

Dashboard Methodology: 10A

Commitment 10: Protection of Land Rights Defenders

10A	Legal and institutional framework in place at national level to protect land rights defenders
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Section 1: Description of Indicator, Implementation and Scoring

Method to be Used	Expert-Based Assessment	
Introduction	Indicator 10A measures to what degree and legal and institutional framework is in place to protect land rights defenders and human rights defenders more broadly.	
Sources of Methodology	Dashboard, based on the ISHR Model Law for the Recognition and Protection of Human Rights Defenders	
Data Needed	The information necessary for this indicator can be found in the countries' national laws, its constitution, and ratified international agreements and conventions.	
How to Implement	<ol style="list-style-type: none"> 1. All of the questions in Indicator 10A should be answered by a legal expert with knowledge of laws, programs and policies that apply to human rights defenders. 2. Indicator 10A is divided into sections, which we refer to as "blocks." Each block can be considered a "sub-indicator," as it will address a different aspect of the overall indicator. <ol style="list-style-type: none"> a. The following blocks are part of this indicator: <ul style="list-style-type: none"> • Block 1: General Provisions • Block 2: Rights of Human Right Defenders and Responsibilities to Defend • Block 3: Obligations of Public Authorities • Block 4: Mechanisms for Protecting Human Rights Defenders 3. For each block, you will obtain a "block score" based on your answers. These block scores will be added together in Section 3 to derive the final score for Indicator 10A. 	
How to Score	Block 1: General Provisions	<ul style="list-style-type: none"> • In Block 1, all questions will be answered "Yes," "No," or "Not Applicable" (N/A) • For all questions answered, "Yes" a reference to the corresponding law or policy should be included. • For questions answered "Yes," "No" or "Not Applicable," <ul style="list-style-type: none"> ○ A "Yes" will receive three points. ○ A "No" will receive zero points. ○ A "N/A" will receive no points, and three points will be deducted from the Block 1 Total (B1T) score. See below.
	Block 1 Total	<ul style="list-style-type: none"> • At the end of Block 1, you will see the "Block 1 Total Possible" or B1T section. • If all of the questions in Block 1 were applicable (answered "Yes" or "No," the total possible will be the maximum number: 21. • For every question that you answered "N/A," you can deduce three points from the maximum possible of 21. • For example, if you answered three questions as "N/A" B1T Possible would be 12, which reflects $3 \times 3 = 9$ points deducted from the maximum total possible of 21.
	Block 2: Rights of Human Right Defenders and Responsibilities to Defend	<ul style="list-style-type: none"> • In Block 2, all questions will be answered "Yes" or "No." • For all questions answered, "Yes" a reference to the corresponding law or policy should be included. • For questions answered "Yes" or "No" <ul style="list-style-type: none"> ○ A "Yes" will receive three points. ○ A "No" will receive zero points.
	Block 3: Obligations of Public Authorities	<ul style="list-style-type: none"> • In Block 3, all questions will be answered "Yes" or "No." • For all questions answered, "Yes" a reference to the corresponding law or policy should be included. • For questions answered "Yes" or "No" <ul style="list-style-type: none"> ○ A "Yes" will receive three points. ○ A "No" will receive zero points.
	Block 4: Mechanisms for Protecting Human Rights Defenders	<ul style="list-style-type: none"> • In Block 4, all questions will be answered "Yes" or "No." • For all questions answered, "Yes" a reference to the corresponding law or policy should be included. • For questions answered "Yes" or "No" <ul style="list-style-type: none"> ○ A "Yes" will receive three points. ○ A "No" will receive zero points.
	10A Final Score	Enter Scores B1, B2, and B3 and B4 to in Section 3 to obtain the 10A Final Score (0-100), with 100 being the maximum score.

Section 2: Assessment

Block 1: General Provisions

Methodology: Dashboard, derived from the ISHR Model Law for the Recognition and Protection of Human Rights Defenders

To Score: Use only "Yes" = 3 points, or "No" = 0 points.

Derives: No other indicators

1a	Has your country made a commitment to the implementation of the UN General Assembly Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms?	Y/N
Ref:		
1b	Has your country signed the Kigali Declaration?	Y/N or N/A
Ref:		
1c	Has your country signed the African Charter on Human and Peoples' Right, Resolution 69?	Y/N or N/A
Ref:		
1d	Has your country signed the Grange Bay (Mauritius) Declaration and Plan of Action?	Y/N or N/A
Ref:		
1e	Has your country signed the American Convention on Human Rights?	Y/N or N/A
Ref:		
2	Does your country have a definition of "human rights defender?"	Y/N
Ref:		
3	Does your country have any specific, national-level provisions to protect <u>defenders of the land and the environment</u> ?	Y/N
Ref:		
B1	Total Scores Given to all Questions Here (0-21)	B1
B1T	Total Possible (0-21)	B1T

Block 2: Rights of Human Right Defenders and Responsibilities to Defend

Methodology: Dashboard, derived from the ISHR Model Law for the Recognition and Protection of Human Rights Defenders

To Score: Use only "Yes" = 3 points, or "No" = 0 points.

