's cycle structure, the reports submitted for the next review in 2017 can be used to monitor the success of the countermeasures promoted by the GoP in the national reports and affirmed in accepting the recommendations within the second cycle of the UPR 2012. Although the CHRP's budget was enhanced to address the killings of HRDs, the commission's Strategic Action Plan 2015-2016 included no attempt towards an improvement of the situation of HRD (CHRP 2016a).

The NGOs CIVICUS and Karapatan (2016, p. 2) stated in a joint submission that regarding the recommendations of the second UPR cycle, acute gaps in the implementation of measures for the protection of human rights defenders existed. Further statements, such as a joint statement of different NGOs published under the leadership of the International Service for Human Rights, also confirmed the

failure to implement the recommendations of the UPR's second cycle (ISHR et al. 2016). The Philippines' national reports to the UPR, however, demonstrate its interest in maintaining the impression that the GoP would try to improve the situation of HRDs. But the killings continued, especially with links to state authorities, as well as the failure to implement serious countermeasures whereas the promoted actions appear as a smokescreen for the global society.

As shown, the Philippine history of human rights defenders is shaped by government harassment, hitting a peak in contemporary politics under the 'War on Drugs'. Inaugurated as the 16th President of the Philippines on 30th of June 2016, Rodrigo Duterte issued Command Memorandum Circular No. 16 – 2016, the official order for the PNP's operation plan 'Double Barrel' as part of the anti-illegal drug campaign (National Police Commission 2016). 'Double Barrel' consists of two parts. One path, project HVT, is aimed at drug traffickers and syndicates whereas project 'Oplan TokHang' is supposed to tackle drug crimes at the user level. 'Oplan TokHang' means "*Operation plan knock and plead*" and tackles the issue in five stages (Amnesty International 2017, p. 19). The main stage, stage three, consists of house visits by the police to everyone named on a "*List of Drug Personalities*", issued beforehand by Local Chief Executives of every barangay, the smallest community unit in the Philippines, (Department of the Interior and Local Government [DILG] c. 2016, p. 3). The order in the executive plan is to immediately arrest and charge everyone who, as an alleged drug user, refuses a house search by the police (National Police Commission 2016, Annex "A").

The goal of the plan is defined as the "*neutralization of illegal drug personalities*" (National Police Commission 2016, p. 3). Amnesty International counted 7025 killings between 1 July 2016 and 21 January 2017, classified under the 'War on Drugs' (Amnesty International 2017, p. 6). Additionally, on the 29th of November 2016 President Duterte threatened to kill all human rights defenders if they tried to stop him implementing his campaign, (Front Line Defenders 2016a). Duterte also promised to pardon every person involved in killings under the war on drugs including himself, who is accused of having initiated a crime against humanity in front of the ICC ('Duterte to pardon self for mass murder' 2016; Sabio 2017). Impunity for the killings of alleged drug users or dealers and human rights defenders was not a

hollow promise (Amnesty International 2017, p. 7). Due to direct threats of the GoP against HRDs as well as an openly promoted culture of impunity for criminal perpetrators, the protection of HRDs in the context of the 'War on Drugs' becomes even more important than in the years before.

Acknowledging the failure of the GoP to ensure protection for HRDs, a broad variety of other actors can be identified as taking a stake in HRD protection in the Philippines, including intergovernmental and international governmental organizations. Beside the UN, optimally a stakeholder for the protection of HRDs in every part of the world, the European Union and foreign embassies can be identified as actors involved in HRD protection. The EU Delegation in the Philippines is running different projects for the protection of human rights defenders, such as facilitating emergency grants with the European Instrument of Democratization and Human Rights (EIDHR) or supporting domestic NGOs financially (Representative of the EU-Delegation Philippines, personal communication, 23 February 2017). Foreign embassies generally maintain direct relations with single defenders, on whose behalf they advocate towards the GoP (ISHR 2016, p. 13). The relatively young human rights instrument of ASEAN, the ASEAN Intergovernmental Commission on Human Rights (AICHR), has not engaged on the issue of human rights defenders.

Among international non-governmental organisations (INGOs), Front Line Defenders and Forum Asia both run HRD programs supporting defenders in international advocacy and facilitating immediate protection support. A more detailed insight into the work of Front Line Defenders will be given in the next chapter. Beside these, there are a number of INGOs advocating on behalf of HRDs even though most do not have offices or representatives in the Philippines. Also the German INGO International Peace Observers Network works directly in the Philippines, accompanying defenders, monitoring and documenting human rights violations against HRDs.

The most important actors for defenders at the grassroots level in the Philippines are probably the domestic NGOs. Among them, Karaptan, Medical Action Group, Task Force Detainees in the Philippines and the National Council of Churches in the Philippines are very active. These NGOs, similar to Front Line Defenders and Forum Asia, offer advocacy support and, unlike most other NGOs, direct non-

advocacy based protection support. This can be in the form of grants, relocation support, respite programs or Human Rights Defenders trainings. Beside these main actors at the national level, there is a large number of smaller NGOs or movements supporting defenders, mostly with advocacy, but without a clear focus on this target group.

The National Human Rights Institution of the Philippines, the Commission on Human Rights of the Philippines, also engages on HRD protection. Although it is not their focus, the independent CHRPH is monitoring the national situation for defenders, has the opportunity to investigate certain violations and to give recommendations to the Government.

In conclusion, a broad variety of actors, from grassroots movements to international governmental organizations, official, civilian or religious, hold a stake in the field of human rights defenders protection in the Philippines. This makes it difficult but even more important for defenders to distinguish which stakeholder to approach with a specific concern.

Distinguishing between who is and who is not a Human Rights Defender and understanding the normative obligation of the GoP to protect defenders gives the opportunity to reflect on the current situation in the Philippines. This situation, dominated by not just the failure but even the aggression of the GoP towards defenders, indicates the urgent need for further protection measures apart from the governmental ones, which fail to apply. Such background knowledge, especially regarding different stakeholders, is necessary to assess later which protection efforts are accessible and promising for HRDs in the Philippines. The concrete definition of HRDs will be important in the following chapter, when different personal protection concepts will be analysed. Knowing that the Philippines is state party to the ICCPR but violates the obligation to protect HRDs, makes it clear why HRDs might rely on non-advocacy based protection techniques. The stakeholders listed in the last part of this chapter, will be of importance in the description of the perspectives of international organizations on NAPTS, Chapter 4. As this chapter looked more at the government and its failings, the next chapter focuses on counterparts and their attempts to ensure protection.

CHAPTER III

HOW TO PROTECT HRDS

In the overall picture of violence against HRDs and their protection, different actors can be identified. The main two actors involved are the aggressor, mostly a state or company, and the affected HRD. Besides them, international and local human rights organizations as described in Section 2.3 are involved. The importance of these actors, especially international actors is heightened in a globalized world. As this thesis positions HRDs as the focal subjects and agents of protection, the main focus is on the defenders and their supporters, not the government or other possible perpetrators. As documented in the previous chapter, a lack of research in the field of HRD protection has been identified (Bennett et al. 2015, p. 889). From this lack evolves the necessity to take a step back and look at related concepts of protection which might be used to conceptualize HRD protection.

This chapter captures the status quo of personal protection of HRDs in the Philippines, embedded in a conceptual framework of protection itself. Different concepts of protection are introduced and a lack of research on HRD protection without relying on advocacy is identified. Protection can play out in various concepts which are all related in their goal, to safeguard an affected individual or group. The concept of personal protection for HRDs is distinguished by the special circumstance that the goal of being protected competes with the goal of continuing the initial human rights work. It is explained how the power relations between HRDs and international organizations are affected differently regarding the use of advocacy-based protection techniques or non-advocacy based techniques. In the second half, the chapter describes protection attempts by HRDs in the Philippines which are not based on advocacy and were monitored during the research.

3.1 The concept of protection

For protection for HRDs, there is no concept which captures the notions of personal protection of HRDs. Hence, this subchapter first analyses and compares the broader concepts of personal protection, everyday resistance by Scott (1989) and self-protection by South (2010), with HRD protection to identify similarities and to define the particularities of HRD protection. This definition shows that individual HRD protection differs from the existing concepts of Scott and South, hence a new conceptualization is needed. The concept of protection is then portrayed from the perspective of (international) advocacy networks. This concept shows the application of advocacy efforts and outlines the strengths and limitations of this approach. The limitations of advocacy approaches are one rationale why this research does not focus on them. Finally a section defines the term Non-Advocacy Protection Techniques (NAPTs) to ensure subsequent accuracy in terminology when talking about HRD protection. This section, especially the definition of NAPTs, creates a clear understanding of what is analysed in the following chapters.

3.1.1 Concepts of personal protection

As stated in the introduction, there is no research so far in conceptualizing the HRD perspective on personal protection. Thus, it is necessary to look at other concepts of protection and relate them to the defenders' perspective of personal protection. One concept related to defender's protection is "everyday resistance" as part of the 'Weapons of the Weak'. 'Weapons of the Weak', a term invented by Scott (1985), describes resistance strategies of peasants to tackle an unjust stand in society and suppressive circumstances created by wealthy land-owners. As a "*first resort*", peasants would tackle the issue by "*usual*" resistance, such as rallies. But especially if faced with a very violent or suppressive antagonist, this method of open resistance might be too dangerous. To protect themselves and continue their opposition, peasant movements developed certain unobtrusive strategies, being defined as everyday resistance (Scott 1989, pp. 34-35).

Any action opposing the current circumstances implemented in everyday life, even as part of instinctive efforts, can be called everyday resistance. But more complex forms, which require a detailed comprehension of the system, can also be

part of this strategy (Mullen 2016, pp. 76-77). Squatting on land which is claimed by the government or a company instead of opposing the antagonist can be part of everyday resistance strategies, as peasants might try to avoid public attention to this situation (Scott 1989, p. 35). Also offering alternative education, avoiding taxation, misreporting and even farming can, if it undermines official orders and the status quo, be regarded as actions of everyday resistance. The field of everyday resistance is so broad that even violent actions, like threats and murder, can be regarded as a part of it (Mullen 2016, pp. 78-84).

According to this, it can be confirmed that peasants and HRDs are in similar situations, being vulnerable groups which oppose strong actors, such as the government or big companies. Certain aspects, such as the maxim of avoiding risks, can be found in the concept of both everyday resistance and HRD protection (Scott 1989, p. 35). However, the acceptance of violence as a strategy is the first of two important recognizable differences between the concept of “everyday resistance” and human rights defenders protection. Whenever people are called human rights defenders, the crucial precondition, as elaborated in chapter 2.1, requires them to undertake all actions peacefully and thereby non-violently.

The second and even more important difference between everyday resistance and HRD protection is that everyday resistance aims to fulfill a political goal, namely to oppose suppressive superordinate classes. HRD protection on the other hand is primarily focused on the avoidance of attacks. Although HRDs might also want to create change in the political system, this is more likely to be the defender’s initial human rights goal, such as preliminary work for land or environmental rights. Hence, the concept of everyday resistance provides a background to understand how suppressed actors oppose their suppressors, similar to what HRDs do in their initial human rights work. But this is not an adequate concept by which the personal protection efforts of HRDs can be exemplified, as it does not focus on the goal of avoiding danger and attacks.

Another concept which might be more applicable to the situation of HRDs was developed in a study by Ashley South (2012) and is called “self-protection”. South’s study answers the question of how to address protection concerns when international support is not available. This is exemplified in the cases of Burmese

civilians vulnerable to armed conflict or natural disasters (South 2012, p. 187). In these cases, especially focused on the armed conflict in Karen state, east Myanmar, local approaches to protection were necessary as international actors had limited access to those affected by the conflict. Civil society was exposed to threats of murder, rape, torture and other violations (South et al. 2010, pp. 1-2).

South argues that international organizations that intervene in armed conflicts or disaster situations, tend to impose their understanding of the “best” way to engage with vulnerable groups. Contrary to this, the ones affected more often have the clearest understanding of what kind of support from the outside is really needed (South 2012, p. 175). Governmental authorities can be regarded as both offenders and protectors in the environment described, as can non-governmental actors such as armed or religious groups. Due to this ambivalent position of different actors, the people living in Myanmar had to develop a strategy of coping with threats, called “self-protection”.

South identified three approaches in dealing with threats, which themselves consist of different protection strategies. The first and primary approach is to contain or manage the threat. This can be done by complying with the demands of power-holders, turning for assistance to local authorities or staying quiet and trying to not be recognized. The second approach identified is to avoid the threat by fleeing temporarily or permanently. The final approach is to oppose the threat by using advocacy or active resistance (South 2012, p. 187). The concept of self-protection includes as part of the third approach the strategy of advocacy, especially local advocacy such as complaints to the authorities and direct appeals to the military or other local stakeholders. This local advocacy could yield success when local power holders fear public reporting of their activities, which might cause trouble with the national authorities. South calls this “*behind-the-scenes*” advocacy or “*persuasive*” advocacy, because it is advocacy in a non-public space.

Eventually South argues, that the identified self-developed protection strategies are often more effective than protection attempts by outside actors (South et al. 2010, pp. 2-3). The concept of self-protection which evolved out the needs of civilians in the absence of external support is characterized by different approaches

which mainly operate at a grassroots level, and do not try to change the whole setting but merely cope with individual threats.

