

Appendix 2: National protection systems in the Americas

Country	Declarations, legislation and policies on defenders	Legislation and policies on witnesses and victims	State and institutional frameworks	Non-governmental frameworks for defenders
Peru	<ul style="list-style-type: none"> • There is no legislation for protecting defenders • On 22 February 2007 the Minister of Justice made an official request to the President of the Commission on Justice and Human Rights of the Congress of the Republic to include within Bill No. 175/2006, on “Procedures Relating to the Granting of Privileges for Effective Collaboration and on the System of Protection for Collaborators, Injured Parties, Witnesses and Experts”, specific measures to offer protection to human rights defenders. However nothing has been implemented to date⁰¹ • Report of the Ombudsman (Ombudsman’s Report No. 112), which recommended including defenders in Bill No. 175/2006⁰² 	<ul style="list-style-type: none"> • Law No. 27378, which establishes privileges for effective collaboration in the sphere of organised crime⁰³ • Bill No. 175/2006⁰⁴ 	<ul style="list-style-type: none"> • Witness protection programme 	<ul style="list-style-type: none"> • Risk Assessment Committee of the National Human Rights Commission

⁰¹ http://www.justiciaviva.org.pe/nuevos/2005/septiembre/29/defensorial97_recomendaciones.pdf

⁰² <http://www.defensoria.gob.pe/descarga.php?pb=917>

⁰³ <http://190.41.250.173/rhj/> - see “el caso peruano” within “anticorrupción” section.

⁰⁴ http://www.justiciaviva.org.pe/nuevos/2005/septiembre/29/defensorial97_recomendaciones.pdf

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Colombia	<ul style="list-style-type: none"> <li data-bbox="370 900 602 1728">• Law No. 418 of 1997, under which instruments for seeking coexistence and effectiveness of justice are set out and other provisions issued, and which orders the Ministry of the Interior to put into operation a programme of protection for people who find themselves in a situation of risk against their lives, physical well-being, safety or freedom, for reasons related to political or ideological violence or to internal armed conflict⁶⁵ <li data-bbox="602 900 705 1728">• Mindefensa Directive 09 of 2003. Policies of the National Ministry of Defence relating to the protection of the human rights of Trades Unionists and Human Rights Defenders⁶⁶ <li data-bbox="705 900 834 1728">• Decree No. 2788 of 2003, under which the Regulations and Risk Assessment Committee of the Protection Programme of the Human Rights Department of the Interior and Justice Ministry are unified and regulated⁶⁷ <li data-bbox="834 900 937 1728">• Decree No. 2816 of 2006, “under which the Human Rights Protection Programme of the Department of the Interior and Justice Ministry is drawn up and finalised and other provisions are adopted”⁶⁸ <li data-bbox="937 900 1035 1728">• Resolution No. 2138 of the Interior and Justice Ministry, under which the manual of definitions, uses and procedures of the Human Rights Protection Programme measures is adopted. 	<ul style="list-style-type: none"> <li data-bbox="370 634 538 900">• Public Prosecutor’s Witness Protection Programme⁶⁹ 	<ul style="list-style-type: none"> <li data-bbox="370 405 692 634">• General Protection Programme of the Human Rights Department of the Colombian Interior and Justice Ministry⁷⁰ 	<ul style="list-style-type: none"> <li data-bbox="370 154 757 405">• Non-Governmental Protection Programme for Defenders of Human Rights in Colombia. (PNGPDDH): “Somos Defensores” (We are Defenders)⁷¹

⁶⁵ <http://www.disaster-info.net/desplazados/legislacion/LEY418de1997.pdf>

⁶⁶ <http://www.hchr.org.co/publico/comunicados/2003/cp0318.pdf>

⁶⁷ http://www.presidencia.gov.co/prensa_new/decretoslinea/2003/octubre/02/dec2788021003.pdf

⁶⁸ http://www.presidencia.gov.co/prensa_new/decretoslinea/2006/agosto/22/dec2816220806.pdf

⁶⁹ <http://www.fiscalia.gov.co/PAG/general/Sistemapenal/Proteccion.htm>

⁷⁰ <http://www.mij.gov.co/eContent/newsdetailmore.asp?id=1467&idcompany=2&idmenucategory=142>

