

HRC 39 – September 2018

ID ASG Reprisals (ITEM 5)

Intervention by Belgium on behalf of Belgium, the Netherlands and Luxembourg (BENELUX)

Speaking time: 2 minutes

Thank you, Mr. President,

As President of the Committee of Ministers of the Benelux in 2018, Belgium is honoured to deliver this statement on behalf of the 3 countries of the Benelux, Luxembourg, the Netherlands and my own country. A full version of this statement will be made available on the extranet.

We thank the Assistant Secretary-General, Andrew Gilmour, for his presentation and commend him for his efforts in addressing this very important issue. We welcome his report, which documents continuing and worrying intimidation and reprisals against human rights defenders and investigative journalists seeking to engage or engaging with the UN, its representatives and mechanisms in the field of human rights.

As Secretary-General Guterres rightfully stated, and I quote, “such acts undermine the effectiveness and credibility of the UN, and are an attack on the Organization itself”. This remark is of particular relevance in the context of the Human Rights Council. Its credibility and effectiveness are at stake when NGOs and Human Rights Defenders aren’t able to do their work without the fear of being intimidated or threatened. We therefore call upon all States, and in particular, the members of this Council, as well as all those cited in the ASG’s report, to take all necessary measures to end, prevent, investigate and ensure accountability for acts of intimidation or reprisal. We also invite them to follow up on the cases included in the report of the ASG and provide substantive responses where they remain outstanding.

The Benelux countries are also seriously concerned at the troubling trend in the use of national security arrangements and counter-terrorism strategies by States as justification for blocking access by CSOs to the UN, as pointed out in the report of the ASG. We underline in this regard that the fight against terrorism has to be consistent with and applied in a manner that fully respects the obligations of States under international human rights law.

We are also very worried about reprisals that are targeting women and LGBTI persons who are exposed to gender- or sexual orientation-specific

threats and violence. We call on the UN system and its members States to pay more attention to their particular vulnerabilities, including in addressing the issue of underreporting, as well as to take concrete steps to remedy these unacceptable practices.

Mr. President,

We welcome the crucial role of the HRC Presidency and the Bureau in addressing reprisals. We consider, however, that this role could be further strengthened. In this regard, we would like to share some ideas for the consideration of the Bureau and the Council:

Firstly, it is crucial that specific cases of reprisal receive public attention. We encourage the Presidency and the ASG to publicly denounce individual acts of intimidation or reprisal and consider publishing allegation letters if victims or their families give their consent. The Presidency and Bureau could also consider maintaining a publicly accessible register of cases of alleged acts of intimidation and reprisal on the extranet.

Secondly, we encourage the HRC Presidency and the Bureau to take an even more proactive role in investigating and following up on cases of intimidation and reprisals. In this regard, we would like to suggest that the HRC Presidency provides short oral updates on reported cases, including actions taken, at the start of the Item 5 general debate of each Human Rights Council session and also provide States concerned with the opportunity to respond.

Finally, we encourage the HRC Presidency to systematize the transmission of all alleged cases to ASG Gilmour, if such a procedure isn't already in place.

Mr. Gilmour,

What the UN country teams or the UN regional offices do to better follow up on cases of reprisals at local level so that a consistent and comprehensive response can be developed throughout the UN system as a whole?

Thank you Mr President.