Analysing the concept of self-protection, strong similarities can be found between the coping strategies of civilians in South's study and HRDs. However, there are also three main differences to acknowledge which lead to the conclusion that the concept cannot be adopted to analyse the protection of defenders. Similarities between the behaviour of HRDs and the concept of self-protection are mostly the strategies of avoiding the threat by fleeing or relocating and the strategy of advocacy. Relocation of defenders is not very common, because this means that the initial human rights work of the defenders would have to stop and in some cases they would have to leave their families. Therefore, it is used only by those most at risk, but nevertheless it is used (Kogan 2013, p. 507). Advocacy is probably the most common protection strategy for HRDs, be it at local, domestic or international levels.

The unsuitability of South's concept of self-protection plays out in the differences between the target group, the theoretical foundation and the accessibility of external support. Self-protection by South is described as strategies of whole communities where they do not have the single goal of not being abused or killed. For HRDs, who might be part of civil society organizations, protection strategies are personal coping strategies with the main goal of not being killed whilst continuing their initial human rights work. The strategy of "make do and stay quiet" would therefore never be an option for HRDs, as not staying quiet is a major part of their human rights work. It is also not usual in field of human rights, that a whole community is affected by the same problems as the defender. This leads to the second difference, the theoretical foundation.

According to South, communities which are affected as a whole tend to explore "*non-liberal notions of protection*", which means they cooperate with non-state actors such as armed rebel groups or criminal networks. In the concept of self-protection, this does not cause a problem because South's definition of protection is based on humanitarian grounds, being neutral and impartial (South 2012, p. 176). Protection of HRDs is very different from humanitarianism as it is based on the concept of human rights, which distinguishes between perpetrators and defenders. Therefore if a HRD cooperated with an armed rebel group or a criminal network, the

person would no longer be considered a human rights defender because such action violates the precondition of acknowledging the universality of human rights (UN-OHCHR 2004, p. 8-10). Where such cooperation is covered in the concept of self-protection, the concept can no longer be used to analyse HRD protection because crucial strategies as “*non liberal notions of protection*” (South 2012, p. 176) cannot be chosen by defenders.

The third argument that makes the concept of self-protection unsuitable for HRDs relates to the availability of external support. The concept of self-protection evolved in circumstances where external, especially international support was not available (South 2012, p. 187). Looking at the situation of human rights defenders, in some cases, especially in very remote areas, external support may not be available. But such cases are not perceived as the norm and the opportunities to structure protection plans for HRDs are very different from the opportunities of the communities analyzed by South. Using the concept of self-protection to analyze HRD protection would omit any analysis of the broad variety of protection support by external organization, such as Front Line Defenders, the EU or the UN.

Self-protection in the form posited by South describes the coping strategies of civilians in conflict areas to ensure survival and avoid abuse by different power holders, such as the government, non-governmental political/rebel groups and also religious extremist groups. These coping strategies apply partly in both fields and therefore be used in comparison with certain strategies also used by HRDs. As elaborated above, these strategies, which can be found in HRD protection and self-protection, are more a common denominator and do not represent the whole concept. Thus, the concept of self-protection also cannot be adopted as a conceptual framework for HRD protection.

Everyday resistance and self-protection are hence not suitable as concepts to analyze HRD protection. HRDs can never engage in non-peaceful actions and that the primary goal of HRD protection is to avoid attacks, not to change a political system. Further, the concept of HRD protection focuses on a single person, not a group, it is not based in humanitarianism and that it can be supported by external actors. This helps to draw a rough picture of HRD protection which will be used in the following sections.

3.1.2 International protection support

Contrary to the defender's role as an actor in the field of HRD, which has not yet been conceptualized, there are existing conceptualizations which describe the function of organizations supporting defenders. This research uses the concept of "Advocacy Networks" (ANs), introduced by Keck and Sikkink (1999), to portray advocacy support for defenders actively promoting the rights of the vulnerable groups.

Organisations acknowledging the vulnerability of human rights defenders try to enhance the defenders' security by addressing the main stakeholders involved in the human rights violations. This attempt to change the stakeholder's behaviour is a major function of ANs operating domestically, regionally or transnationally (Keck & Sikkink 1999, p. 89). The AN is thus working as a structure for different actors with the same interests and shared values, as well as an agent actively addressing a certain event, such as a HRV (Santa Cruz 2004, pp. 4-5). The main addressees of this advocacy work are governments in their role as guarantors as well as sometimes violators themselves of human rights (Keck & Sikkink 1999, pp. 92-93). According to Schmitz governments in both roles are to be held accountable for the gap between official commitments to human rights in domestic as well as international laws or commitments, and the factual human rights situation represented by the violation. Advocacy campaigns addressing issues of physical harm, such as the killings of human rights defenders, are thereby most likely to be effective in advocacy networks (Schmitz 2010, pp. 7193-7194).

Starting in 1961, Amnesty International was one of the first NGOs to establish advocacy for human rights issues transnationally (Schmitz 2010, p. 7199). Due to Amnesty's success and popularity, Transnational Advocacy Networks (TANs) became numerous in the late 20th century. NGOs and INGOs are usually the key actors in TANs, but also Governmental Organizations (GOs) can participate (Schmitz 2010, p. 7193; Santa Cruz 2004, pp. 1-4). The UN, especially UN-OHCHR, has played a key role in bringing national human rights violations to global prominence, thereby enabling transnational advocacy (Schmitz 2010, p. 7200). Over the last half decade, national and transnational human rights advocacy networks have shown success in their attempts to hold governments accountable for violating human rights.

NGOs, especially in the quite recently developed field of human rights defenders protection, have not been the ones taking a leading role in (transnational) advocacy, and the role of constituting a regime for the protection of HRDs has largely been taken by the UN. One of the indicators that UN procedures dominate is the almost universally accepted definition of who is and is not a human rights defender, although this “*emerging regime*” is quite young compared to other UN institutions (Jones 2015, pp. 936-937; 948-949). Hence the term UN Human Rights Defenders Protection Regime emerged.

In reality, it was not intended to publish the ‘UN Declaration on Human Rights Defenders’ as late as 1998; its drafting process started in 1983, but, as mentioned in Section 2.2, due to tensions and disagreements it took 15 years to find a common formulation acceptable to all members (Bennett et al. 2015, p. 883). This long drafting process also demonstrates one of the main limitations of the UN HRD Protection regime. Representing 193 member-states with, in part, very opposing views on policy making, the protection regime is powerful but at the same time inflexible in its decision making. As reactions of the regime to changes in national policies and laws criminalising or harassing HRDs have to be adequate, a need to tailor unique protection measures arises which can hardly be satisfied by such a large apparatus (Bennett et al. 2015, pp. 883-886).

The Declaration on HRDs itself was regarded as a paper tiger without any mechanism to enforce domestic implementation. Accordingly, due to requests of different states and NGOs, a UN Special Procedure was mandated in 2000 (UN-ECOSOC 2000, para. 11, 15, 17). This charter based human rights body, the UN Special Rapporteur on Human Rights Defenders, tries to emphasize implementation of the declaration by conducting country visits and formulating recommendations to governments and civil society on how to improve the situation for HRDs.

Another charter based human rights body, working hand in hand with the Special Rapporteur on HRDs, is the Universal Periodic Review (UPR) process adopted by the UN General Assembly and first implemented in 2006 (UN-GA 2006). The UPR examines the general human rights situation, including the situation for HRDs, of every UN member country once in a four-year cycle. The outcome of these

examinations or reviews are recommendations by other member states which can either be accepted and subsequently adopted, or noted and later not adopted.

The work of UN-SRHRD and the UPR process encounter the same problem. Recommendations might be given, but the adoption of corresponding measures is subject to the sovereignty of each state. Especially in cases like the Philippines, where the government, as presented in Section 2.3, is deeply involved in the repression of human rights defenders, appeals to take responsibility are very unlikely to be successful. Also, it has not yet been possible for an external monitoring mechanism to evaluate the situation of Philippine HRDs through an independent fact-finding mission. Recommendations by states, civil society and the United Nations to allow external monitoring have always been noted but never accepted (UN-GA 2012c, para.3 (i); UN-SRHRD 2016a).

With the participation of a broad majority of sovereign states, the UN managed to constitute a human rights defenders protection regime consisting of special procedures such as the UN-SRHRD or the UPR. While strong in terms of representation from global society, the regime lacks effectiveness due to its inflexibility and lack of legal force.

This lack of force as well as the problem of misunderstandings between different actors, particularly in transnational advocacy, is inherent to advocacy networks. The responsibility for real change in defenders' situations ultimately remains with the state as duty bearer, which is not always willing to change a position if challenged by high publicity (Keck & Sikkink 1999, p. 98). Advocacy is generally accompanied by the risk of being counterproductive and endangering the HRDs (Bennett 2015, p. 914). For instance, Ms. Matutina, a nun and HRD from Mindanao, Philippines, was threatened and harassed after engaging in the UPR process (ISHR et al. 2016, p. 7). This lack of awareness of the national-level consequences for transnational advocacy often makes the network insensitive and thereby less effective (Schmitz 2010, p. 7189).

The problem also occurs that international-level advocacy often leads to a difference in terms of status and power between the partnering actors. The defender would engage at a grassroots level and direct advocacy towards local authorities while international actors often engage directly with the government. The needs of defenders

might differ from what international network organisations expect and advocate (Bennett et al. 2015, p. 890). In extreme cases, this difference of status might even lead to transnational activists imposing their ideals on other countries. Hence key to effective transnational activism is acknowledging actors at the grassroots level not as victims but as equal partners (Schmitz 2010, pp. 7189; 7191).

Advocacy networks and advocacy approaches, foremost the UN HRD protection regime, have earned a reputation by representing a broad majority of global society and also by being able to reach out to governments even across borders. The lack of force or binding power sometimes makes advocacy indeed ineffective but that is not a reason to reject this aspect of HRD protection. Acknowledging the importance and leading role of advocacy in the field of HRD protection, this research nevertheless focuses on protection techniques other than advocacy, as it is so far a barely explored phenomenon in the academe.

3.1.3 Non-Advocacy Protection Techniques

The personal protection concepts of Scott and South as well as the concept of ANs are helpful in constructing a meaningful framework for the understanding of HRD protection but cover just parts of this field. The personal protection concepts cover protection for civilians at the grassroots level, being partially based on advocacy and partially on immediate action. The main problem is that these concepts do not look at HRDs but at the general public, which makes a big difference when it comes to the motivation of the aggressors and the personal priorities of the affected persons. The uniqueness of HRDs is that they are, as political actors, first targeting their opponents with unequal weapons. HRDs are always fighting peacefully, in the absence of physical violence, against an opponent who uses violence to defend itself. Civilians not behaving as political actors do not challenge the perpetrators at all. If civilians behave as political actors, as in the concept of everyday resistance for instance, they are not bound to the rule of non-violence and might not resist by being outspoken.

The concept of ANs is to look at the protection of HRDs merely from an advocacy perspective. But as shaming the violator is not always effective, strategies of education and empowering the grassroots actors have to be strengthened. Advocacy Networks addressing impunity might empower a vicious circle of rights violations by

demanding national tribunals/court trials, which are set up in a context of the absence of the rule of law and thereby violate even more rights. Local activists sometimes then have to speak out and disagree openly with transnational supporters as their motivation is not always driven by the interests of the local groups (Schmitz 2010, pp. 7190-7198). A lack of effectiveness due to reaction by governments or mis-targeted advocacy is foremost in states like the Philippines, where the government is often deeply involved in the killings of HRDs, creating the necessity to ensure the protection of HRDs via different techniques than advocacy.

As protection techniques of HRDs are comparable to those of civilians, there are also strategies used by HRDs which do not focus on advocacy. Although these techniques have existed and have been institutionalized by organizations for more than decades, there is no existing term which defines protection techniques not based on advocacy. To be able to distinguish the object of analysis precisely, this paper introduces the name Non-Advocacy Protection Techniques (NAPTs) with the following meaning.

NAPTs neither undermine nor concur with advocacy approaches for the protection of HRDs and most often differ from the initial advocacy approach by the defenders when advocating for certain human rights. Disregarding the use of NAPTs, the government continues to be the main duty bearer and eventually responsible for the protection of the rights of its citizens, especially of human rights defenders (UN-GA 1999, p. 3). Accordingly, most HRDs agree that the most effective method of protection would be to end impunity. This is unfortunately not always in the sphere of a defender's influence, nor of a supporting organization (Quintana & Eguren 2012, p. 117). If the government fails to provide sufficient protection for HRDs or if the government is even the aggressor itself, NAPTs are a possible way to achieve temporary protection until advocacy has forced the state to fulfil its obligations. The following graphic visualises the different actions by Human Rights Defenders, organizations, the GoP and the perpetrators in the field of human rights work and defenders' protection.