⁷¹ <http://www.somosdefensores.org/>

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Country	Declarations, legislation and policies on defenders	Legislation and policies on witnesses and victims	State and institutional structures	Non-governmental structures for defenders
Guatemala	<ul style="list-style-type: none"> Commitment No. 7 of the Global Commitment on Human Rights (AGDH) signed on 29 March 1994 by the Government of Guatemala and the Guatemalan National Revolutionary Unit (URNG)^{¶12} Internal Agreement No. 11-2004 of the Presidential Commission on Human Rights for Guatemala (COPREDEH) created the Coordinating Unit for the Protection of Human Rights Defenders, Officers of the Law and Media Personnel Public Policy Project of Prevention and Protection for Human Rights Defenders and Other Vulnerable Groups Proposal for a Manual on Prevention and Protection for Human Rights Defenders and Other Vulnerable Groups Proposal for a list of Measures for the Prevention and Protection for Human Rights Defenders and Other Vulnerable Groups Ministerial Agreement No. 103-2008. Guatemala, 10 January 2008^{¶13} 	<ul style="list-style-type: none"> Law for the Protection of Parties to Legal Proceedings and People Linked to the Penal Justice Administration^{¶14} 	<ul style="list-style-type: none"> Coordinating Unit for the Protection of Human Rights Defenders, Officers of the Law, Journalists and Media Personnel of the Presidential Commission on Human Rights of Guatemala (COPREDEH)^{¶15} Public Prosecutor's Office for crimes against human rights activists, officers of the law, trades unionists and journalists divided into three public prosecution agencies each one comprising three public prosecutors Authority for the Analysis of Attacks against Human Rights Defenders in Guatemala, assigned to the First Deputy Ministry of the Ministry of the Interior 	<ul style="list-style-type: none"> Human Rights Defenders Protection Unit (UDEFEQUA)^{¶16}

¶12 <http://www.congreso.gob.gt/Docs/PAZ/ACUERDO%20GLOBAL%20SOBRE%20DERECHOS%20HUMANOS.pdf>

¶13 <http://www.congreso.gob.gt/archivos/acuerdos/2008/gtamx103-2008.pdf>

¶14 http://www.congreso.gob.gt/gt/mostran_ley.asp?id=868

¶15

http://www.minex.gob.gt/index.php?Itemid=39&id=1225&option=com_content&task=view

¶16 <http://www.udefeguia.org/>

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Country	Declarations, legislation and policies on defenders	Legislation and policies on witnesses and victims	State and institutional structures	Non-governmental structures for defenders
Brazil	<ul style="list-style-type: none"> Decree No. 6.044, of 12 February 2007 approving the National Policy for the Protection of Human Rights Defenders - PNPDDH, defining the time limit for the development of the National Plan for the Protection of Human Rights Defenders and other provisions⁶¹⁷ Bill for the protection of defenders (under discussion in 2009; see appendices to this volume) 		<ul style="list-style-type: none"> National Programme for the Protection of Human Rights Defenders⁶¹⁸ 	<ul style="list-style-type: none"> Participation of defenders' organisations in this national programme

⁶¹⁷ http://legislacao.planalto.gov.br/legisla/legislacao.nsf/Vivo_Identificacao/DEC%206.044-2007?OpenDocument

⁶¹⁸ http://www.presidencia.gov.br/estrutura_presidencia/sedh/protacao/defensores/

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Country	Declarations, legislation and policies on defenders	Legislation and policies on witnesses and victims	State and institutional structures	Non-governmental structures for defenders
Mexico	<ul style="list-style-type: none"> Internal Regulations establishing the Programme for the Support of Human Rights Defenders, under the Unit for the Promotion and Defence of Human Rights of the Ministry of the Interior Agreement of the Board of the Commission on Human Rights of the Federal District, through which various articles of the Commission's Internal Regulations are amended and supplemented 	<ul style="list-style-type: none"> Witness Protection System of the State Attorney General's Office (PGR) 	<ul style="list-style-type: none"> Unit for the Support of Social Organisations, of the secretariat of the Interior Ministry of Mexico (UAOS)⁶¹⁹ Programme on Offences against Journalists and Civil Human Rights Defenders of the National Commission on Human Rights⁶²⁰ Rapporteur for Freedom of Speech and Support for Human Rights Defenders⁶²¹ Unit for the Promotion and Defence of Human Rights (UPDDH) of the Ministry of the Interior (SEGOB)⁶²² 	<ul style="list-style-type: none"> "<i>Todos los derechos para todos</i>" (All rights for all) network

⁶¹⁹ <http://www.organizacionessociales.segob.gob.mx/Portal/PTMain.php?nIdHeader=104&nIdPanel=81&nIdFooter=79>

⁶²¹ <http://www.cndh.org.mx/index.php?id=bol10907>

⁶²² <http://www.gobernacion.gob.mx/Portal/PTMain.php?pagina=upddh>

⁶²⁰ <http://www.cndh.org.mx/progate/agoperio/presenta.htm>