

Human Rights Council 29th session

INTERACTIVE DIALOGUE: SPECIAL RAPPORTEUR ON FREEDOM OF ASSEMBLY & ASSOCIATION AND SPECIAL RAPPORTEUR ON FREEDOM OF EXPRESSION

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Thank you, Mr. President,

Freedom of expression, association, and assembly are fundamental and enabling rights. Human rights defenders play a critical role in protecting and promoting these rights and thus creating a positive environment for inclusive development and ethical business conduct.

ISHR calls on States and companies to uphold their obligations to protect and respect the human rights of those who organise, advocate, or peacefully protest, including in the context of economic development projects and business operations.

In this regard, we welcome the reports of Mr. Kiai and Mr. Kaye. Around the world, human rights defenders, and in particular women, indigenous, and rural defenders, face violence, harassment and intimidation from both companies and governments as a result of their work on corporate accountability issues.

Human rights defenders, such as whistleblowers, who promote transparency and disclose corporate abuse often lack protections in law. We look forward to contributing to Mr. Kaye's future work on this issue.

Restrictions on certain types of digital security, as well as censorship harassment and surveillance – both on and offline – pose further obstacles to the work of defenders who require a high level of privacy for their safety.

Many States have enacted laws and maintain practices that constrain the space for human rights defenders and NGOs, working to promote corporate accountability. Libel and defamation laws are used to silence critics – as exemplified by the recent sentence against Rafael Marques in Angola – and the establishment of special economic zones can create a 'no man's land' with regard to human rights obligations.

We also share Mr. Kiai's concern about the use of the Foreign Contributions Regulations Act against Greenpeace in India, and are equally worried that more than 10,000 other civil society groups, particularly target those working on land and environmental rights, are facing de-registration and other restrictions to operate in this country.

In conclusion, we wish to ask the Rapporteurs: how can States incentivise – or mandate - corporate engagement with defenders through legal or regulatory authorities, with a view to ensuring that companies both adhere to the Guiding Principles and proactively support defenders and communities?

Thank you.