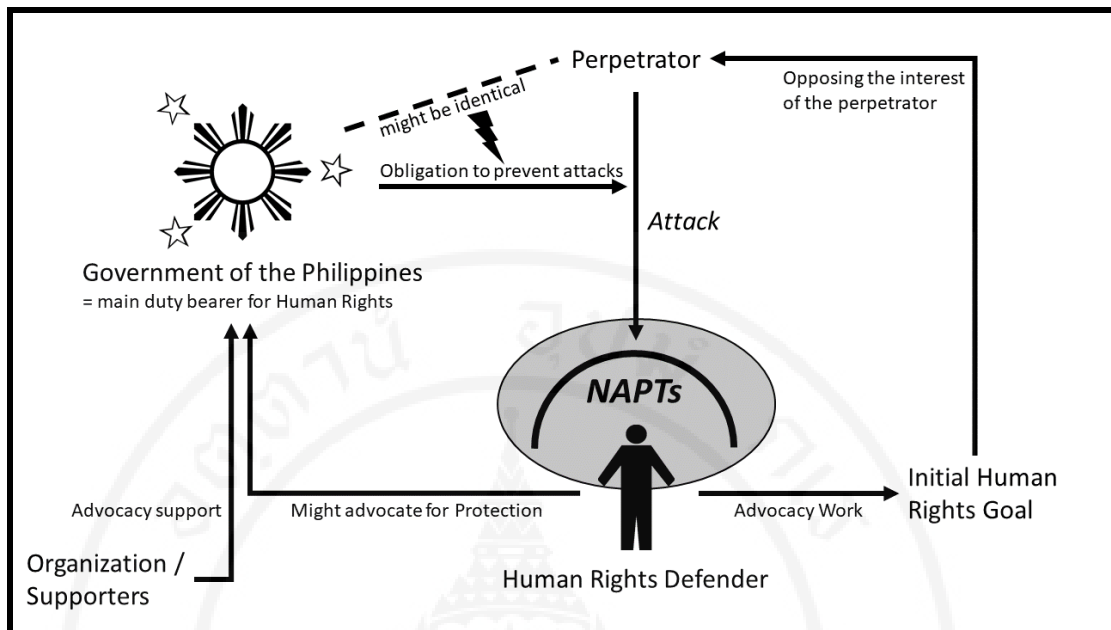


Figure 3.1 The function of Non-Advocacy Protection Techniques

The initial human rights goal, for example the right to land in cases of forced displacement, often conflicts with the interests of the perpetrator, which might be a company claiming the land or even a state authority like the police or the AFP. If the perpetrator tries to attack the HRD in order to stop her or him from advocating for the human rights of the people in danger of being displaced, the government's obligation would be to prevent these attacks and ensure the human right to life and liberty and security of the person (Art. 3 UDHR) for the HRD. To claim this protection from the government, the HRD her- or himself, as well as national or international organizations and supporters might direct advocacy towards the government. This process might take a long time and always requires cooperation from the state authorities to ensure sustainable personal security for HRDs. Non-Advocacy Protection Techniques should therefore rather be regarded as additional measures to ensure the defender's protection immediately by reducing the vulnerability of the defender independently of the government or perpetrator.

Strategically, NAPTs follow both rights-based and needs-based approaches. The main goal of needs-based approaches is to achieve effective and immediate success while not rejecting charity as a motivation (United Nations Population Fund [UNFPA] & Harvard School of Public Health 2010, p. 90). Examples

of needs-based NAPT's would be grants and relocation support. The defenders are not trying to finance security expenses or to arrange a visa on their own, but are simply accepting the outcome. Rights-based approaches focus on the empowerment of the rights holders to enable them to realize their own needs (UNFPA & Harvard School of Public Health 2010, p. 90). Security manuals or protection training serve as examples for rights-based approaches which try to enable defenders to protect themselves without further help.

Non-Advocacy Protection Techniques can be either institutionalized measures by organizations supporting HRDs or certain strategies of habit developed by defenders to be less vulnerable. Institutionalized support includes, for example, financial grants to enhance security circumstances or trainings where HRDs learn certain protection strategies, so called HRD Trainings. NAPT's developed by the defenders themselves might include the reduction of vulnerability by breaking certain patterns of behaviour or avoidance of surveillance by the opponents.

The initial human rights work of defenders is most often what offends the other party, such as companies or the authorities. If this is the case, the defender might be endangered as the opponents try to stop the HRD from conducting human rights work. To stay safe in this situation, the defender has the possibility to use advocacy as well as non-advocacy protection techniques, when they are not contradictory, or even complement each other.

In the Philippines, a variety of different international organizations support HRDs with NAPT's, such as the European Union, Front Line Defenders and Forum Asia. But smaller INGOs, such as the Urgent Action Fund for Women's Human Rights, also offer support exclusively for a certain group of activists. The European-based organizations work together in arrangements, so that for example the INGO Protection International does not work in the Philippines but is present in Indonesia (Protection International 2017, 'Protection Desks'). Front Line Defenders, on the contrary, is barely active on Indonesian issues but supports HRDs in the Philippines.

The EU and Front Line Defenders cooperate closely in the field of HRD protection in the Philippines, for instance, when it comes to relocation (Representative of the EU-Delegation Philippines, personal communication, 23 February 2017). Nonetheless, both organizations offer grants independently of each other. Non-

advocacy-based support offered by international organisation includes 24/7 emergency hotlines, protection grants, relocation assistance, protection trainings, handbooks on physical and digital protection and respite programs/fellowships. Although not yet used by the HRD Protection Regime, there are already attempts to facilitate immediate support for HRDs at risk. The Irish government issued emergency visas for HRDs in 2005 at the request of the Irish INGO Front Line Defenders. (Front Line Defenders 2007a, p. 10).

At a national level the number of NGOs supporting HRDs is very high and the structures of cooperation and affiliation between these are not clearly defined. To mention without further elaboration, Philippine civil society is split into two main groups, the reaffirmist and the rejectionist factions, emerging from ideological differences after the overthrow in 1986 of the regime of Ferdinand Marcos (Hall 2006, pp. 6-7), which declared martial law as a reaction to multiple communist attacks. Subsequently, the reaffirmist faction, which is politically regarded as leftish, engaged in a dialogue with the communist rebel groups who opposed the regime with violence. The rejectionist faction on the other hand rejected any form of dialogue with communist groups. This split also explains why there is until now no single organisation supporting all HRDs. However, this split has no influence on approaches to HRD protection as human rights organizations supporting defenders through advocacy and NAPT can be found at both ends of the civil society spectrum. For the rejectionist faction, the NGOs Task Force Detainees in the Philippines and Medical Action Group can be identified as main actors in the protection of HRDs. Karapatan is the counterpart for reaffirmist defenders.

3.1.4 Power Relations

One main problem identified in the academic field of internationally supported HRD protection, which has to be discussed separately, is the imbalance of power between defenders and international organizations. In advocacy-based protection, which is internationally the most common, the person affected is the HRD on the ground, who sometimes does not even have direct contact with the international organisation advocating on her or his behalf. Thereby the power of creating change for the defender is ultimately with the international organization, which undoubtedly has

the best intentions to support the HRD whilst approaching the GoP. In this advocacy, the needs of defenders might still be different from the perception of the international organisation and therefore also different from what is formulated with respect to the government (Bennett et al. 2015, p. 890).

Levitt and Merry (2009, p. 443) identify the general weakness of international, mostly academic, human rights discussion and its application to the grassroots. At the international level, micro-dynamics, such as cultural differences, can often not be recognized and thereby lead to an incorrect perception of the outcome. South adds that self-protection strategies, which are different from HRD protection but can be compared in this setting, include different agreements with power holders in the region. External support actors might hence risk undermining these communities' existing self-protection strategies, if there is no direct connection to the people on the ground (South et al. 2010, p. 6). In the worst case, this undermining might lead to international organizations inadvertently imposing their ideals, which the defenders have to go along with as they lack the power to oppose them. For effective cooperation it is therefore important for international organizations to approach defenders at the same level, so that the needs and expectations of both partners can be clearly communicated before advocacy is directed towards the government (Schmitz 2010, pp. 7189; 7191).

In practice it is very unlikely that international organizations, such as the UN, the EU or Front Line Defenders especially, which work in various countries, can provide enough staff to facilitate direct communication with every defender. Therefore, the concept of having personal contacts between each HRD and the international organizations advocating on her or his behalf to avoid undermining personal protection efforts would be desirable but not feasible in all cases.

The use of Non-Advocacy Protection Techniques offers an opportunity to avoid this imbalance of power. As the actor who ultimately puts the protection in place is the defender her- or himself, the power to decide if a certain action is appropriate in a certain situation also stays with the defender. In this it is important to not overestimate the influence of external support as the immediate coping mechanisms developed by those affected often focus most directly on the avoidance of harm (South 2012, p. 196). This does not mean that international organizations lose all power to

contribute, as they might provide support. South criticizes supporting organizations for using their power to impose their own values which might conflict with those of the affected people (South 2012, p. 202). This argument is generally to be supported as the imposition of contradictory values is definitely nothing positive for HRDs.

But this is also not to deny that human rights organizations promote concepts which may not be imposed but may be offered to the grassroots level in the form of support. In this way, international organizations offer support which is linked to certain conditions and the defenders have the opportunity either to make use of this support by fulfilling the conditions or to refuse the support. In the case of protection grants for instance, limitations are set by the donor organizations of what the grant can be used for. If the application does not suggest the intended use, the grant will be refused. Thereby the donor organization continues to hold a certain amount of power as it decides whether an application is approved or not. But at the same time the final decision on what action is undertaken remains with the defender her- or himself once the grant is made. This procedure avoids any “imposition” as defenders still have the opportunity to decide themselves what the grant will be spent for, but the organization is also not powerless, as it is still possible to reject a grant application. The use of NAPT therefore allows equal power relations between the defender, who always has “the last word” as she or he is the one ultimately affected, and the supporting organization, which is in a position to influence the defender by promoting the concept of human rights.

Developing the term NAPT, distinct from the concepts of personal protection, everyday resistance and self-protection, and describing it as complementary to advocacy-based protection, such as conducted by the UN HRD Protection Regime but also by national NGOs, enables a clear understanding on the function and benefit of personal protection for HRDs. Placing the theoretical concepts in the context of the Philippines and linking this to the effects of the use of NAPT makes it possible to imagine how the theoretical concept might play out in reality. The second Section will further portray how the use of personal protection was detected in the data collected in this research.

3.2 Defenders' protection techniques in the Philippines

While conducting the research it could be observed that the abovementioned protection support by international organizations is still broadly unknown among the Philippine defenders. Although these support techniques exist and are occasionally used, the information has not reached the broad majority of defenders at the grassroots level, especially in remote areas. Accordingly, HRDs will not request support from international organizations. But that does not mean that HRDs would not use NAPT's at all. NAPT's are not limited to institutionalized techniques but imply an infinite variety of different techniques as long as these techniques don't rely on advocacy against the perpetrator.

This Section answers the research question of what NAPT's are used by Philippine HRDs. The most commonly used non-institutionalized techniques are everyday habits to reduce vulnerability, such as active monitoring of the surroundings and self-organised temporary relocation. The most commonly used protection technique conducted by organizations is HRD trainings, more often conducted by domestic Philippine NGOs than by international organisations.

3.2.1 Reducing vulnerability

Without guidance and even in the absence of a concrete strategy for protection, HRDs in the Philippines reduce their vulnerability by changing certain habits, concealing personal information, developing secret warning signals or following the buddy system. One interviewee stated:

“[The victim] was very traceable, always getting up at 7.00 AM and following the same habits. At the time when the incident took place, it wasn't hard for the perpetrators to figure out where [the victim] would be at this point in time”

(Colleague of Victim 1, personal communication, 28 March 2017).

This necessity of avoiding the same patterns of behaviour every day to reduce vulnerability was mentioned by nearly all interviewees. Depending on the

degree of danger, a simple break of patterns would however not always be considered safe enough.

“One protection technique [the victim] used was to wear a blonde wig and shades from time to time. So a recognition was a lot harder”

(Colleague of Victim 3, personal communication, 3 May 2017).

This statement by one interviewee shows that breaking the pattern of behaviour does not include just personal schedules but can also go as far as changing personal appearance. Victim 3 broke the pattern of looking the same every day. One could also break the pattern of using the same means of transportation or shopping at the same markets or meeting in the same place to reduce vulnerability.

Not travelling at night is another way of reducing vulnerability, although it might be challenging to practise this all the time. This practice might be even considered as a policy by an NGO (Colleague of Victim 3, personal communication, 3 May 2017). To hinder tracing by perpetrators, simply denying one's identity might be more effective than expected, as it is not uncommon for perpetrators to be unsure what their target looks like and therefore have to ask before attacking someone (Colleague of Victim 1, personal communication, 28 March 2017).

As HRDs' houses are frequently under surveillance, the habit of asking family members to notice any unusual persons in the immediate surroundings is used to get to know if it is “safe” to come home without being recognized. Sometimes a simple phone call can give the defenders clarification about the situation (Colleague of Victim 3, personal communication, 3 May 2017). But aware of intercepted phone calls, one interviewee described a more creative coping strategy for this. The defender's partner would put clothes of a certain colour on a clothes line in front of the house if something unusual or dangerous had been recognized. These colours would be a warning sign for the defender to not come home at that time (Colleague of Victim 1, personal communication, 25 March 2017).

In the Buddy System, “targets” may choose to always be with a ‘buddy’ when in public spaces to ensure each other's security. The Buddy System might be used

while travelling, where even a befriended and supportive tricycle driver might act as the buddy (Colleague of Victim 3, personal communication, 3 May 2017) or while conducting basic human rights work if outside a “safe” sphere (Colleague of Victim 1, personal communication, 28 March 2017). Besides physical support, the Buddy System provides mental support, although it is definitely not sufficient to prevent all attacks (Colleague of Victim 3, personal communication, 3 May 2017). The reduction of vulnerability, either through breaking patterns of behaviour, agreeing on warning signals or following the Buddy System, is a technique which is used by almost every HRD.

Consciously monitoring surroundings can allow an assessment of the seriousness of surveillance. It can also assist in gauging the threat or it can be used as a progressive measure to demonstrate awareness and protection against the perpetrators. For example, taking pictures and noting down the number plates when followed by vehicles might help to verify if someone is really under surveillance or a false alarm. Documentation may also be used later to verify if those conducting the surveillance are officials or private persons (Colleague of Victim 2, personal communication, 3 April 2017). Making it obvious that those conducting the surveillance are themselves being monitored can help to prevent a crime, according to the criminological theory of routine activity.