Derives: No other indicators

1	Does everyone, individually and in association with others, have the right to promote and protect human rights and fundamental freedoms at the national level?	Y/N
Ref:		
2	Does everyone, individually and in association with others, have the right to form groups, associations and organizations for the purpose of promoting and striving to protect human rights and fundamental freedoms?	Y/N
Ref:		
3	Does everyone, individually and in association with others, have the right to solicit, receive and utilize resources for the express purpose of promoting and striving to protect and realize human rights and fundamental freedoms?	Y/N
Ref:		
4	Does everyone, individually and in association with others, have the right to seek, receive, and disseminate information about all human rights and fundamental freedoms?	Y/N
Ref:		
5	Does everyone, individually and in association with others, have the right to develop and discuss new ideas and principles related to human rights and fundamental freedoms, and to advocate for their acceptance?	Y/N
Ref:		
6	Does everyone, individually and in association with others, have the right to freely communicate organizations, bodies, mechanisms, or individuals with a mandate relevant to human rights and fundamental freedoms?	Y/N
Ref:		
7	Does everyone, individually and in association with others, have a right to access, communicate and cooperate with international and regional human rights bodies and mechanisms?	Y/N
Ref:		
8	Does everyone, individually and in association with others, have the right to participate in the conduct of public affairs, including on a non-discriminatory basis in the government of his or her country, regarding human rights and fundamental freedoms?	Y/N
Ref:		
9	Does everyone, individually and in association with others, have the right to meet or assemble peacefully, as well as to participate in peaceful activities concerning human rights and fundamental freedoms?	Y/N
Ref:		
10	Does everyone, individually and in association with others, have the right to assist represent or act on behalf of another person, group association, organization or institution in relation to the promotion, protection and exercise of fundamental rights and freedoms?	Y/N
Ref:		
11	Does everyone within the territory or subject to its jurisdiction have the right to liberty of movement and freedom to choose his or her residence (and the right to carry out his or her human activities in the entire territory or place of jurisdiction)?	Y/N
Ref:		
12	Does everyone, individually and in association with others, have the right to privacy?	Y/N
Ref:		
13	Does everyone, individually and in association with others, have the right to enjoy freedom from any form of intimidation or reprisal on the ground of or in association with his or her status, activities or work as a human rights defender?	Y/N
Ref:		
14	Does everyone, individually and in association with others, have the right to enjoy freedom from any form of defamation, stigmatization, or other harassment in association with his or her status, activities or work as a human rights defender?	Y/N
Ref:		

15	Does everyone, individually and in association with others, have the right to the unhindered exercise of his or her cultural right in his or her activities and work as a human rights defender and to the free and full development of his or her personality?	Y/N
Ref:		
16	Does everyone, individually and in association with others, have the right to an effective remedy and full reparation in the event of a violation of their rights related to his or her activities or work as a human rights defender?	Y/N
Ref:		
17	In exercising his or her rights in Part II of this Law, is a human rights defender, individually or in association with others, subject only to limitations that are prescribed by law?	Y/N
Ref:		
B2	Total Scores Given to all Questions Here (0-51)	B2

Block 3: Obligations of Public Authorities

Methodology: Dashboard, derived from the ISHR Model Law for the Recognition and Protection of Human Rights Defenders”

To Score: Use only “Yes” = 3 points, or “No” = 0 points.

Derives: No other indicators

1	Do public authorities have the obligation to respect, promote, protect, and fulfill the rights of human rights defenders?	Y/N
Ref:		
2	Do public authorities have the obligation to facilitate the activities and work of human rights defenders?	Y/N
Ref:		
3	Do public authorities have the obligation to provide free access to materials relating to human rights and fundamental freedoms?	Y/N
Ref:		
4	Do public authorities have the obligation not to disclose confidential sources used by human rights defenders?	Y/N
Ref:		
5	Do public authorities have the obligation to take all necessary measures to prevent and ensure protection of human rights defenders against any intimidation or reprisal by any public or private actor?	Y/N
Ref:		
6	Do public authorities have the obligation to take all necessary measures to ensure the protection of human rights defenders against arbitrary or unlawful intrusion and interference?	Y/N
Ref:		
7	Do public authorities have the obligation to conduct an investigation whenever there is reasonable ground to believe that a human rights defender has been killed, disappeared, tortured, ill-treated, arbitrarily detained, threatened or subject to a violation of any of their rights, whether by public authority or private actors?	Y/N
Ref:		
8	Do public authorities have the obligation to take all necessary measures to ensure that effective remedy and full reparation are available and provided for violations of the rights of human rights defenders?	Y/N
Ref:		
9	Do public authorities have the obligation to make intimidation and reprisal against a person on the grounds of or in association with his or her status, activities or work as a human rights defender an offence?	Y/N
Ref:		
10	Do public authorities have the obligation to promote, facilitate and adequately resource the teaching, training and education about human rights and fundamental freedoms within all public authorities and to all persons within the country's jurisdictions?	Y/N
Ref:		
11	Do public authorities have the obligation to respect, promote, protect, and fulfill the rights of human rights defenders?	Y/N
Ref:		
12	Do public authorities have the obligation to take all necessary steps within their power to provide assistance to a human rights defender abroad who may have been subject to intimidation or reprisal on the grounds of or in association with his or her status, activities or work as a human rights defender?	Y/N
Ref:		
B3	Total Scores Given to all Questions Here (0-36)	B3

Block 4: Mechanisms for Protecting Human Rights Defenders

Methodology: Dashboard, derived from the "Model Law for the Recognition and Protection of Human Rights Defenders"

To Score: Use only "Yes" = 3 points, or "No" = 0 points.

Derives: No other indicators

1	Has the State established mechanisms or programs that coordinate the protection of human rights defenders?	Y/N
Ref:		
B4	Total Scores Given to all Questions Here (0-3)	B4

Section 3: Results

Compute Total Score:

Block 1 Score	B1
Block 1 Total Possible	B1T
Block 2 Score	B2
Block 3 Score	B3
Block 4 Score	B4
10A Final Score (0-100):	$\left[\frac{(B1) + (B2) + (B3) + (B4)}{B1T + 90} \right] \times 100$

Final Score	0-100
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