

STATEMENT BY THE INTERNATIONAL SERVICE FOR HUMAN RIGHTS

INTERACTIVE DIALOGUE WITH THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON HUMAN RIGHTS DEFENDERS

Mr President

It is disappointing that the only comments from the African Group on the work of the Special Representative of the Secretary-General on Human Rights Defenders is an attack on her in relation to a *letter* that is not covered by her report, that is outside the reporting period which this session of the Council is discussing and that she has already withdrawn. Under the circumstances this attack can only be considered gratuitous.

Whatever the procedural problems with the Special Representative's letter, the fact is that its subject was the right of all individuals and groups of individuals that work for the promotion and protection of human rights to exercise freedom of association and to access international human rights bodies without discrimination. This is clearly within her mandate. International human rights law guarantees freedom of association and prohibits discrimination, including for human rights defenders under binding treaties and in the Declaration on the rights of human rights defenders. The Special Representative did not and should not withdraw the substance of her inquiry precisely because she was seeking information as part of her mandate to defend human rights defenders.

The African Group has used this attack on the Special Representative to call for a code of conduct for Special Procedures. The fact is that the Special Procedures themselves are addressing issues relating to their operational methods through their draft manual, which they have published and on which comments have been sought from States, non-government organisations and others. This is the proper way to proceed, consistent with their independence. At the same time there is a need for States to cooperate fully with the Special Procedures and this Council as required by the General Assembly resolution and highlighted by the Special Representative in her report.

On behalf of human rights defenders with whom we work, we pay tribute to Ms Jilani for her important, unstinting work in their defence and, more importantly, in defence of the work of human rights that they do.

Turning now to what is the real business of this session, we address two questions to the Special Representative.

1. How can the Council take up more effectively your recommendations to protect human rights defenders?

2. Like the distinguished representative of Argentina and the Ambassador of Norway, we support your proposal for the situation of human rights defenders to be used as an essential indicator of a State's human rights observance. Do you have specific suggestions how this can be incorporated into the process of the universal periodic review to be established by this Council?