The Routine Activity Theory, formulated by Cohen and Felson in 1979, states that a crime is most likely to happen given three conditions, a likely offender, a suitable target and the absence of a capable guardian (Miró 2014, p. 1). In the case of HRD attacks, the likely offender would be the perpetrator who plans the attack. The HRD is the suitable target. If the situation occurs where offender and target come together in the absence of a capable guardian, the attack is likely to happen. One possible way of establishing a capable guardian is the installation of closed-circuit television (CCTV) (Miró 2014, p. 3). Also the act of the HRD taking photos of the perpetrator might be recognized and qualify as a capable guardian. Therefore this behaviour might hinder the perpetrator from attacking the defender.

In one interview, the interviewee confirmed that the installation of a CCTV in front of the NGO office had the effect of preventing further attacks on the office (Colleague of Victim 2, personal communication, 3 April 2017). Whether there is awareness of the criminological theory or not, the effectiveness of CCTV seems to

be widely known, as it was also mentioned as one of the first things which would be purchased with a protection grant (Colleague of Victim 3, personal communication, 3 May 2017). The reduction of vulnerability, albeit via monitoring the surroundings, by breaking patterns of behaviour or using secret warning signals, never provides absolute protection. *“At one point in time, if threats get to real, these simple measures can’t help to prevent anymore”* (Colleague of victim 1, personal communication, 25 March 2017).

3.2.2 Temporary Relocation

Whereas permanent relocation, which will be discussed below, is not an option for most HRDs, temporary relocation, to either rest or to wait for a situation to calm down, was commonly used in the cases under study. Temporary relocation to a neighbouring province or even within the same province might help to gain some personal distance from the human rights work. It can allow a recharge of energy and this time can also be used to earn some money, as most human rights work is either paid sporadically or completely voluntary (Colleague of Victim 3, personal communication, 3 May 2017). The problem with this technique is that it is very tempting to make exceptions to self-imposed respite due to the close distance to the original home. In one case, the HRD had two houses in the same town. One was more exposed to the main road and the other was a little further off, close to the beach. Whenever the defender noticed that the situation had intensified, the second house was used for a couple of days until it got calmer. In this case, the defender abandoned the self-determined relocation due to family issues on the day of the killing.

“In the night of the killing however [the victim] was at the ‘highway-house’ due to family reasons. When the perpetrators came, they threw a stone on the roof of the house. Due to this [the victim] came out of the house and asked ‘who is that?’ Then one man was going to [the victim] and said they would need help to settle some land dispute issues. [The victim] answered that he would be willing to help but just the next day as it was already in the night. Then the group of man started

shooting. As we were bringing [the victim] to the hospital, [the victim] was still conscious although having multiple wounds from gunshots. The victim passed away about two hours after the incident took place”

(Relative of victim 2, personal communication, 3 April 2017).

Local NGOs occasionally provide their offices as temporary shelter for threatened defenders (Colleague of Victim 2, personal communication, 3 April 2017). Basically, temporary relocation seems to be a promising way of dealing with difficult situations for a limited period of time. But real protection occurs only during the time of the defender is not staying in the usual environment and permanent relocation is, as already mentioned, almost never wanted.

3.2.3 Networking

Protection via networking at the grassroots level can, under certain circumstances, also be regarded as a Non-Advocacy Protection Technique. Although it is very close to what is described by South (2012, p. 187) as “persuasive advocacy”, namely non-public low-level advocacy towards power holders at the community level used by vulnerable groups, there is a slight difference in the application of networking and advocacy. In the concept of “persuasive advocacy”, the affected persons are presenting their situation to the power holders. In the local networking of HRDs in the cases studied, the defenders expected support for their work, due to the awareness of the local communities of their human rights work. Based on this, the defenders assumed that an attack might have a bigger political impact. The perpetrator would not want to risk this political impact (Colleague of Victim 1, personal communication, 28 March 2017).

Networking can also be linked to Routine Activity Theory, where the defenders as suitable targets try to create awareness, because every single supporter can be regarded as a capable guardian, seeking a remedy in the case of an attack. The more influential these guardians are, the better the protection. Therefore defenders tried to ally with politicians, lawyers or the church, as well as with partnering organizations so that their networks can also be used if necessary. Even friends in the

military were considered as useful in seeking protection. Seeking support in local, often remote communities, is also regarded as very important (Colleague of Victim 3, personal communication, 3 May 2017). A situation of being surrounded by a network of capable guardians is similar to the use of CCTV cameras, not as an attempt to change the perpetrators' intentions, but to play on the perpetrator's fear of being held accountable if an attack occurs.

Having a broad group of trustees or allies also makes the defender less vulnerable to defamation by the authorities. For example, alleged membership of the New People's Army is still a common way for the authorities to justify harassment or even killing (AMP 2016, p. 3). A strong supportive community makes it harder to spread such statements and thereby to justify human rights violations. Although networking can be seen as a kind of advocacy for one's own position, this advocacy aims neither to affect the offenders' intention of committing an attack nor to influence power holders and can therefore also be regarded as a NAPT.

3.2.4 HRD Trainings

The most commonly institutionalized NAPT which was identified during the research is human rights defenders training, mostly organized by domestic NGOs. Human Rights Defenders training or security training should not be confused with normal Human Rights training, which is even more common, and aimed at giving the defenders theoretical background knowledge on human rights, norms and mechanisms or paralegal work (Colleague of Victim 2, personal communication, 3 April 2017).

Trainings are mostly conducted at a local level by domestic NGOs, such as Karapatan or Task Force Detainees in the Philippines. NGO staff travels to a certain province and provides training for a diverse group of HRDs or single local NGOs, which are under threat due to their human rights work. The content of these trainings concerns mostly the protection techniques described above, such as consciously monitoring the environment, recognizing possible threats and perpetrators, documentation of surveillance and basic risk assessment. Regarding situations of immediate danger, trainings focuses on strategies of leaving the situation whenever possible and if leaving is not an option, appearing less weak and vulnerable towards the (potential) perpetrators. Also, trainings are used by the organizers to create

awareness of situations where opponents are very strong, such as big companies or the AFP (Colleague of Victim 1, personal communication, 25 March 2017; Colleague of Victim 3, personal communication, 3 May 2017).

As mentioned in Section 3.2.1, the basic protection techniques are often self-developed and conducted without a concrete strategy of protection. Trainings can help to teach new techniques and to place certain approaches into a bigger picture of a holistic strategy, which increases confidence in their own actions. The Trainings are therefore regarded as very effective, so sessions are repeated (Colleague of Victim 1, personal communication, 25 March 2017).

After the killing of Victim 1, Front Line Defenders offered training for the colleagues of the victim. One interviewee stated:

“After the incident we got offered a training by Front Line Defenders. They came to our province and we conducted a security training here. It was different from the first, national, training as it also included psychosocial components. The training might have helped [the victim] if it would have been conducted before. A big part was about realizing the seriousness of threats and dangers. If this could have made [the victim] more aware of the situation, the training would have helped to change the situation or vulnerability of [the victim]. [The victim] might have understand what impact the activism had, being trained by an international organization. By this [the victim] might have understood that I’s not safe to go to [the place where the incident took place], so the incident could have been prevented”

(Colleague of Victim 1, personal communication, 25 March 2017).

It is not out of question that realization of the seriousness of a situation is also influenced by the fact that the audience had experienced the killing of a colleague in the recent past. On top of that, the support of an INGO might make certain cases suddenly appear a lot more important. But according to the interviewee this creation of awareness of

the reality of the danger was also strongly influenced by the way the training was conducted (Colleague of Victim 1, personal communication, 28 March 2017).

In conclusion, it can be stated that there are successful attempts to conduct HRD trainings at the grassroots level, mostly by domestic NGOs. Organizing more trainings by INGOs like Front Line Defenders might be even more successful. As these organizations are forced to focus on the most dangerous regions due to a limited staff, this is not always possible. Furthermore the level of danger in a region is indicated by killings, which makes it hard to conduct trainings as a preventive measure for all HRDs.

Digital security is an increasingly important issue when it comes to surveillance and traceability but is not yet common in HRD trainings. The problem was recognized during the interviews that a broad variety of myths exist on how to facilitate secure communication and how not to be traceable using mobiles or smartphones.

For example, the belief was expressed that using old mobile phones might be safer than using smartphones, or that calling would be safer than texting (Colleague of Victim 1, personal communication, 28 March 2017). Another mistaken belief is that changing the SIM card while using the same smartphone or mobile phone helps to reduce the possibility of being wiretapped (Colleague of Victim 2, personal communication, 3 April 2017). In fact both the SIM card and the IMEI, the equipment number of the phone, can be monitored. Therefore simply changing the SIM card and keeping the phone or vice-versa is not effective as probably the SIM and IMEI are both being monitored.

As stated by the Special Rapporteur on the situation of human rights defenders, it is very important that security trainings for HRDs include the topic of digital security (UN-GA 2016b, para 58-59). To make digital security training effective, it must be adapted to the level of knowledge of trainees. This might go as far as starting off with topics such as explaining that smartphones and mobile phones are always traceable once switched on, or that communication via mobile phones is not more secure than communication via smartphones. Especially given different background knowledge of participants, it might be very difficult to implement suitable

digital security training in the HRD trainings. Nonetheless, the urgent need for digital education was recognized during the research.

NAPTs can be identified as a broad variety of techniques, from simple habits such as breaking the pattern of leaving the house every day at the same time to strategies of networking in the community or conducting and attending professional trainings. The similarity of these techniques is that all the strategies have to be assessed in the situational context, because different perpetrators might be more “harmed” by different actions by defenders. There is no single strategy guaranteeing full protection, but the more effort a defender puts into a strategy and the more strictly a defender follows self-imposed rules, the higher the effectiveness of these protection techniques.

The concept of personal protection for HRDs, although not yet broadly represented in the literature, is one focus of human rights defence in contexts like the Philippines. As most of these techniques are still self-developed, the notion of improvement of effectiveness is missing, which might be developed by NGOs who teach these techniques and assess best practice. Having a conceptualization of these techniques helps to develop the practice of monitoring best practice, as experience might be shared more easily when there is a common understanding of what techniques are the subject of discussion.

CHAPTER IV

APPROPRIATENESS OF PROTECTION TECHNIQUES

During the data collection, a representative of one nationwide NGO raised the topic that the approaches of INGOs are sometimes hard to adopt in the circumstances found at the grassroots level. But as stated by Quintana and Eguren (2012, p. 99), protection measures have to be appropriate for every single defender in order to be effective. In fact, it is hard to create institutionalized protection measures which meet the needs of every defender, as they have to be appropriate to the broad variety of circumstances that HRDs are facing around the world.

The following chapter analyses certain institutionalized NAPT's from the perspective of international organizations and looks at their acceptance by defenders. As international organizations try to offer protection support according to the needs of defenders, a lack of appropriateness of these offers represents a misperception of these needs. It also identifies the obstacles that hindering HRDs from making use of institutionalized NAPT's. These obstacles can be understood as a gap between the perception of the defender and that of the organization.

Identifying these obstacles is crucial to adapt protection techniques and making them more appropriate, as they do not yet always meet the needs of all defenders at the grassroots level. Having appropriate international institutionalized protection techniques creates a second important pillar of self-protection in addition to the self-organized protection efforts described in the previous chapter.

4.1 International perspectives on protection

The previous chapter illustrated which protection techniques could be discovered from the perspective of the human rights defenders. This section offers another perspective on NAPT's, by elaborating on the provision and application of protection

grants, protection manuals and permanent relocation. It is pointed out that grants are available in the Philippines and, although urgently needed, have so far been barely used. Next, the protection manuals by Front Line Defenders and Protection International are analysed, and lastly the application of permanent relocation is considered. Taking the perspective of looking at NAPT's from an international perspective is crucial to be able to compare the perspectives of HRDs and international organizations so as to identify the gap between both perspectives, as in the following section.

4.1.1 Grants available in the Philippines

Although financial problems are one of the main reasons why HRDs are exposed to danger, neither one of the victims nor the interviewees in the cases studied was aware of protection grants, and hence did not apply for any. However, grants by international organizations are theoretically available to increase the defender's protection through securing the own house or compound, travelling safely and also to pay for medical or legal fees.

Three main donors of such grants are the European Instrument of Democratization and Human Rights (EIDHR), Front Line Defenders and Forum Asia. EIDHR has been providing protection grants to Philippine HRDs at risk since 2006. The EU Delegation supports the coordination of small emergency grants, which are principally available all around the world and provided from the EIDHR Headquarters in Brussels (Representative of the EU-Delegation Philippines, personal communication, 23 February 2017). In total, about 30 Philippine HRDs have benefited from these grants, which are as high as 10.000 Euros each. Applications for grants are reviewed and approved in one or two weeks, due to the urgency of the situation. The main criterion to apply for a grant is that the applicant has to be a HRD according to the UN definition. The application can be sent either to the EU Delegation or to the EU Headquarters in Brussels via e-mail and should consist of 1-2 pages of information regarding the case, including personal information about the defender and a simple financial statement of the expected expenses (Representative of the EU-Delegation Philippines, personal communication, 23 February 2017).

Another grant is provided by Front Line Defenders. In the past 4 years, 4 to 14 of these grants have been provided annually, with a total annual cost of between

10,000 and 22,000 Euros (Representative of Front Line Defenders, personal communication, 25 March 2017). Applications for Front Line Defenders grants can be easily made through a secure web form on the NGO's homepage, or via e-mail or mail, and requires similar explanations as the EU grant, such as the expected expenses which will be covered by the grants (Front Line Defenders 2017a). A third grant provided by Forum Asia can be as high as 4,000 USD and has to be applied for via e-mail (Forum Asia 2017, 'Human Rights Defenders Protection Plan'). Data regarding the annual amount spent on Forum Asia grants could not be obtained for this research.

