

## [Top UN expert defends work on SOGI, highlights new mandate to fight reprisals](#)

01.11.2013

This article is part of the GA Monitor for November 2013, reporting on human rights developments at the General Assembly's 68th session.



Inadequate funding for the Office of the High Commissioner for Human Rights (OHCHR), reprisals against human rights defenders, and discrimination on the basis of sexual orientation and gender identity (SOGI) were amongst the key issues presented in the High Commissioner for Human Rights' annual report to the Third Committee. The High Commissioner, Ms Navi Pillay, also raised concerns about a lack of State cooperation with the UN's human rights mechanisms and delays in the treaty body strengthening process. The report was presented to the Third Committee on 23 October.

Speaking on the issue of OHCHR's inadequate funding, the High Commissioner noted the Office had recently had to turn down 27 requests by States for human rights assistance due to budgetary constraints. The Office was also forced to rely ever more heavily on voluntary funding from States. Calling the Office 'a voice for the voiceless', Norway expressed dismay about further budget cuts to the Office's work. Norway said the Office already has a disproportionately small share (3 percent) of the UN regular budget, despite human rights being one of the three main pillars of the UN. Switzerland hoped the budgetary committee of the General Assembly, the Fifth Committee, which is considering the 2013-14 UN budget, would adequately fund OHCHR. Chile and the Netherlands also urged States to provide additional funding to the Office to enable it to fulfil its mandate.

The High Commissioner was also greatly concerned by an increase in reprisals and intimidation against human rights defenders, especially against those who cooperate with the Human Rights Council. She highlighted that the Council's recent decision to create a high-level focal point on reprisals sends a strong message to States that such actions will not be tolerated.

The High Commissioner also discussed the inter-governmental process of treaty body strengthening, expressing regret that the process had again been extended, this time to February 2014. Ethiopia, on behalf of the African Group, informed the High Commissioner that delays were necessary since States had not yet received key information on the cost of capacity building. El Salvador expressed hope that a solution could be found by the deadline.

In response to a question from the EU on how the international community could further support the Special Procedures, the High Commissioner noted the lack of cooperation by some States with the Special Procedures, particularly those that refuse to allow country visits. She said the number of responses from States to the communications of Special Procedures was also inadequate. The increasing number of verbal attacks against Special Procedure mandate holders during interactive dialogues with the Third Committee was another area of concern.

Some States used the interactive dialogue to question the independence of the Special Procedures, urging mandate holders to better abide by the *Code of Conduct for Special Procedures Mandate Holders* (Nigeria), and of OHCHR itself, by accusing the Office of going beyond its mandate and interfering in the affairs of the State through some of its work with human rights defenders (Russia). Russia also took aim at other parts of the human rights system, accusing the treaty bodies of an unbalanced and politically-charged implementation of their mandates.

Russia, Nigeria and Iran raised concerns over what they viewed as the Office's disproportionately high-level of attention to SOGI issues, while South Africa, El Salvador and Chile expressed support for OHCHR's work in this area. Ms Pillay was emphatic that the human rights of persons who are lesbian, gay, bisexual or transgender (LGBT) would remain firmly on her agenda. She said she would continue the fight against discrimination on grounds of SOGI as the rights of the international human rights treaties apply to everyone, including LGBT persons.

Countering some of the more negative comments, several States spoke up in support of the overall work conducted by the Office, including Romania, the Netherlands, South Africa, and Chile. Ms Pillay acknowledged the support extended by States and reiterated that the Office would continue to effectively and efficiently utilise resources to continue its work.

*Article image: UN Photo/Jean-Marc Ferré. Navi Pillay, UN High Commissioner for Human Rights.*

ISHR