

## **Special Rapporteur urges States to raise awareness about UN Declaration on HRDs**

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On October 24 2011, Ms Margaret Sekaggya, the Special Rapporteur on the situation of human rights defenders, addressed the Third Committee in New York in an interactive dialogue. This was her fourth address to the General Assembly, and her oral statement focused on the need to heighten the visibility of [UN Declaration on human rights defenders](#).

On October 24 2011, Ms Margaret Sekaggya, the Special Rapporteur on the situation of human rights defenders, addressed the Third Committee in New York in an interactive dialogue. This was her fourth address to the General Assembly, and her oral statement focused on the need to heighten the visibility of [UN Declaration on human rights defenders](#). Twelve years after the adoption of this instrument, many States and human rights defenders still do not know enough about the protections and responsibilities set out in it. Ms Sekaggya hoped her report, which this year took the form of a [Commentary](#) on the Declaration, would help expand awareness of the work of human rights defenders and the challenges they face.

Nine States and one regional group participated in the interactive dialogue with the Special Rapporteur. Most supportive interventions came from Western countries, in addition to Indonesia.[1] The Latin American region did not participate, and Algeria was the only State to make unconstructive comments. States picked up on several of the issues highlighted by the Special Rapporteur in her oral presentation, including: women human rights defenders and those working on gender issues and sexual orientation; fostering an enabling environment for defenders; the improper use of national security or anti-terrorism laws to suppress the activities of human rights defenders; threats, intimidations, and reprisals against defenders,[2] and the role of non-state actors. Throughout the interactive dialogue, Ms Sekyagga repeatedly encouraged States to use the Declaration as a guide to answer many of their questions and concerns.

Several States highlighted the importance of ensuring a more receptive environment for defenders, and requested elaboration on best practices to protect human rights defenders, including at the regional level (Australia, EU, Ireland). The Special Rapporteur called on the UN and States to collaborate with regional bodies given that they have mechanisms to help enforce the Declaration.

Other related questions included how to prevent the criminalisation of the work of non-government organisations (NGOs) and defenders in the context of a perceived trend to restrict the right to assembly (Switzerland). Responding, the Special Rapporteur referred to the Declaration, calling on States to make greater efforts to end the stigmatization of human rights defenders and to ensure investigations are carried out into alleged violations of their rights.

In response to Algeria's claim that human rights defenders enjoyed an "above the law" status and took advantage of their positions to incite violence and strife, the Special Rapporteur responded that the rights protected by the Declaration applied to human rights defenders that acted peacefully and transparently within the law.

The Czech Republic focused on violations of 'funding rights', expressing concern about restrictions or prohibitions on the provision of international assistance to defenders. The Special Rapporteur noted that severe restrictions on registration, operational, and funding requirements hinder the work of human rights NGOs. She underscored that international funding should be transparent, but States should allow such funding to defenders. The [EU Guidelines](#) could be relevant in this context.

Several States asked about the relationship between non-state actors and human rights defenders. In response to Indonesia's question on how countries should deal with non-State actors, Ms Sekaggya suggested that effective training programs, particularly for security forces, are essential to ensure that all stakeholders within the country understand the role of defenders, and the role the media plays in informing the international community.

In response to questions posed by Ireland and the US as how to better protect women defenders and defenders who are members of the lesbian-gay-bisexual-transgender (LGBT) community, Ms Sekaggya encouraged States to sensitise the public to the perils faced by these defenders and to institute public education programs on the Declaration to re-shape public perceptions. She noted that women human rights defenders and those who work on gender issues are particularly vulnerable to certain forms of violence because they challenge accepted socio-cultural norms concerning sexual orientation and the status of women in society.

The Special Rapporteur also discussed the frustrating persistence of impunity for those who violate the rights of human rights defenders. In response to Switzerland's question on this issue, the Special Rapporteur encouraged the strengthening of National Human Rights Institutions (NHRI) to better protect defenders from reprisals. Local organisations are best situated to deal with the problems on the ground, and they should be encouraged to produce annual reports focussing on violence against human rights defenders with the aim of bringing parliamentary or executive attention to the issue. She also recommended setting up focal persons and protection desks to improve reportage of incidents.

The UK used the interactive dialogue as an opportunity to address issues relating to human rights defenders in various countries, including calling on the intelligence agency in Belarus to end its policy of blocking NGO access to funding, and criticising the crushing of human rights activities in Iran. In addition, the UK delegate highlighted incidents in the UK where Syrian diplomats harassed human rights defenders, and encouraged defenders to bring such cases to the authorities. Though Ms Sekaggya, in her oral statement, did not name specific countries, she touched on the recent turmoil in the Middle East and North Africa. She emphasised the obligation of state security forces to respect the individual's right to freedom of peaceful assembly and the right to peaceful protest.

In closing, Ms Sekaggya expressed dismay at the large number of reports alleging acts of intimidation, threats, arbitrary arrests, torture and killings of human rights defenders. Citing the "unacceptably widespread" problem of impunity, she challenged States to improve the conditions faced by human rights defenders by redoubling efforts to undertake her recommendations.

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[1] EU, Norway, Ireland, US, Switzerland, Czech Republic, Australia

[2] Though Ms Sekyagga expressed her concern with the specific issue of reprisals against those who cooperate with the UN in her oral presentation, no State took up this specific issue in the dialogue.