It was also not possible to gather data on the maximum amount of money that can be spent per year by each organization. Due to this lack of data, a definite statement is not possible, but the mere fact that the amount granted differs markedly from year to year leads to the assumption that the maximum amount of grants which might be awarded to HRDs was not reached every year. Therefore there are probably more grants for HRDs available which may significantly improve the security arrangements for prospective grantees but a lack of awareness regarding these grants (Section 4.2.1) means that no defenders apply.

An urgent need to improve the situation regarding protection grants exists, as financial problems were identified as one of the main reasons why victims were vulnerable.

“A grant could have also helped to prevent the situation. It could have been used to care for [the victim's] livelihood, so there would not have been the need to keep the [business] open. The partner of [the victim] was also earning money, about 9000 Pesos a month, but this wasn't enough to provide for the family. A grant might have been enough to stop [the victim] from working. The main reason to keep on working is also that one relative of [the victim] is ill and needs a surgery which has to be paid”

(Colleague of Victim 1, personal communication, 28 March 2017).

Disregarding the advice of friends and colleagues and having to pay for medical treatment of a relative, the victim was financially forced to continue to run the

business. The business was located next to the main street, which exposed the victim to a public space. Eventually it was in this location that the perpetrators found and executed the victim (Colleague of Victim 1, personal communication, 28 March 2017).

Another victim had to work additional jobs, as human rights work was barely enough to finance even one person's living costs and a typhoon had destroyed the houses of the victim's family.

“[The victim] was like a parent to me. [The victim] belonged to the poorest of the poor so that [the victim's] family had no possibility to concrete the house and compound. This is why the perpetrators could come in so easily. [...] Sometimes [the victim] still stayed in the office over night, but not always. Main reason to leave the office was to go to work. [The victim] was beside the NGO work also working as a farmer to earn money for the family”

(Colleague of Victim 2, personal communication, 3 April 2017).

Additionally the need to use public transport and having to wait alone at bus stops is identified as a security threat which could be prevented by having enough money to rent a car or drive a tricycle (Colleague of Victim 1, personal communication, 28 March 2017). Overall, the interviewees shared the same opinion that being awarded a grant might have helped to prevent the killings. But as the victims did not apply for grants, due to a lack of awareness, this cannot be proven. But the fact that almost all interviewees shared this opinion underpins the validity of the statement.

4.1.2 Protection manuals

Another institutionalized protection technique, already mentioned but not closely examined, are protection manuals by international organisations. Protection manuals or handbooks are provided by the large HRD protection NGOs Front Line Defenders and Protection International (Front Line Defenders 2005, 2007b; Protection International 2009). The manuals in English can all be found online and downloaded for

free. The idea behind these manuals is to provide defenders with the opportunity to learn basic protection mechanisms, similar to what is taught in HRD trainings. Afterwards these can be applied according to need because the risks that any defender faces, are circumstantial to the environment and situation (Quintana & Eguren 2012, p. 89).

Regarding the manuals, three problems are found. Firstly, none of the interviewees knew of the existence of these manuals. This lack of awareness is something solely the NGOs can change by promoting the manuals. Also, NGOs can advertise use of the web in order to inform oneself about possible protection techniques and protection support. But as the normal practice of defenders at the grassroots level does not yet include extensive use of the internet, this change needs to be externally activated. Further elaboration on the lack of awareness of institutionalized protection techniques follows in the second half of the chapter.

Secondly, the manuals are quite long and written in a very academic style. The full manuals of both Front Line Defenders and Protection international are longer than 100 pages. For example, risk assessment is based on a mathematical calculation including different factors such as threats and vulnerabilities, rather than a simple explanation of what circumstances indicate risk (Front Line Defenders 2005; Protection International 2009). Long manuals such as this are not handy for the defenders to use in situations of immediate danger. The handbook by Front Line Defenders (2007b) takes a different approach, reducing the amount of text and focussing on certain core statements. But the style of writing is still academic and therefore also does not meet the needs of some defenders on the grassroots level.

The idea that academic or legal language does not meet the needs of defenders was identified in research by Levitt and Merry. Vernacularization is the appropriation and local adoption of internationally used human rights terms (Levitt & Merry 2009, pp. 445; 449). The difference in language used in activism and that used in academia or international cooperation is portrayed by the researchers by the example of different women's rights activists around the world. Activists promote women's rights without calling it women's rights, human rights or citing CEDAW. They adapt international usage for grassroots defenders, such as by not calling women's rights women's rights (Levitt & Merry 2009, pp. 445-446).

The third problem is that these manuals are so far available only in English (out of the languages spoken in the Philippines). Although the majority of people in the Philippines are fluent in English, language barriers are stronger especially in rural and remote areas. However, an interest in using such protection manuals was generally confirmed by participants, because in some cases defenders are still using the notes they took during protection training to remember certain techniques or circumstances to look out for (Colleague of Victim 1, personal communication, 28 March 2017).

Protection manuals seem to be a promising technique for HRDs. But given the current situation in the Philippines, raising awareness and possibly vernacularization of the content, reducing the size and translation into Tagalog (the most common Philippine language) might help to meet the needs of certain defenders on a grassroots level.

4.1.3 Permanent relocation not an option

One of the better known and academically discussed techniques is permanent relocation support for defenders. This support mechanism might consist of financial support for relocation, support to get visas to foreign countries or even physical support in the home country of the defender. Bennett (2015, p. 914) mentioned that in individual cases, the EU even organized accompaniment of defenders to the airport. To be able to enter another country, the Irish Government in cooperation with Front Line Defenders issued emergency visas which are valid especially for people like threatened HRDs (Front Line Defenders 2007a, p. 10). Regardless of these creative opportunities for international relocation, the most common form of permanent relocation is carried out within the Philippines but at a far distance from the province of origin. An example for this is the relocation of Erita Capion, a Philippine indigenous rights defender, who had to be relocated from Mindanao after her family members had been killed by the military (Front Line Defenders 2016b).

However, it has to be noted that in the vast majority of cases, relocation is not an option. This research confirms the statement by Kogan (2013, p. 507), that emergency relocation is often used only by the defenders at most risk. In the abovementioned example, the sister and brother-in-law of Erita Capion had been killed

before she was relocated (Front Line Defenders 2016b). In the interviews, the participants declared more often than not that relocation would have not been an alternative for the victims at all (Colleague of Victim 3, personal communication, 3 May 2017).

As stated in Section 3.2.2, even temporary relocation within the same province is often regarded as the last option due to financial responsibilities and separation from the family. One interviewee stated that the victim, aware of the threats, expressed a preference to being killed by the military over not fulfilling responsibilities towards the family (Colleague of Victim 2, personal communication, 3 April 2017). These responsibilities can be financial but also personal, such as the fulfilment of promises to fix a house or the wish to stay with the family including children who cannot be relocated because they would have to interrupt their studies (Colleague of Victim 3, personal communication, 3 May 2017). In addition, defenders are often so passionate about their work that they want to continue fighting, even with the risk of being targeted (Colleague of Victim 1, personal communication, 28 March 2017).

Institutionalized techniques may also not meet the needs of local HRDs in the case of emergency relocation support. Although on the one hand very creative relocation support techniques exist and most HRDs agree that the only real protection is relocation (Colleague of Victim 1, personal communication, 28 March 2017), on the other hand, the wish to fight for human rights as well as to support and stay with the own family weighs strongly in the decision. Hence relocation is not regarded as an opportunity by most defenders.

Since relocation is not an option and protection manuals contain more or less similar content to what is taught in trainings for defenders occasionally conducted by domestic NGOs, it has to be acknowledged that financial support was the most urgent need in the cases studied. Although protection grants must not be seen as a guarantee of the defenders' security, financial needs seem to be a weakness of many HRDs. As protection grants exist and are available, the following chapter will evaluate why they are not commonly used or requested by HRDs in the Philippines.

4.2 Obstacles for HRDs

The previous section showed that institutionalized NAPT are available in the Philippines but that they have barely been used so far. This section identifies three main obstacles hindering HRDs from requesting institutionalized NAPT from international organizations. First and foremost there is a broad lack of awareness that these techniques exist. Second, danger is often regarded as inherent to human rights work, so defenders continue their work without improving the own protection. Finally, certain indicators can be identified, frequently occurring in the forefront of the killing that are sometimes misperceived by HRDs. Therefore, these indicators do not always lead to a reaction from the defender.

These three obstacles hinder the HRD from accessing protection support of international organizations. They are crucial for the gap in perspective between e HRDs and international organizations regarding NAPT. Recommendations on how these obstacles might be overcome will be given in the last chapter.

4.2.1 Lack of awareness of institutionalized protection support

As already stated in previous studies, this research shows that there is a lack of awareness of international support techniques for HRDs (Bennett 2015, pp. 913, 919-920). Regarding the existence of Protection Grants and Protection Manuals, the statement of Bennett can almost be regarded as a euphemism. None of the interviewees at the grassroots level were in fact aware that there is an opportunity for individuals to apply for international protection grants or that protection manuals and handbooks exist.

One reason for this might be accessibility. The internet is probably the most likely way to get to know about these institutionalized techniques, if the information is not passed on by word of mouth. A representative of the EU-Delegation of the Philippines confirmed that the protection grants are not actively promoted. The only promotion is via the website or word of mouth (Representative of the EU-Delegation Philippines, personal communication, 23 February 2017). This information could not be verified for Front Line Defenders or Forum Asia, but as none of the interviewees knew about their grants, it can be assumed that their methods of promotion are similar to those of the EU.

It has to be acknowledged that HRDs live and work in all provinces, in several of the more than 7000 Philippine islands and in remote areas of the Philippines. Additionally, the number of people working in international organizations on the issue of HRDs is limited. Pro-active engagement with defenders is extremely difficult due to the sheer numbers and the geography of the islands of the Philippines. The 120 different languages and dialects spoken in the country and the lack of flexibility of international organizations to adapt to different circumstances have created further obstacles to both access to and dissemination of information. While close cooperation between defenders and supporting organizations is described as desirable by Quintana and Eguren (2012, p. 100), this is not always possible for international organizations in the Philippines.

Taking into account the living environment of HRDs in the rural areas, it has to be acknowledged that in many cases, although the internet is accessible, digital information technology is not yet a standardized and frequently used media. Therefore, the probability that a defender will use the internet to look for opportunities to protect him- or herself is very unlikely. This leads to a lack of awareness regarding international support mechanisms on the grassroots level.

Interviewing HRDs on the one hand and reading the for grant application procedures of the EU¹ or Front Line Defenders² on the other hand, reinforces the impression that there is no intention, but merely a misperception on both sides that leads to a lack of awareness regarding institutionalized protection support. Defenders seem to expect that international organizations would work only with national NGOs and not with individual defenders at the grassroots level (Colleague of Victim 3, personal communication, 3 May 2017). The international organisations seem to expect a background knowledge of international human rights mechanisms. The website of the European Instrument of Democratization and Human Rights for instance, simply refers to the EU Delegation in the certain country. But one has to know what an EU Delegation is and how it can be contacted. According to observations during the research, not all defenders at the grassroots level know this information.

¹ <http://www.eidhr.eu/side-panels/human-rights-defenders/small-grants>, viewed 6 March 2017.

² <https://www.frontlinedefenders.org/en/programme/protection-grants>, viewed 6 March 2017.

Supporting the statement the institutionalized techniques do not always meet the needs of HRDs, this research was able to confirm that a broad lack of awareness of international institutionalized protection techniques exists and that this might be caused by a misperception of the focus and knowledge of the cooperation partners, the defender and the international organizations.

4.2.2 Danger regarded as inherent to HR work

One possibility why protection support is not used may be an underlying assumption of HRDs which can be represented by the following joke of an interviewee: *“The only way to be not threatened as a HRD is to do a bad job”* (Colleague of Victim 3, personal communication, 3 May 2017). In accordance with the statement of the Special Rapporteur on the Situation of Human Rights Defenders, this study sheds light on the expectation of defenders that risks and threats are inherent to human rights work (UN-GA 2016b, para. 45).

This expectation was also shared by a participant with regard to Victim 2:

“[The victim] was well aware of the danger but kept on saying things like ‘I don’t mind if I’m killed, dying is natural’. According to [the victim], whenever it is time for a person to die, the person dies. There wouldn’t be anything which could be changed about it. Another sentence was ‘better to die from bullet wounds than from a sickness.’”

(Relative of Victim 2, personal communication, 3 April 2017)

Front Line Defenders make the hypothesis that many HRDs are uncomfortable with focusing on their own protection because they regard the purpose of their work as protecting others’ human rights (2007b, p. 1). This was confirmed by the statements of one interviewee with regard to a defender who was on a military target list containing more than 20 persons. Apparently the defender didn’t see this list as a threat to their own security but more as a challenge to help as many farmers as possible who were also listed (Colleague of Victim 3, personal communication, 3 May 2017). The same notions of sacrificing oneself could be observed regarding defenders’

views on permanent relocation. Alongside the necessity of staying with the family was the importance of continuing human rights work perceived as more important than one's own bodily integrity (Section 4.1.3). This frequently noticed tendency of self-sacrifice is also described by Dawes (2007, p. 150) but more in the context of being a trigger for falling ill from burnout. This tendency might be the subject of a separate psychological research on HRDs but is too broad to be elaborated further here.

