

UNGA 74 | States must put an end to impunity for reprisals against defenders

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In his last ever address to the General Assembly as Special Rapporteur, Michel Forst made key recommendations to State and non-State actors and called for human rights defenders to be protected, and for authors of attacks and reprisals to be brought before justice.



On 15 October 2019, the Special Rapporteur on Human Rights Defenders Michel Forst presented his report ([A/74/159](#)) to the UN General Assembly's Third Committee on the issue of impunity for attacks and reprisals against human rights defenders. This was followed by an interactive dialogue with States. This is the last time Forst will address the Third Committee in the capacity of Special Rapporteur.

Forst voiced specific concern about digital attacks against youth and women human rights defenders, and expressed the need to protect them. He also expressed concern at specific attacks on human rights defenders living in isolated environments, as well as those working on sexual and reproductive rights and on sexual orientation and gender identity issues.

'Impunity is used as a weapon by those who wish to undermine the rule of law and silence those struggling to uphold human rights. I echo Forst's comment that impunity is a political choice, otherwise how do we explain that around 98 percent of killings of human rights defenders in certain countries remains unpunished?' asked ISHR's Tess McEvoy.

The Special Rapporteur - and the United States - highlighted individuals and groups from various countries who are victims of reprisals. These included:

Defenders Facing Reprisals

Death of Rosenildo Pereira de Almeida and ten other land rights defenders, *Brazil*

Enforced disappearance of Franklin Mowha, *Cameroon*

Detention and torture of Loujain al-Hathloul, *Saudi Arabia*

Threats and attacks against journalist Rana Ayyub, *India*

Stigma and intimidation of environmental rights defender Sergey Belogorokhov, *Russia*

Acts of intimidation against defenders engaging with the UN, *Uyghur*

Arrest, detainment and killing of human rights defenders under Maduro regime, *Venezuela*

Intimidation and attacks against human rights defenders, *Zimbabwe*

Harassment and torture of human rights defenders including human rights advocate Huang Qi, *China*

Imprisonment and harassment of human rights advocate Nasrin Sotoudeh, *Iran*

Silencing of justice and accountability under Assad regime, *Syria*

Human rights defenders facing harassment, intimidation, surveillance and violent attacks, *Russia*

Imprisonment of Tatar in Russian occupied Crimea, *Russia*

Imprisonment of activists, journalists' and students including filmmaker Min Htin Ko Ko Gyi, *Myanmar*

The Special Rapporteur's report made recommendations to States on ways to effectively combat impunity. These included:

- Strengthening mechanisms for the protection of human rights defenders;
- Criminalising acts of violence against human rights defenders; and
- Adopting policies that protect the right to defend human rights whilst also recognising the obstacles that certain groups such as women human rights defenders and those protecting the rights of LGBTI and indigenous persons face.

These recommendations were echoed in a side event organised by ISHR and Amnesty International on 16 October, where women human rights defenders from Yemen and Myanmar provided harrowing accounts of attacks they face in their respective contexts.

Responses to the report

Several States voiced their support for the report and the mandate, including Norway who called on all States to support this year's resolution on Human Rights Defenders currently being negotiated.

Notwithstanding the adoption by consensus of a definition of human rights defenders in the 1998 Declaration on Human Rights Defenders, the usual detractors - including Russia and China - sought to delegitimise the work of human rights defenders by questioning whether the term is universally recognised. China went further to suggest that individuals were using the 'flag of defending human rights' to violate the law.

The role of non-State actors

Notwithstanding the primary responsibility of States to combat impunity for attacks against defenders, the Special Rapporteur again emphasised his call for non-State actors to protect human rights defenders, and concluded by referencing his 2017 report on Business and Human Rights ([A/72/170](#)).

ISHR would like to thank Norway for leading this year's resolution on human rights defenders. We call on States to support a strong and robust resolution.

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