

## [Economic, social and cultural rights | UN experts outline States' legal obligations to respect and protect defenders](#)

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In an [authoritative statement](#), the Committee on Economic, Social and Cultural Rights, said that 'it considers any threat or violence against human rights defenders to constitute violations of States' obligations towards the realisation of Covenant rights'.

'This is a significant development, recognising that attacks or restrictions against, for example, human rights defenders working to oppose forcible evictions may actually amount to a violation of the right to housing itself,' said Lucy McKernan of the Global Initiative for Economic, Social and Cultural Rights ([GIESCR](#)).

The statement was made by the Committee following a briefing and [discussion paper](#) prepared jointly by GIESCR, the International Service for Human Rights and the International Platform Against Impunity. A coalition of over [300 civil society organisations](#) coordinated by these NGOs also wrote to the Committee urging it to take action.

In the most comprehensive statement on defenders issued by a UN treaty body, the Committee expresses serious concern as to the worsening risks and threats faced by many human rights defenders working to promote economic, social and cultural rights. It reiterates that States' obligations towards defenders include an obligation to ensure they are 'effectively protected against any and all forms of abuse, violence and reprisal' and to investigate and ensure accountability for any such acts, whether perpetrated by State or non-State actors.

'Investigating, punishing and ending impunity for attacks and violations against human rights defenders is crucial both to ensure accountability and to prevent and deter further violations,' said Andrea Bolaños Vargas of International Platform Against Impunity.

The Committee's statement also sets out a range of positive measures that States should take to protect defenders in line with their obligations under the Covenant. These steps include publicly recognising defenders' vital and legitimate work, reviewing and repealing laws and policies which criminalise or restrict such work, and developing and implementing specific laws and mechanisms for defenders' protection.

Welcoming the statement, ISHR Director Phil Lynch said, 'This is the first time that a UN treaty body has adopted an official statement on the situation of human rights defenders and the legal obligations of States to ensure a safe and enabling environment for their work. The statement also effectively recognises that States must respect and protect defenders' rights to freedom of expression, association, assembly and public participation as an aspect of their obligations under ICESCR. We encourage all treaty bodies to now follow CESCR's lead by adopting General Comments, statements or recommendations which recognise States' treaty

obligations to respect and protect defenders and which provide them with concrete policy guidance in that regard.'

At the same session at which CESCR adopted its [Statement on Human Rights Defenders and Economic, Social and Cultural Rights](#), it also made targeted [recommendations to the Philippines and to the Dominican Republic](#) about the specific Covenant obligations of those States in relation to defenders.

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