The idea that threats and danger are inherent to human rights work is dangerous because it distracts defenders from focussing on their own protection and may develop a certain kind of acceptance of these dangers.

4.2.3 Misperception of indicators

Looking at the cases which have been subject of this research, different situations or circumstances could be recognized where threats, regarded as inherent to human rights work or not, became more noticeable. These situations might be regarded as indicators of an increase of danger leading up to the killings. These indicators are increased threats, the rejection of offered bribes, a rise in public attention to the victim and a significant increase of surveillance.

It could be noticed, that leading up to the killings, threats towards the victims did increase. One participant recalled:

“The threats towards [the victim] played out in being asked by the company owner: ‘What will you do if you die? You know that your friends are monitored?’ [The victim] answered: ‘What should I do then? I’m dead then anyways’”

(Colleague of Victim 1, personal communication, 28 March 2017).

Another indicator is the offer of higher bribes than usual. Activist leaders are often offered bribes by large companies that they oppose in their human rights work. These bribes are not always financial remuneration; they may, for example, consist of offers to be taken to expensive hospitals in the capital for medical check-ups. If these are rejected, they are threatened with loss of their land as property rights are often not clear or villagers often do not have proof that the land they live and work

on in fact belongs to them. There is a lack of documentation from when the people started settling in the region decades ago. In the case of one victim, the offer of bribes and threats increased in the period before the killing but the victim rejected any kind of cooperation with the company (Colleague of Victim 1, personal communication, 28 March 2017).

In many cases could be identified, that a rise in public attention to the defender occurred before the killing. One of the defenders, a paralegal assistant, won a court case on the day of the incident. Colleagues recounted that the victim celebrated the triumph and the military got angry due to this (Colleague of Victim 3, personal communication, 3 May 2017). In another case, a more general increase in attention could be regarded as the early stages of the activism of the victim and their organization. But increasing attention as an effective campaigner and coming personality in national politics also brought enemies (Colleague of Victim 1, personal communication, 28 March 2017).

The World Organization against Torture (OMCT) (2009, p. 32) stated that being targeted by state's authorities before a killing is frequently recognizable. In fact, being surveilled by governmental or private actors was described as almost inherent to the work of human rights activists by the interviewees. Nevertheless, a strong increase in this surveillance could be identified as almost typical before a killing. Some activists just mentioned a couple of times to have noticed that they were followed (Colleague of Victim 3, personal communication, 3 May 2017), whereas other cases were more obvious.

“At least one week before the killing [the victim] was continuously monitored. There were always two guys standing outside [the victim's business]. Asking them what they were doing there they answered to wait for somebody. As the [business] didn't open three days before the killing due to a sickness of [the victim], the family got asked why [the business] would stay closed. But I don't know who was asking that”

(Colleague of Victim 1, personal communication, 28 March 2017).

The most obvious case concerning the increase of surveillance in this research was a case where three days prior to the incident five men were strolling around the victim's compound during night time. On the night before the incident took place, a neighbour of the victim, having an almost identical name, a similar age, the same gender and a similar appearance, was shot by unidentified men. Later, the neighbours assumed that the first killing was supposed to target the defender but the perpetrators had been mistaken (Relative of Victim 2, personal communication, 3 April 2017).

Overall, it is hard for activists to identify certain indicators as their view on their own case is always overshadowed by subjective perceptions. Therefore, it is necessary that indicators, which can be identified generally in the field, are somehow shared between HRDs. HRD trainings might provide a suitable platform to share such observations.

Being able to identify these indicators is just as valuable as also being aware of the reality of these threats. As stated in Section 3.2.4, the Front Line Defenders training was commended for being able to raise this awareness in the aftermath of a killing (Colleague of Victim 1, personal communication, 28 March 2017). This research shows that most of the defenders were quite aware of the existence of threats, but either didn't take them seriously or misperceived their probability of becoming real.

It can be safely concluded that in many cases, defenders react with indifference towards threats, with such statements as "*all people die*" (Colleague of Victim 2, personal communication, 3 April 2017). This indifference might either be real or might be assumed, resulting from a situation where no adequate protection seemed feasible for the victim. Three arguments support the hypothesis of assumed indifference.

Firstly, HRDs may have a strong sense of responsibility towards their families and human rights work, as mentioned before, which are of very high value to the defenders. Being indifferent towards becoming the victim of a killing would also correspond to being indifferent towards the non-fulfilment of these responsibilities. But simply stating indifference towards being killed in front of friends and colleagues

might justify the continuation of certain habits, such as going to work, which might make the victim more vulnerable.

Secondly, the defender may keep the threats secret from the family whereas it was a topic of discussion with certain close colleagues (Relative of Victim 1, personal communication, 25 March 2017; Colleague of Victim 3, personal communication, 28 March 2017; Relative of Victim 2, personal communication, 3 April 2017). This might be based on the fact that the defenders did not want their families to be worried but talked to certain colleagues and friends to express their fear.

Thirdly, as pointed out in research by Mullen (2016, p. 85), people living in dangerous environments, such as the military regime in Myanmar, tend to focus consciously on other, “*normal*” things than permanent threats, so as not to feel controlled by the regime and the fear. This may be what was identified in this research. Not sharing the seriousness of threats with every social contact allowed the defenders to calm down, live a more “*normal*” life and forget the threats for some time when they are, for instance, with their families.

However, some participants assumed that the seriousness of the threat was simply misperceived. In one case, there had never been a killing of an activist in the region, so the defenders didn’t expect their opponents to go this far. In particular, getting used to living in a situation of danger, for instance by being on a military target list for about two years, makes the feeling of being threatened almost normal, so that warning signals or indicators are hardly recognizable (Colleague of Victim 3, personal communication, 3 May 2017).

After the killings, people around the defenders, colleagues and family, were more aware of the danger. They then tried to improve non-advocacy protection. One interviewee explained that he started to fix and protect the house better in the aftermath of the killing and another mentioned that the victim’s partner was relocated (Relative of Victim 2, personal communication, 3 April 2017; Colleague of Victim 3, personal communication, 3 May 2017). This shows the necessity of raising awareness of danger before potential killings. One opportunity to raise such awareness might be HRD training. Presenting precedents could thereby help to convince the participants.

To recapitulated, HRDs are often aware of being targeted by their perpetrators but occasionally they misperceive these threats. Both circumstances lead

to the conclusion that an educational process is needed to create awareness of the availability of NAPT as well as the potential seriousness of certain threats and indicators.

Chapter 4 analysed the appropriateness of protection techniques by showing that the international perspectives of NAPT differ from the perspectives of the defenders. Where defenders assume that international organizations work only with domestic NGOs and not with defenders at the grassroots, international organizations promote support partially via channels which are not accessed by all defenders. As these differences are hard to address directly it seems to be helpful to involve a mediator to bring both sides to the same page. This mediation role could be taken by domestic NGOs as they are already in contact with international organizations as well as with the defenders at the grassroots level.

CHAPTER V

FINAL CHAPTER

Identifying a difference in perception of NAPT's between international organizations and HRDs, and a possible role for domestic NGOs as mediators, a framework has to be set up in which these different actors can interact with each other. Chapter 5 starts with a concluding discussion to recapture how this research contributes to previous research. It further recommends cooperation projects between international organizations and domestic organizations as a starting point for this interaction. Finally, the conclusions of the research are drawn.

5.1 The effectiveness of NAPT's

The field of personal protection for HRDs is still unexplored in most areas. This section uses the opportunity to make some concluding remarks and to elaborate in brief on the limitations and advantages arising in the field of personal protection generally but especially from the use of the term NAPT's. In addition the main findings are presented comprehensively.

It can be ascertained that the paper answers the research questions by stating that HRDs in the Philippines used certain NAPT's to protect themselves. These were, apart from HRD training, mostly not institutionalized NAPT's; they used self-developed techniques to reduce vulnerability and to counter surveillance. These NAPT's included self-organized temporary relocation and the use of social networks to create "guardians" for their own protection.

Potentially all institutionalized NAPT's might have improved protection. HRD training was confirmed as a measure that improved security for defenders. The use of protection manuals would probably have done the same as the contents of HRD trainings and protection manuals broadly overlap. Permanent relocation was described as the only really "safe" protection measure but it was found that it was always

rejected in the cases studied. Finally, protection grants were identified as a NAPT which could be employed to effectively improve a defender's protection.

Obstacles hindering defenders from using these techniques were first and foremost a lack of awareness of the possibility of asking for support, resulting from different perceptions towards NAPTs of HRDs and international organizations. Additionally, these obstacles could be identified as acceptance of threats; misperceptions of indicators of enhanced danger had a negative influence on the use of protection negatively.

5.1.1 Limitations of NAPTs

The subsequent sections will point out how the use of NAPTs and a distinct terminology can make a practical contribution to the work of HRDs as well as theoretically to already existent research. But to draw a complete picture, negative aspects of the use of NAPTs also have to be considered. One problem that limits the effectiveness of NAPTs is complicated application. As already noted in the conclusion to Chapter 3, after describing how NAPTs are currently used in the Philippines, the success of certain measures strongly depends on the effort of the respective HRD. For example, leaving home at different times every day requires less effort than disguising oneself with different wigs.

Contrary to South's (2012) personal protection concept of self-protection, the avoidance of attacks is not necessarily the main goal of the defender, but the defence of human rights. That leads to the dilemma that the main human rights goal and the goal of personal protection might conflict. Both goals require resources, such as time, efforts and even money, which for HRDs are limited. Therefore these limited resources have to be allocated to different goals, on the understanding that the more resources are used for the protection efforts, the less are left for human rights work and vice versa.

This dilemma gets even worse if one takes into consideration that the more effort a HRD puts into the initial human rights work, the more vulnerable she or he becomes. Assuming that greater effort in human rights work leads to more success in this work, the consequence might be a stronger opposition from the opponent. This

stronger opposition increases the opponent's interest to make the HRD fall silent, which translates into an increase of danger to the HRD.

This dilemma relates to the argument made in 4.2.2, that human rights defenders somehow sacrifice themselves by a tendency of valuing their own well-being less than that of other individuals' on whose behalf the defender is speaking out. Ultimately this notion of possibly becoming a victim of their own success has to be regarded as a more general dilemma of human rights work which relates to personal protection but does not originate in it. Personal protection has to be seen more as a coping strategy for the dangers specifically arising from successful human rights work.

5.1.2 Practical contribution

In the overall picture, this research argues that using the term NAPT's might have an impact on the success of the protection efforts, based on four main reasons. First, by making the conscious distinction between whether a certain action aims to change the behaviour of the authorities in the long run or if it aims to have an immediate, time-limited impact on personal protection, a defender will choose more carefully what protection technique or strategy to use in any given situation. For instance, if the indicators of an increased level of danger can be identified, the conscious decision to use NAPT's for the reduction of vulnerability, such as breaking patterns of behaviour or temporary relocation, might be of great importance. Also depending on the level of tension, HRDs might be able to request different organizational support such as HRD training or advocacy in times of lower tension, if they are aware of this distinction.

Second, the use of the term NAPT's promotes these techniques by itself as a new terminology would need to be explained. This explanation would necessarily include the distinction between the methods of advocacy and non-advocacy. Explaining this distinction might also contain elaborations on institutionalized protection support and thereby tackle the lack of awareness identified in Section 4.2.1.

An enhanced use of institutionalized NAPT's leads to the third argument, namely institutionalized NAPT's bringing defenders at the grassroots level and international organizations closer together. Although communication between the two partners in the case of protection support might be based on messages, the

international organization will gain a better understanding of what is needed by every communication. The defenders meanwhile will be able to notice that international organizations are approachable from HRDs at every level.

Lastly, being supported by an international organization might make the defender feel empowered and thereby give more energy for her or his basic human rights work. In conclusion, using the term NAPT might influence the situation for defenders on the ground and also for international organizations by creating an environment of more transparent decision-making and awareness that HRDs and international organizations are fighting for the same thing, the universal application of human rights.

5.1.3 Theoretical contribution

Besides distinguishing between NAPT and advocacy protection and identifying the advantages of this distinction for the security of HRDs, this research was able to contribute to existing theoretical discussions by elaborating on the effects of power relations when using NAPT, identifying causes for the lack of awareness of institutionalized protection techniques and detecting personal attitudes of defenders which disadvantage their own security.

Firstly, the conceptualization of Non-Advocacy Protection Techniques shows that the existing inequality of power between the actors in the field of advocacy protection is not prevalent in the field of non-advocacy protection. Other studies of protection techniques generalized that all protection techniques might have the problem of a gap between what defenders at the grassroots level really want to achieve with their work and how practical support by international organizations would play out (Bennett et al. 2015, p. 890). This gap, from the perspective of advocacy protection, cannot always be eliminated as defenders may operate at the grassroots level and accordingly not have a direct line of communication to international organizations operating at very high political levels, often directly with the government. The conceptualization of NAPT in this research can prove that this scenario does not apply to NAPT.

Ultimately, NAPT always consist of actions which the defender him- or herself has to initiate in order to realize them. In the case of protection grants, the

defenders have to be those who ultimately fix their houses or choose their mode of transportation. Although the granting organizations have the opportunity to approve or not approve a grant, depending on the application and the defender's personal circumstances, once a grant is approved and the money is transferred to the defender, she or he is responsible for using this money for certain expenses. In the case of protection manuals or defender training, the defenders also always have the opportunity to choose whether to use a certain technique or not.

