

## Human Rights Council 30th session

*Joint statement by International Service for Human Rights and the Human Rights Law Centre*

*Check against delivery*

ITEM 8 - GENERAL DEBATE, 28 SEPTEMBER 2015

Mr President,

Para 95 of the Vienna Declaration underlines ‘the importance of preserving and strengthening the system of special procedures’ and asks States to cooperate with them fully. GA resolution 60/251 reaffirms this obligation in relation to Human Rights Council members.

Legislation, such as Australia’s Border Force Act, which could result in the prosecution and imprisonment of persons who cooperate with or submit information to special procedures violates this obligation, as is the failure to facilitate safe and unhindered access to and by the special procedures, such as in the context of persons in detention. Full cooperation with special procedures, and guarantees against reprisals, should be the absolute minimum standard we demand and expect from Council members or candidates.

The importance of special procedures communications, which play a key role in bringing human rights violations to the attention of the Council and individual States, is also often overlooked - as evidenced by the number of States failing to respond to communications in this sessions’ joint report: 48 total, with 18 Council members among them, including Algeria, Bangladesh, China, Ethiopia, India, Indonesia, Kenya, Mexico, Montenegro, Morocco, Pakistan, Qatar, South Africa, Sudan, Nicaragua, and Venezuela.

For example, Sudan received a communication in May concerning the alleged kidnapping, beating, and arbitrary detention of human rights defender Ms Sandra Farouq Kodouda, along with the arbitrary detention of human rights defender Mr Galal Mustafa.

The response: silence.

Oman received a communication in March concerning alleged intimidation and reprisal against human rights defender Mr Mohammed Al-Fazari, and later his family, after his cooperation with the Special Rapporteur on assembly and association.

The response: silence.

Cambodia received two communications concerning the drafting - and later enactment - of its Law on Associations and NGOs, which blatantly restricts civil society space and limits freedom of expression.

The response: silence.

Mr President, if the Council is serious in increasing the fidelity of States to membership standards, States who have not responded to communications should be given the floor first

as concerned countries during IDs with mandate holders to ensure that all communications receive a timely and substantive response. Thank you.