

Human Rights Council 25th session

Item 3 Interactive dialogue with Special Rapporteur on human rights defenders

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Madame Sekaggya, thank you for your dedication and commitment during your tenure!

We warmly welcome your comprehensive last report. The concise articulation of elements that States must put in place to create a safe and enabling environment for defenders is an important milestone, and exemplifies the progress made by the mandate since its inception almost fifteen years ago. Today, the mandate is an important pillar of advice, support and protection for defenders around the world, especially when their national context is restrictive.

Despite the progress, ISHR shares your concern about the trend of legislation to restrict the activities of human rights defenders and to criminalise them. We urge States to review and repeal such legislation and to instead enact the provisions of the Declaration on Human Rights Defenders into national law.

Your report also finds that human rights defenders – especially journalists, lawyers, trade unionists and those who work to promote women’s rights and the rights of gay, lesbian, bisexual, transgender and intersex persons – face ‘extraordinary risks’. It highlights cases of defamation, attacks, detention, torture and even killings.

The report also documents an increased incidence of violations against people and communities opposed to mining, construction and development projects, with protesters attacked both by State and non-State actors.

Madame Sekaggya, ISHR wishes to pose the following three questions:

- During the interactive dialogue this morning, many states have sought to justify restrictions on defenders on the basis that they must comply with national laws, including those in relation to public morals, national security and the like. What is the position when those laws or their application contravene international human rights law, as they do in many States that have taken the floor today?
- The report also contains a review of the different tools the mandate has used over the years. We note with regret that 38 States have outstanding requests for visits,

including *China, Egypt and Pakistan*. Some of these requests date back more than a decade, and many of these non-cooperating States are members of the Council. What is your message to the Council to ensure that they cooperate with the mandate in the future?

- Both in your current report and during your tenure you have publicly condemned cases of reprisals against defenders for cooperation with UN human rights mechanisms. Sadly, such reprisals - such as in the case of Chinese defender Cao Shunli - continue with impunity and largely unchallenged by the international community. What is the role and responsibility of the Council, its President and mechanisms, where a State is unable or unwilling to investigate or prosecute threats or attacks against human rights defenders?

Finally, we thank you for your outstanding work in the mandate and look forward to working closely with your successor in ensuring that human rights defenders worldwide can work in a safe and enabling environment, free from hindrance, restrictions and attacks.

Thank you.

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