This personal action of the defenders is required in all possible cases, no matter if the supporting organization operates at an international level or "just" in the local province. Having to undertake certain actions gives also every defender the opportunity to making her or his own decision if she or he really wants to take the action at that time. Therefore the "last word" stays with the defender and not with the international organization, which would be different if the action leading to a certain protection was the recommendation of an organization to a government. In this case the organization would have the "last word" and the power would not be with the defender. As the distinction between advocacy and non-advocacy techniques was not made earlier, this finding contributes to an understanding of power structures in the field of HRD protection.

Moreover this research detected a lack of awareness of institutionalized NAPT's resulting from the differing perceptions of NGOs and HRDs. As stated previously, this research proves that a lack of awareness towards protection techniques exists. This fact alone however cannot be considered as a theoretical contribution because Bennett (2015, pp. 919-920) already identified this lack of awareness in the context of European diplomats and HRDs in Kyrgyzstan, Thailand and Tunisia.

This study however contributes by identifying the causes for this lack of awareness as a difference in the perception of the accessibility of protection techniques between international organizations and grassroots HRDs. Where international organizations promote their support techniques verbally and online, this does not reach defenders. On the one hand the chains of communication are not consistent enough, due to different organizations between the international organizations and the HRDs at the grassroots level. The information hence gets on lost on the "way". On the other hand, HRDs in rural and even remote areas do not commonly use the internet as much

as HRDs in bigger and more developed cities, which leads to the situation where HRDs are not looking on the internet for potential protection support.

Considering this phenomenon from the perspective of the HRDs, it can be noticed that HRDs sometimes have vague information about the existence of protection support. Nevertheless they expect that they themselves are not eligible to apply, in the mistaken belief that only national level NGOs are eligible (Colleague of Victim 1, personal communication, 25 March 2017). This perception of the HRDs results in the situation where HRDs do not actively look for protection support.

The promotion of protection support which does not reach defenders and the absence of active efforts to get information on protection support, as the defenders expect to not be eligible, lead to a broad lack of awareness and eventually to the non-use of international protection support.

The third field to which this study contributes is in HRDs' attitudes in situations of immediate danger. In these situations it can be noticed that the protection efforts of HRDs do not always increase although an objective observer might notice a rise of danger. Crucial to this are the expectation of HRDs that threats are "normal" and the misperception of certain indicators before killings.

Especially in a country like the Philippines with a long history of killings of HRDs and impunity for the perpetrators (Global Witness 2014, pp. 20-21), civil society and even defenders themselves expect to live in an insecure environment. The expectation of threats and the perception of threats as "normal" leads to an acclimatization to this environment and therefore to a failure to enhance one's own protection efforts when confronted with threats. On the other hand, certain indicators of increased danger are not always detected by the defenders themselves. Therefore it might be necessary to share which indicators indicate increased danger within the HRD community in the Philippines to enhance the likelihood that these indicators will be noticed. Accordingly the subjective attitude of defenders sometimes does not improve the own security situation; it has to be pointed out that this does not intend any blame to HRDs as they are not responsible for facing a situation of danger.

Formulating a research agenda for the field of HRD protection, Nah et al. (2013, p. 403) identified a lack of research on the topic of effectiveness of protection techniques. Describing the effects of NAPT on power-relations, the causes for the

HRDs' lack of awareness of NAPT's and causes for the fact that HRDs are not actively looking for protection support is contributing to exactly this topic as all of it affects the effectiveness of protection techniques.

This section has pointed out that using the term NAPT's as well as the application of such techniques would have a significant impact on the security situation of HRDs. Also indicating the reasons why these techniques are still not used completes the picture and thereby contributes to the broad topic of the effectiveness of protection mechanisms in general.

5.2 Enhancing cooperation

Following the statement of the Special Rapporteur on Human Rights Defenders, techniques such as accompaniment, grants and relocation support need to be individually tailored and agreed with the defenders themselves to be effective (UN-GA 2016b, para. 65). This opinion is also shared by Amnesty International (2008, p. 9), stating that a close cooperation and communication between supporting organisations and HRDs at the grassroots level is one of the key elements in the success of protection techniques. This close cooperation and communication is most often, however, not feasible due to personal resources.

This paper recommends approaching this problem by enhancing close cooperation projects between international organizations and domestic NGOs. The domestic NGOs might facilitate a reliable and ongoing communication path with a multiplying effect between the international organizations and the defenders, making use of economic resources provided by the international actor. The content of this communication is mainly raising awareness of the international support structures and an educational process described in the previous chapter. A suitable platform to build this bridge between the content of cooperation projects and the defenders at the grassroots level are HRD trainings. Trainings should be supported by information leaflets, created according to the needs of the defenders and provided by the international organizations.

5.2.1 Cooperation between international organizations and domestic NGOs

Meeting the real needs of defenders may require certain capabilities that international organizations can offer as well as other capabilities that domestic organizations are more likely to offer. One possibility to make use of these capabilities may be a stronger enhancement of cooperation projects between domestic NGOs and international organizations. As identified by the research, close cooperation between domestic NGOs and grassroots defenders occasionally already exists (Representative of Medical Action Group, personal communication, 14 May 2017). This opportunity of being able to reach defenders at the grassroots level is one capability that domestic NGOs are able to offer. International organizations however, have the financial resources to sustain those projects and support defenders whose lack of economic resources is identified as one of the main reasons for their vulnerability.

The international organizations therefore have the opportunity to raise awareness on the existence and application of NAPT's by agreeing on such content with the domestic NGOs. The domestic NGOs can subsequently reach out to various HRDs in different areas of the country. Further, defenders can directly apply for grants from the international organizations and receive strongly needed support. Acknowledging the existence of similar cooperation projects, this paper promotes the good example of the projects between the EU-Delegation and Task Force Detainees of the Philippines, Medical Action Group or National Council of Churches in the Philippines.

The NGO projects which are supported by EIDHR contain components that provide direct support to HRDs in the form of re-granting or sub-granting. Direct support includes provision of the EU emergency grants to Philippine HRDs who are at risk. Some of the NGOs also provide livelihood opportunities for HRDs. The NGOs apply via the EU Delegation's call for proposals which is launched annually or biennially, and define what activities money can be spent on (Representative of the EU-Delegation Philippines, personal communication, 23 February 2017). The application process for domestic NGOs makes the cooperation appear as a top-down approach. International organizations should be encouraged to proactively approach national NGOs as partners on an equal level.

There are also cooperation projects which have been initiated and still exist with a main focus on advocacy cooperation (Representative of Medical Action Group, personal communication, 14 May 2017). Without denying the effectiveness of this advocacy work, cooperation explicitly focussed on NAPT's would enhance awareness of the distinction between advocacy and non-advocacy efforts on both sides and thereby promote NAPT's and advocacy as two different but mutually supportive forms of protection. In this regard, the financial resources of international organization could be combined in cooperation projects of equal partnership with the ability of national organizations to reach HRDs by approaching them directly.

5.2.2 HRD Trainings and Information Leaflets

Following the proposal of Front Line Defenders (2007b, p. 16) that defenders should seek appropriate protection from appropriate bodies, it is necessary that HRDs learn who would be an appropriate resource for their needs. The enhancement of cooperation projects between INGOs and national NGOs enables this goal by using HRD training to create a bridge between them and INGOs.

Aware of international HRD trainings outside the defenders' country of origin, one interviewee articulated doubts about being able to participate in these training programmes due to visa issues and the lack of time which would be needed to attend training. The interviewee's proposal was to let local and national organizations participate in international trainings, so that the knowledge gained can then be disseminated via human rights training programmes at the grassroots level (Colleague of Victim 3, personal communication, 3 May 2017). The facilitation of HRD trainings at the domestic level under the influence of international organizations would also counter Kogan's (2013, p. 503) critical reflection on security trainings that they might not reach the right audience but be regarded as a "*free ride*" to a different country rather than an effective learning experience.

Another advantage of HRD trainings at the national level is that the abovementioned indicators for killings (chapter 4.2.3) can be shared in the context of local particularities. Taking local and cultural differences more into account relates to the theory of vernacularization, described by Levitt and Merry (2009). Within the

cooperation project, the domestic NGOs would therefore vernacularize the demands and theories from the international level to the grassroots level.

Pointing out their cooperation with international organizations when domestic organizations are approaching defenders on the grassroots level might encourage defenders to acknowledge the importance of their own work and encourage them to demand support from international mechanisms. Conducting HRD trainings at the grassroots level by domestic NGOs which cooperate with international organizations is a promising possible way to bring knowledge of institutionalized NAPT's to defenders and to build confidence regarding the value of their own work to be internationally supported.

The recommended HRD trainings should be supplemented with a very simple information leaflet on NAPT's and their use, produced by the INGOs and distributed during the training. Similar to the Protection Handbook by Front Line Defenders (2007b), this leaflet should contain a basic explanation on how to conduct risk assessments. This explanation shall be very basic and easy to understand, so that it can be used as emergency guidance. Reference can be made to the established manuals for a deeper understanding of different techniques.

Further content will focus on NAPT's, explaining what NAPT's are, how they are useful and how institutionalized NAPT's can be accessed. The leaflet should ensure that it clearly states that every HRD is able to apply for international support. Thereby HRDs can be given an easy opportunity to get a clear overview of the accessible protection techniques which can always be revisited after the HRD trainings.

Another advantage is that it is not necessary to use any technical devices. A leaflet can be read in any situation and location. If necessary the leaflet can also be translated into other languages, such as Tagalog or Visayan, to ensure the reaching every defender. Introducing NAPT's to grassroots defenders in HRD trainings and reinforcing this explanation by distributing a leaflet seems to be a meaningful way to support the project by countering the lack of awareness on NAPT's discovered in this research.

Close cooperation projects of international organizations with domestic NGOs and further communication with defenders via HRD trainings backed up by information leaflets are the most favourable method of unifying the needs pointed out in this research. It values the fact that human right trainings are already established in the field and positively perceived, leading to the assumption that defenders will continue to take part in HRD trainings. The training programmes create a forum for addressing the lack of awareness of institutionalized NAPT, especially in respect to protection grants. The lack of knowledge regarding protection manuals would also be addressed directly as the distributed leaflets contain information on NAPT and basic security information as well. This information is appropriate to the needs of defenders at the grassroots level and furthermore available in a printed, non-digital version, accessible to every defender. A second important piece of information to be disseminated is recognition of the reality of certain threats. Including this information in trainings at a national level, the indicators of an increase in the seriousness of threats can be adapted to the particular locality.

5.3 Conclusion

Coming back to the current situation in the Philippines, the abovementioned peak of killings of HRDs creates an urgent and immediate need for protection of vulnerable HRDs. Terrifyingly, this research discovered that threats to the lives of human rights defenders are perceived as “normal” by the victims. This shows how a tradition of human rights violations not just shapes the habits of governmental authorities but also shapes the mindset of a society. Death threats should neither be tolerated, nor accepted, least of all as normal.

Also, within the period of conducting this research and writing the thesis, from January to June 2017, about 20 Human Rights Defenders lost their lives in the Philippines, bravely fighting for the most basic rights to which people are entitled, human rights. This makes one realize the harrowing environment created by a culture of impunity and disregard of human dignity.

Where the pillars of the Philippine democracy are shaken by a rigorous anti-drug campaign, human rights defenders are not relaxing their courageous work.

International support can help these people to continue their resistance, so it should not be a question of a felt obligation to support, it should be perceived as an honour. As is already done by certain organizations, the opportunity in a globalized international community should be taken to reach out to people, to take a stake and provide them with whatever is needed. So that the voice of the voiceless, won't fall silent as well.



REFERENCES

- Aktionsbündnis Menschenrechte – Philippinen 2016, *Joint Submission to the UN Periodic Review 27th Session of the UPR Working Group, May 2017*, AMP, viewed 13 June 2017, http://www.menschenrechte-philippinen.de/tl_files/aktionsbuendnis/dokumente/eigene%20Publikationen/AMP%20-%20UPR%202017%20Submission%20Philippines.pdf
- Aktionsbündnis Menschenrechte – Philippinen 2017, *Human Rights Report Philippines*, AMP, viewed 13 February 2017, http://www.asienhaus.de/archiv/user_upload/AMP_-_Human_Rights_Report_Philippines_2017_final.pdf
- Amnesty International 2008, *The European Union – Rising to the Challenge of Protecting Human Rights Defenders*, viewed 13 June 2017, <https://www.amnesty.org/download/Documents/52000/eur010092008eng.pdf>
- Amnesty International 2017, “*If you are poor, you are killed*” *Extrajudicial Executions in the Philippines’ “War on Drugs”*, Amnesty International Ltd., London.
- Armed Forces of the Philippines 2010, *Internal Peace and Security Plan “Bayanihan”*, viewed 13 June 2017, <https://www.scribd.com/document/46302366/AFP-Internal-Peace-and-Security-Plan-IPSP-BAYANIHAN>
- Bennett, K 2015, ‘European Union Guidelines on Human Rights Defenders: a review of policy and practice towards effective implementation’, *The International Journal of Human Rights*, vol. 19, no. 7, pp. 908-934.
- Bennett, K, Ingleton, D, Nah, A & Savage, J 2015, ‘Critical perspectives on the security and protection of human rights defenders’, *The International Journal of Human Rights*, vol. 19, no. 7, pp. 883-895.
- Bernhard, H 2011, *Research methods in anthropology: qualitative and quantitative approaches*, 5th ed., AltaMira Press, Maryland.
- Bhattacharjee, A 2012, *Social Science Research: Principles, Methods, and Practices*, Textbooks Collection, Book 3, Global Text Project, n.d.

