

Human Rights Council: 28th session adopts 5 resolutions of significance to human rights defenders

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At its 28th session, the Human Rights Council adopted five resolutions of significance to the work and protection of human rights defenders.



Resolution: Human Rights, Democracy and the Rule of Law

(Geneva, 27 March 2015) – The Council voted to adopt a resolution on '[Human rights, democracy and rule of law](#)' presented by Morocco, Norway, Peru, Republic of Korea, Romania, Tunisia. The resolution creates a 'Forum on human rights, democracy and the rule of law', which will take place in Geneva every two years starting in 2016, with the first Forum considering the topic of 'Widening the democratic space: the role of youth in public decision-making'.

China, in a rare show of hand, took the lead of a group of States to present a last-minute amendment seeking to restrict the participation of civil society without ECOSOC consultative status in the Forum, by giving a veto to States allowing them to block specific civil society groups. The so called '[no-objection procedure](#)', which allows any State to block any NGO on any grounds, has in the past been used to limit and [exclude some NGOs](#) from participating in UN processes. Despite these efforts by China (along with Cuba, Pakistan, Russia, Saudi Arabia and Venezuela), the Council rejected these restrictions by a [vote of 18 in favour, 23 against and 6 abstentions](#). Of particular note were the favourable (thus restrictive) votes of India, Indonesia and South Africa, while the abstentions by Brazil and Argentina were particularly regrettable given their vibrant civil society and rhetorical openness to NGO participation in the UN. Positively, several smaller States such as Botswana, Côte d'Ivoire, Sierra Leone and Paraguay remained principled in their support to civil society, despite having no-doubt been heavily lobbied by China on the issue.

The resolution itself was adopted by a [vote of 35 yes to 12 abstentions](#), but without negative vote.

Resolution: Guaranteeing a human rights perspective in the General Assembly debate on the world drug problem

(Geneva, 27 March 2015) – This [resolution](#), which was passed by the Council without a vote, guarantees that a human rights perspective will be contemplated at the UN General Assembly Special Session (UNGASS) on the World Drug Problem next April.

This perspective will be generated via two contributions mandated by this resolution: a study by the UN High Commissioner and a panel discussion at the Human Rights Council's 30th session, on which a summary report will be prepared.

The resolution states that the High Commissioner's study should be based on a consultation of all relevant stakeholders, include 'recommendations on respect for and the protection and promotion of human rights in the context of the world drug problem', and consider 'the needs of persons affected and persons in vulnerable situations'. It will be presented to the 30th session and form the basis for the Panel.

'Mandating both an objective report from the human rights specialists at the Office of the High Commissioner and a panel at the world's principle human rights body provides an important opportunity for inclusive and expert input on the human rights impact of drug trafficking and consumption, as well as global and local counter-narcotics strategies,' said ISHR's Ben Leather.

Mr Leather continued: 'ISHR receives regular reports regarding the devastating impact of drug trafficking and counter-narcotics operations on both human rights and human rights defenders, [particularly in Latin America](#). Human rights defenders are documenting this impact and have clear proposals for how they can be kept safe in this context and how drugs policy can be adapted to put human rights protection at its forefront. It is crucial that they be consulted for the study, included in the panel and contemplated at UNGASS'.

This initiative was led by Colombia, Guatemala and Switzerland and the resolution had already accumulated over 47 co-sponsors when the Council approved it.

Resolution: Renewal of mandate of Special Rapporteur on the Islamic Republic of Iran

(Geneva, 27 March 2015) – In a [resolution](#) adopted by a vote of 20 in favour, 11 against and 16 abstentions, the Council extended the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran for a further period of one year. The Council also requested that the Special Rapporteur submit a report on the implementation of his mandate at its 31st session and to the General Assembly at its 70th session.

The Council called for the Iranian Government's full cooperation, including allowing the Special Rapporteur to visit Iran and providing all information necessary to ensure the fulfilment of the mandate.

In discussing its regrettable decision to abstain from voting, Brazil underlined the important work by the Special Rapporteur on raising concerns about discrimination against women, harassment of human rights defenders and the use of the death penalty in Iran.

ISHR welcomes the extension of the mandate to address the chronic situation of serious violations of human rights perpetrated by the authorities, particularly Iran's security, intelligence and judiciary authorities in Iran.

Resolution: Renewal of mandate of Special Rapporteur on Myanmar

In a [resolution](#) adopted without a vote, the Council renewed the mandate of the Special Rapporteur on the situation of human rights in Myanmar for a further year.

ISHR welcomes the resolution's recognition of the challenges and human rights violations faced by human rights defenders, journalists, political activists and those working on land and environmental rights. However, the Council regrettably stopped short of condemning recent and ongoing crackdowns on peaceful protests and calling for accountability for human rights abuses perpetrated by business enterprises.

Resolution: Special Rapporteur on the right to privacy established

ISHR welcomes the creation of a new [Special Rapporteur on the right to privacy](#), which marks a significant step forwards in addressing human rights violations related to surveillance and other privacy related abuses. Adopted without a vote, co-sponsors represented countries from all the regions of the world.

This mandate will engage in developing an analysis on the nature and scope of this right, systematic monitoring of abuses, gather information on national and international frameworks to protect the right to privacy, conduct country visits and make recommendations to States to strengthen protection of privacy rights. The mandate is particularly timely and urgent given the increase in the use of mass surveillance against human rights defenders and activists in order to criminalise their work.