
Recommendations: US – September 2024

In 2023 Global Witness documented 196 killings of land and environmental defenders. But as this report details, attacks on defenders also include forced disappearances, violent abductions, judicial harassment and the expansion of police powers to repress peaceful protest.

Whole communities are coerced into silence by the ever-evolving methods of reprisal. Murder and violent intimidation often go unreported and unpunished. The truth is hidden or erased. This is happening in every region of the world. The US has a critical role to play in bringing these sinister abuses to light and protecting defenders from the threats they face.

Recommendations for the United States (US)

The US can and should be a global leader in protecting land and environmental defenders, and bringing the risks they face out of the shadows.

The US government can:

1. Pass and strengthen legislation to protect defenders and prosecute perpetrators

The US should use existing legislation and tools to protect defenders, such as:

- the Guidelines for US Diplomatic Mission Support to Civil Society and Human Rights Defenders, which the US government should implement as policy in a mandatory and transparent manner
- the Magnitsky Act, which can impose sanctions on organisations and individuals responsible for committing violence against land and environmental defenders
- the Human Rights Defenders Protection Act 2024, which Congress should now pass, and would require the US government take concrete actions to protect human rights defenders globally, including mandating and making uniform diplomatic efforts to protect all human rights defenders

Legal measures should include:

- investigating credible allegations against US companies for committing or instigating violence against human rights defenders

- imposing country-specific human rights conditions on any security assistance to countries where security forces are credibly alleged to have committed gross human rights violations, such as attacks against defenders
- ensuring that no US government funding, including aid and loans, flows to US companies engaged in committing or instigating violence against human rights defenders

2. Create visibility for at-risk defenders

When defenders and their safety are publicly acknowledged by influential people and organisations, it sends a message that attacks on them will not go unnoticed. It can also help legitimise defenders' work and tackle the stigma they face.

Embassy and State Department officials can create visibility and help protect defenders by:

- visiting defenders where they live and work, particularly those in rural areas or far from the capital city
- publicly hosting defenders at the embassy for both private meetings and public events
- attending the trials of criminalised land and environmental defenders and releasing statements that support them
- publicly condemning violence against defenders and ensuring that a public statement is released following threats, attacks or murders
- thoroughly and prominently reporting on violence against human rights defenders in the US State Department annual country reports on human rights practices
- using social media to raise awareness of the work of land and environmental defenders and the violence perpetrated against them
- supporting visa and asylum applications for at-risk defenders.
- ensure that defender's and/or their families have given informed consent to any action that embassy will take on their behalf

3. Use US foreign aid to protect defenders

The US's large foreign aid budget gives it the opportunity to protect defenders and their human rights. It can:

- Increase funding for existing and new UN OHCHR offices in countries where violence against land and environmental defenders is rife, as well as for civil society organisations and networks that support defenders' rights
- Ensure funding for foreign prosecutorial offices stipulates that violations against defenders be adequately investigated – this could include financing a human rights office under the Attorney General with clear metrics for progress on investigations and prosecutions
- Support the creation of state or civil society mechanisms that prioritise protecting defenders that include a collective protection approach and, in the case of state-run mechanisms, are led and overseen by human rights defenders
- Include and implement conditions on security aid to countries where official security forces commit violence against land and environment defenders
- Vigorously implement the [Leahy Law](#) by suspending aid and training for security forces credibly alleged to be involved in gross human rights violations against land and environmental defenders
- Suspend US assistance to companies and other organisations credibly alleged to have been involved in committing or instigating violence against defenders
- Make development aid more transparent so civil society can alert the US government to funding that is tied to violence against defenders – this should involve USAID regularly reporting on relevant projects, implementing partners, and grantees and for USAID to convene an annual consultation on defenders
- Reduce reliance on contractors to implement USAID programmes, and instead fund local civil society organisations directly
- Implement the environmental and social policy procedures of the DFC – the US government's development finance institution. The DFC's new environmental and social safeguards policy was approved in February 2024 and went into effect on April 1st. It includes a statement that retaliation against stakeholders will not be tolerated
- Continue and expand the funding of emergency funds such as the Lifeline Emergency Fund used to protect defenders
- Use its influence to encourage the International Finance Corporation (IFC) - part of the World Bank group - to implement stringent safeguards to ensure its loans and investments do not perpetuate human rights abuses or environmental destruction. And to use its voice and vote at the board and its financial leverage to ensure that the IFC commits to provide remedies to defenders and other local community stakeholders who suffer harm as a result of the IFC's investment choices

4. Collect and publish data on killings and reprisals

Before defenders can be effectively protected, we need to better understand the scale and nature of the attacks against them.

The US should continue and improve its methods to:

- Systematically identify, document and analyse both killings and non-lethal attacks on land and environmental defenders in the US and beyond
- Publish timely and disaggregated data that reveals trends, emerging issues and the nuanced ways in which defenders experience reprisals, with a focus on the visibility of vulnerable groups and the recognition of the role of civil society data collectors
- Monitor human rights and environmental abuses, including attacks on land and environmental defenders, and highlight these abuses to national and local governments