- CIVICUS, Karapatan 2016, *Joint Submission to the UN Universal Periodic Review 27th Session of the UPR Working Group*, viewed 13 June 2017, http://www.civicus.org/images/CIVICUS_Karapatan%20UPR%20Submission.pdf.
- Commission on Human Rights of the Philippines 2016a, *Strategic Action Plan 2015-2016*, CHR, viewed 13 June 2017, http://www.chr.gov.ph/MAIN%20PAGES/about%20us/PDF/2014/CHR_Strat_Plan20152016.pdf.
- Conectas Human Rights 2014, “Role of international organizations should be to support local defenders”, Interview with Mary Lawlor and Andrew Anderson’, *SUR – International Journal on Human Rights*, vol. 11, no. 20, pp. 365-370.
- Dawes, J 2007, *That the world may know: Bearing witness to atrocity*, Harvard University Press, Cambridge and London.
- Department of the interior and local government c. 2016, *Local government preparations for the intensive nationwide illegal drug abuse campaign*, viewed 13 June 2017, http://www.dilg.gov.ph/PDF_File/issuances/memo_circulars/dilg-memocircular-2016713_284e769b5b.pdf.
- Duterte to pardon self for mass murder’ 2016, *The Manila Times*, 28 April, viewed 9 February 2017, <http://www.manilatimes.net/duterte-to-pardon-self-for-mass-murder/258834/>.
- Duterte, R 2017, *Speech of President Rodrigo Roa Duterte during the ground breaking ceremony of a drug treatment and rehabilitation center*, 25 March, viewed 26 April 2017, <http://pcoo.gov.ph/march-25-2017-speech-of-president-rodrigo-roa-duterte-during-the-groundbreaking-ceremony-of-a-drug-treatment-and-rehabilitation-center/>.
- Eguren, L, Patel, C 2015, ‘Towards developing a critical and ethical approach for better recognising and protecting human rights defenders’, *The International Journal of Human Rights*, vol. 19, pp. 896-907.
- European Parliament 2009, *Resolution of 12 March 2009 on the Philippines*, P6_TA(2009)0144, viewed 13 June 2017, <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2009-0144&language=GA&ring=B6-2009-0126>.

- Forum Asia 2017, *Human Rights Defenders Protection Plan*, Forum Asia, viewed 7 May 2017, <https://asianhrds.forum-asia.org/wp-content/uploads/2014/10/ProtectionPlan-HRDs-20150610.pdf>.
- Front Line Defenders 2005, *Protection Manual for Human Rights Defenders*, Front Line the international foundation for the protection of human rights defenders, Dublin.
- Front Line Defenders 2007a, *Front Line handbook for human rights defenders: What protection can EU and Norwegian diplomatic missions offer?*, Front Line the international foundation for the protection of human rights defenders, Dublin.
- Front Line Defenders 2007b, *Protection handbook for human rights defenders*, Front Line the international foundation for the protection of human rights defenders, Dublin.
- Front Line Defenders 2016a, *Annual Report 2016*, Front Line the international foundation for the protection of human rights defenders, Dublin.
- Front Line Defenders 2016b, *Erita Capion Grant, Philippines*, online video, 24 February, viewed on 8 June 2017, <https://www.youtube.com/watch?v=B3zHJEMKMv0>.
- Front Line Defenders 2017a, *Front Line Defenders Encrypted Online Security Grant Application Form*, Front Line Defenders, viewed 7 May 2017, <https://www.frontlinedefenders.org/secure/grant.php?l=en>.
- Front Line Defenders 2017b, *Philippines: Spate of killings of human rights defenders*, viewed 14 May 2017, Front Line Defenders, <https://www.frontlinedefenders.org/en/statement-report/philippines-spate-killings-human-rights-defenders>.
- Global Witness 2014, *Deadly Environment*, Global Witness Limited, London.
- Global Witness 2016, *On dangerous Ground*, Global Witness Limited, London.
- Hall, R 2006, 'Politics in the Frontline: Local Civil-Military Interactions in Communist Counterinsurgency Operations in the Philippines', *Philippine Political Science Journal*, vol. 27, no. 50, pp. 1-30.
- Human Rights Watch 2017, *License to Kill: Philippine Police Killings in Duterte's "War on Drugs"*, HRW, New York.

- International Service for Human Rights 2016, *Protecting our space: Human rights defender strategies to protect civil society space*, ISHR, International Service for Human Rights, Geneva and New York.
- International Service for Human Rights et al. 2016, *The situation of Human Rights Defenders, Philippines, Committee on Economic, Social and Cultural Rights - February 2016*, ISHR et al., viewed 15 February 2017, https://www.ishr.ch/sites/default/files/documents/hrds_cescr_update.pdf.
- Jones, M 2015, 'Protecting human rights defenders at risk: asylum and temporary international relocation', *The International Journal of Human Rights*, vol. 19, no. 7, pp. 935-960.
- Karapatan 2016, *Alternative Report on the Philippines: Submitted to the Office of the High Commissioner on Human Rights*, viewed 13 June 2017, http://www.karapatan.org/files/Alternative%20Report%20_%20Karapatan%20_%202017%20UPR%20_%20Final.pdf.
- Keck, M, Sikkink, K 1999 'Transnational Advocacy Networks in International and Regional Politics', *International Social Science Journal*, vol. 51, pp. 89-101.
- Kogan, V 2013, 'Protecting Human Rights Defenders in the North Caucasus: Reflections on Developments from 2009 to the Present' *Journal of Human Rights Practice*, vol. 5, no. 3, pp. 500-511.
- Lawlor, M 2016, *Mary Lawlor - 2015 Dublin Platform, Opening Ceremony*, online video, 27 January, viewed on 17 May 2017, https://www.youtube.com/watch?v=xDGGiZw8n_o.
- Levitt, P, Merry, S 2009 'Vernacularization on the ground: local uses of global women's rights in Peru, China, India and the United States', *Global Networks*, vol. 9, no. 4, pp. 441-461.
- Miró, F 2014, 'Routine Activity Theory', in Miller, J (ed.), *The Encyclopedia of Theoretical Criminology*, Blackwell Publishing Ltd., n.d.
- Mullen, M 2016 *Pathways that changed Myanmar*, Zed Books Ltd., London.
- Nah, A, Bennett, K, Ingleton, D, Savage, J 2013, 'A Research Agenda for the Protection of Human Rights Defenders', *Journal of Human Rights Practice*, vol. 5, no. 3, pp. 401-420.

- National Police Commission 2016, *Command memorandum circular No. 16 - 2016*, viewed 8 February 2017, <http://didm.pnp.gov.ph/Command%20Memorandum%20Circulars/CMC%202016-16%20PNP%20ANTI-ILLEGAL%20DRUGS%20CAMPAIGN%20PLAN%20%E2%80%93%20PROJECT%20DOUBLE%20BARREL.pdf>.
- Protection International 2009, *New protection manual for human rights defenders*, Protection International, Brussels.
- Protection International 2017, 'Where we work', Protection International, viewed 27 April 2017, <https://protectioninternational.org/where-we-work/>.
- Quintana, M, Eguren, E 2012, *Protection of human rights defenders: Best practices and lessons learnt*, Protection International, Brussels.
- Sabio, J 2017, *The situation of mass murder in the Philippines, Rodrigo Duterte: The mass murderer*, viewed 7 May 2017, <http://www.philstar.com/headlines/2017/04/24/1693506/full-text-criminal-complaint-filed-vs-duterte-international-criminal>.
- Santa Cruz, A 2004, 'The Emergence of a Transnational Advocacy Network: International Election Monitoring in the Philippines, Chile, Nicaragua, and Mexico', *Portal Journal of Multidisciplinary International Studies*, vol. 1, no. 2, pp. 1-31.
- Schmitz, HP 2010, 'Transnational Human Rights Networks: Significance and Challenges', *The International Studies Encyclopedia*, vol. 11, pp. 7189-7208.
- Scott, J 1985, *Weapons of the Weak: Everyday Forms of Peasant Resistance*, Yale University Press, New Haven and London.
- Scott, J 1989, 'Everyday Forms of Resistance', *The Copenhagen Journal of Asian Studies*, vol. 4, pp. 33-62.
- Sekaggya, M, Alapini-Gansou, R, Hammarberg, T, Lenarčič, J & Canton, S 2008, *Joint Statement: "Ten years on, human rights defenders continue to pay a high price"*, viewed 13 June 2017, <https://rm.coe.int/16806da6c5>.
- Sharma, R 1996, *An Introduction to Advocacy: Training Guide*, SARA Project – Advocacy Academy for Educational Development, Washington.
- South, A 2012, 'The Politics of Protection in Burma: Beyond the Humanitarian Mainstream', *Critical Asian Studies*, vol. 44, no. 2, pp. 175–204.

- South, A, Perhult, M, Carstensen, N 2010, 'Self-protection and survival in southeast Burma', *Humanitarian Exchange*, Issue 46.
- United Nations Economic and Social Council 2000, *Promotion and protection of human rights: Human rights Defenders (13 January 2000)*, E/CN.4/2000/95, UN-ECOSOC, viewed 13 June 2017, <http://daccess-ods.un.org/access.nsf/Get?Open&DS=E/CN.4/2000/95&Lang=E>.
- United Nations General Assembly 1999, *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (8 March 1999)*, A/RES/53/144, UN-GA, viewed 17 May 2017, <http://www.ohchr.org/Documents/Issues/Defenders/Declaration/declaration.pdf>.
- United Nations General Assembly 2006, *Resolution adopted by the General Assembly on 15 March 2006: 60/251. Human Rights Council*, A/RES/60/251, UN-GA, viewed 8 March 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/502/66/PDF/N0550266.pdf>.
- United Nations General Assembly 2008a, *National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1* Philippines (7 March 2008)*, A/HRC/WG.6/1/PHL/1, UN-GA, viewed 13 June 2017, <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WG.6/1/PHL/1&Lang=E>.
- United Nations General Assembly 2008b, *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston: Addendum*: Mission to Philippines*, A/HRC/8/3/Add.2, UN-GA, viewed 13 June 2017, <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/8/3/Add.2&Lang=E>.
- United Nations General Assembly 2012a, *National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21* Philippines (19 March 2012)*, A/HRC/WG.6/13/PHL/1, UN-GA, viewed 13 June 2017, <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WG.6/13/PHL/1&Lang=E>.

- United Nations General Assembly 2012b, *Report of the Working Group on the Universal Periodic Review* Philippines (9 July 2012)*, A/HRC/21/12, UN-GA, viewed 14 February 2017, <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/21/12&Lang=E>.
- United Nations General Assembly 2012c, *Report of the Working Group on the Universal Periodic Review* Philippines: Addendum (19 September 2012)*, A/HRC/21/12/Add.1, UN-GA, viewed 14 February 2017, <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/21/12/Add.1&Lang=E>.
- United Nations General Assembly 2015, *Report of the Working Group on Enforced or Involuntary Disappearances (9 July 2015)*, A/HRC/30/38/Add.5, UN-GA, viewed 13 June 2017, http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session30/Documents/A_HRC_30_38_Add_5_ENG-.docx.
- United Nations General Assembly 2016a, *Situation of human rights defenders: Note by the Secretary-General*, A/71/281, UN-GA, viewed 12 December 2016, https://www.protecting-defenders.org/sites/protecting-defenders.org/files/57d2a3364_0.pdf.
- United Nations General Assembly 2016b, *Report of the Special Rapporteur on the situation of human rights defenders: Note by the Secretariat*, A/HRC/31/55, UN-GA, viewed 13 June 2017, http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/Documents/A%20HRC%2031%2055_E.docx.
- United Nations General Assembly 2017, *Compilation on the Philippines: Report of the Office of the United Nations High Commissioner for Human Rights*, A/HRC/WG.6/27/PHL/2, UN-GA, views 14 May 2017, https://www.upr-info.org/sites/default/files/document/philippines/session_27_-_may_2017/a_hrc_wg.6_27_phl_2_e.pdf.
- United Nations Office of the High Commissioner of Human Rights 2004, *Human Rights Defenders: Protecting the Right to Defend Human Rights, Fact Sheet No. 29*, UN-OHCHR, viewed 7 February 2017, <http://www.ohchr.org/Documents/Publications/FactSheet29en.pdf>.

United Nations Population Fund, Harvard School of Public Health 2010, *A Human Rights-Based Approach to Programming: Practical Information and Training Materials*, UNFPA, (s.l.).

United Nations Special Rapporteur on Human Rights Defenders 2011, *Commentary to 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*, UN-SRHRD, viewed 7 May 2017, <http://www.ohchr.org/Documents/Issues/Defenders/CommentarytoDeclarationondefendersJuly2011.pdf>.

United Nations Special Rapporteur on Human Rights Defenders 2016a, *Country visits*, Office of the High Commissioner of Human Rights, UN-SRHRD, viewed 13 June 2017, <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/CountryVisits.aspx>.

World Organisation Against Torture 2009, *Combating extrajudicial executions, enforced disappearances, torture and other cruel, inhuman and degrading treatment in the Philippines by addressing their economic, social and cultural root causes*, OMCT, viewed 13 June 2017, http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/droi_090121_9omct/DROI_090121_9OMCTen.pdf.

BIOGRAPHY

NAME Tilman Jan Papesch

DATE OF BIRTH 17th of April 1993

PLACE OF BIRTH Saarlouis, Germany

INSTITUTIONS ATTENDED Federal University of Applied Administrative Sciences, Criminal Investigation Department
Bachelor of Arts Criminal Investigation Service
at the Federal Criminal Police Office
2013 – 2016

HOME ADDRESS Dillingen, Germany

EMAIL ADDRESS tilmanjan@yahoo.de