

Human Rights Council 28th session

PANEL DISCUSSION ON NATIONAL POLICIES AND HUMAN RIGHTS (HRC RES. 27/26), 19 MARCH 2015

ISHR welcomes OHCHR's Report and the positive initiatives referred to during this discussion.

Building on existing work in this area, we recommend that the Office supports States in undertaking legislative and policy reforms to establish national laws and policies in line with the Declaration on Human Rights Defenders.

ISHR's regional consultations with over 150 defenders from 60 States, indicates the need for legislation to support defenders. Such legislation is crucial given the wide gap between international standards accepted by States and domestic realities faced by defenders.

The Declaration on Human Rights Defenders is insufficiently implemented at a national level. This is demonstrated by:

1. defenders lacking protection against stigmatisation, intimidation, attacks and reprisals;
2. the rights of vulnerable defenders not being protected, including those working on minority rights, LGBT rights, business and human rights and women defenders;
3. and thirdly, severe shortcomings in the legal environment for defenders.

OHCHR should help States replicate emerging good practice in integrating human rights into national policies. *In doing so, the Office should consider the environment for defenders and necessary changes in law and policy for their protection.* Useful practice includes national laws on the protection of human rights defenders in Côte d'Ivoire and Mexico and consultation with civil society on human rights defender law in Burkina Faso and Sierra Leone.

Similarly, in assisting States that are developing National Action Plans on Business and Human Rights, the Office should consider how the Plan can protect defenders.

ISHR also calls on States to adopt *Human Rights Defender Guidelines* which direct their diplomats and decision makers to prioritise the protection of defenders and civil society space abroad - such as those adopted by Norway, Switzerland, Ireland, the Netherlands and Finland.

In assisting States develop these laws and policies; we recommend that the Office report back lessons learnt through compilations and summaries prepared in the UPR process.

Finally, national human rights institutions play a vital role in protecting defenders, their work, and promoting public support. OHCHR should encourage and support States to legislatively mandate and adequately resource a *dedicated* human rights defender focal point within their NHRI, established in conformity with the Paris Principles. India, Philippines and Uganda have taken positive steps in this regard.