

**THE NATIONAL ASSEMBLY ADOPTED;
THE PRESIDENT OF THE REPUBLIC PROMULGATES THE ACT WHOSE CONTENT
FOLLOWS:**

TITLE ONE: GENERAL PROVISIONS

Article 1: Purpose

The purpose of this Act is to present the rights and responsibilities of human rights defenders and to determine the obligations of the State as guarantor of respect for human rights and fundamental freedoms.

Article 2: Definition

Under the terms of this Act, the following are considered human rights defenders:

- persons or legally constituted groups of persons who, on a non-profit basis, promote, protect and defend universally recognised human rights and fundamental freedoms;
- persons or groups of persons who work for the realisation of human rights according to their situation, profession or status;
- public institutions and bodies that work for the realisation of human rights according to their attributions.

TITLE II: RIGHTS AND RESPONSIBILITIES OF HUMAN RIGHTS DEFENDERS

CHAPTER I: RIGHTS

Article 3: Free exercise of activities

Human rights defenders have the right to promote, defend and protect human rights and fundamental freedoms at the national and international levels.

Article 4: Specific rights and prerogatives

Subject to respect for the law, public order and morality, human rights defenders have the right in the exercise of their activities:

- to assemble and meet peacefully;
- to form, join and participate in non-governmental organisations, associations or groups;
- to communicate with like-minded individuals or associations, whether governmental, non-governmental or intergovernmental.

Article 5: In order to enable them to ensure the promotion, protection and defense of human rights, human rights defenders have the right:

- to hold, seek, obtain and preserve information on all human rights and fundamental freedoms, including having access to information on the manner in which effect is given to these rights and freedoms in the legislative, judicial and administrative system;
- to publish, communicate and disseminate their ideas and information on all human rights and fundamental freedoms freely and responsibly;
- to study, discuss, evaluate and assess the observance, both in law and in practice, of all human rights and fundamental freedoms and to draw public

attention to the matter by means and by all other appropriate means.

Article 6: Freedom of opinion

Human rights defenders have the right to submit to State bodies and institutions as well as to organisations dealing with public affairs criticisms and proposals concerning any aspect of their work that may hinder the promotion, protection and realisation of human rights and fundamental freedoms.

Article 7: Immunity from prosecution

Human rights defenders shall not be prosecuted, investigated, arrested, detained or tried for the opinions expressed and reports published in the course of their activity.

During their activity, they may not be prosecuted or arrested in criminal matters without first informing the Minister responsible for Human Rights, except in cases of flagrante delicto.

Article 8: Inviolability of home

The headquarters and home of human rights defenders are inviolable. No search or arrest may be carried out there without the express authorisation of the Public Prosecutor and after informing the Minister responsible for Human Rights, except in cases of flagrante delicto.

Article 9: National and international cooperation

In accordance with the applicable international procedures and instruments, human rights defenders have the right to address without restriction the competent international bodies to receive and examine communications relating to human rights and to communicate freely with these bodies.

Article 10: Financing of activities and right to technical or material support

Human rights defenders have the right to benefit from any financial, material or technical support from the State or from any legal or natural person for the accomplishment of their activity of promotion and protection of human rights.

The terms of granting State support will be defined by decree taken in the Council of Ministers.

Article 11: Special status of women human rights defenders

Women human rights defenders benefit from protection against all types of violence and more particularly against any threat linked to their status as women defenders, in accordance with international and national legal instruments relating to the protection of women.

CHAPTER II: RESPONSIBILITIES

Article 12: Respect for laws and regulations

Human rights defenders shall exercise their rights and freedoms while respecting the rights of others, public safety, ethics, morality and the general interest.

Article 13: Human rights defenders have the responsibility to ensure the safeguarding of democracy, the promotion of human rights and fundamental freedoms.

They shall not participate in violations of human rights and fundamental freedoms.

Article 14: In the exercise of their activity, human rights defenders have the responsibility to respect the Constitution, laws and regulations in force.

Article 15: Civic responsibilities of human rights defenders

Human rights defenders have the responsibility:

- to work for the preservation and strengthening of social and national solidarity, particularly when it is threatened;
- to preserve and strengthen national independence and the territorial integrity of the State and, in general, to contribute to the defense of the nation, under the conditions set by law.

TITLE III: OBLIGATIONS OF THE STATE

Article 16: Promotion of Human Rights

The State has the obligation to promote, protect and implement all human rights and fundamental freedoms, including those of human rights defenders.

Article 17: Promotion of the activities of human rights defenders

The State has the obligation to facilitate the exercise of human rights defenders' activities, in particular by:

- the access to places of detention in compliance with the laws in force;
- the access to information necessary for their activities;
- informing the public on all cases of human rights violations.

Article 18: Protection of sources of information of human rights defenders

The State shall guarantee the confidentiality of sources of information of human rights defenders.

Article 19: Protection of human rights defenders

The State shall protect human rights defenders and members of their immediate families when they are faced with a situation of risk or danger in the exercise of their activity.

Article 20: Punishment of violations against human rights defenders

The State shall ensure that violations committed against human rights defenders are punished in accordance with the law in force.

TITLE IV: HUMAN RIGHTS DEFENDER CARD

Article 21: Establishment of a human rights defender card

A human rights defender card is hereby established.

The conditions for granting, duration and conditions for withdrawing the defender card are defined by the joint committee for granting the status of human rights defender and card.

Article 22: Organisation and operation of the joint committee for granting the status of human rights defender and card

The organisation and operation of the joint committee for granting the status of human rights defender and card are defined by decree issued by the Council of Ministers.

Done in Abidjan, on

Alassane OUATTARA