

# [HRC | The Human Rights Council in 2019: What's at stake?](#)

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In 2018, the Council adopted landmark decisions responding to gross rights violations across the globe. It created an independent investigative mechanism on **Myanmar** to pursue accountability for genocide and other crimes against humanity. It continued to shine a light on the war in **Yemen**, renewing the mandate of the Group of Eminent Experts, and on gross and systematic violations in **Burundi**, extending the mandate of the Commission of Inquiry. For the first time, it adopted a resolution on **Venezuela**, ensuring that the humanitarian crisis in that country will be subject to dedicated and sustained international scrutiny and pressure in 2019. 2018 also witnessed a diversification of leadership on country situations, with States from different regions applying objective criteria to address situations that warrant the Council's attention, such as Venezuela, Myanmar and **Nicaragua**. At the same time, several situations of gross rights violations escaped Council scrutiny for political reasons.

At a time when human rights are under increasing attack at the national level, the Council stands as an indispensable global forum for States and civil society to defend and advance international human rights standards.

The annual "High Level Segment" in March, when State dignitaries will address the Council and present their visions and aspirations for human rights, is a critical opportunity to set the agenda for the year. The Human Rights Council's three regular sessions in March, June/July and September are further opportunities to advance these priorities.

Here is a checklist on the human rights situations and issues which should be advanced in 2019.

## **How can States strengthen the credibility and effectiveness of the Council?**

States should commit to [strengthening the Council](#) by demonstrating **leadership, principled action and sustained follow through**.

All regional groups presented the same number of candidates as seats for the 2018 Council elections and several States with [terrible human rights records](#) and with poor records of cooperation with UN mechanisms were elected, turning the elections into more of an appointment process, and going against the vision of the Council's founding document.<sup>u</sup>

*"States committed to the integrity and credibility of the Council need to step up their efforts to hold Council members to heightened scrutiny. The upcoming March session provides a key*

*opportunity for States to address several situations that warrant the Council's attention", said Salma El Hosseiny, ISHR's Human Rights Council Advocate.*

States should collectively express concern about [China](#)'s failure to uphold human rights principles and protect the rights of its citizens, especially ethnic **Uyghurs and Tibetans** and those involved in the defence of human rights. China's rejection of critical dialogue and universal principles is especially worrying as the Chinese government becomes increasingly active in the Council - a space dedicated to those same values.

*"China's efforts to suppress dissent impact members of ethnic groups, practitioners of Islam, Tibetan Buddhism or Christianity, feminists, petitioners, lawyers, journalists, professors and students, and many more groups," said Sarah M. Brooks, ISHR's Asia advocate. "We urge the Council to take action, specifically to ensure access to the country for UN human rights experts and the release of those arbitrarily detained - including the estimated one million or more people held in internment camps in the western region of Xinjiang."*

States should also collectively press for the immediate and unconditional release of detained **women human rights defenders** in [Saudi Arabia](#). If the international community is serious about contributing to advancing women's rights in Saudi Arabia, it should recognise Saudi women human rights defenders as agents of change and urge the Saudi authorities to take all necessary measures to guarantee a safe and enabling environment for them to continue their vital work.

States should also initiate Council action to address recent cases of reprisals in [Egypt](#) as reported by the Special Rapporteur on the right to adequate housing after her visit in September 2018. These attacks come amidst a context of wide-scale repression against civil society through intimidation, arbitrary arrests, unfair prosecutions and travel bans.

*In December 2018, a [group of leading human rights organisations](#) warned that this is "a direct attack on the UN system itself and a flagrant example of non-cooperation with the UN human rights system...[it] may also set a dangerous precedent in which a visit of a UN expert is used by the authorities to target and harass those who denounce violations".*

States should collectively denounce the ongoing judicial harassment and arbitrary detention of human rights defenders in **Bahrain**, including reprisals for engaging or attempting to engage with UN mechanisms. As a minimum, States should call on the Bahraini authorities to immediately release all those detained for exercising their rights to freedom of expression, assembly and association, such as Nabeel Rajab and Abdulhadi Al Khawaja.

## **How can States strengthen international law and jurisprudence on the recognition and protection of defenders?**

### **At the 40th session:**

The Council will consider a resolution on the situation of human rights defenders working on rights related to **land and environment**. ISHR calls on States to address the particular threats and attacks against this group of defenders, in particular the specific risks faced by **women human rights defenders**, to combat impunity for attacks against them, and ensure full civil society participation in development and the management of natural resources.

The draft resolution should call on States who prioritise the protection of human rights defenders to condition their provision of diplomatic support to business - such as export credit guarantees and trade support - on companies' commitment to respect, consult and protect defenders.

*"The resolution on land and environment human rights defenders is a timely opportunity for*

*States to acknowledge the increasing willingness of some companies to speak out against threats and attacks on human rights defenders, and to raise the bar on accountability for companies who don't", said Michael Ineichen, Programme Director at ISHR.*

The Special Rapporteur on the situation of human rights defenders will present his report on the situation of women human rights defenders. States should publicly recognise the specific risks and threats women defenders face and commit to taking further measures to enhance their protection, underline the legitimacy of their work, their specific protection needs and adequate remedies to the specific violations they face.

**At the 41st session:**

Thanks to the sustained efforts by civil society and supportive UN Member States, the mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (**SOGI**) was established in 2016. At the 41st session, ISHR urges States to renew the mandate and ensure that it is not weakened, so that it continues its vital work in capturing good practices and assisting States in ending discrimination and violence based on SOGI. The mandate continues to work with a diverse range of States from all geographical regions. Defenders from across the globe have affirmed that the mandate has contributed to their protection and recognition of their work.

*"Civil society from every region in the world supports the continued work of an independent international expert to end violence against LGBT persons and urges all States to stand up for the basic human right of non-discrimination", said Helen Nolan, ISHR Programme Manager.*

The Council will also consider a resolution on **migrants and human rights**. States should ensure that the text reiterates their obligations to support and not restrict defenders' in their vital work and to protect migrant rights defenders in the face of rising intolerance, xenophobia and illiberalism. ISHR recalls Principle 18, from the OHCHR Principles and Guidelines on the human rights protection of migrants in vulnerable situations, which sets out measures States can take to respect and support the activities of migrant rights defenders.

**At the 42nd session:**

Human rights defenders must be able to access the UN freely and safely so that the UN can do its crucial work of monitoring countries' compliance with human rights obligations and protecting victims from abuses. At the 42nd session in September 2019, States should not miss the opportunity to cite specific cases of **reprisals** at the second interactive dialogue on the Secretary-General's annual report on reprisals.

*"States need to stand up for defenders and denounce other States who attack and intimidate them. Doing so would increase the political cost for committing reprisals and so would deter violating States from continuing this shameful practice", said Madeleine Sinclair, ISHR New York director.*

Finally, the accessibility of the Council to rights holders, victims and defenders is both a key contributor to, and indicator of, the Council's relevance and success. As discussions on enhancing the efficiency of the Council resume, States should continue to support and guarantee that any proposed measures do not restrict or limit civil society participation at the Council.

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<sup>11</sup> [1] General Assembly resolution 60/251 which states that Council members "shall uphold the highest standards in the promotion and protection of human rights, shall fully cooperate with the Council".

**ISHR**