

## [#HRC33 | Thematic areas of interest](#)

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Here's some highlight of the upcoming Human Rights Council's session's thematic discussions.



The UN Human Rights Council will hold its 33<sup>rd</sup> regular session at Palais des Nations in Geneva from 13 September to 30 September 2016.

Reprisals, enforced disappearances, arbitrary detention and National Human Rights Institutions are some of the thematic areas ISHR's advocacy will be focused on.

A highlight this session will be the opportunity for States to respond to the Secretary-General's latest report documenting serious cases of intimidation and reprisals against human rights defenders, and contribute to finding concrete solutions at panel discussion to be hosted by the core group of States on this topic (Hungary, Uruguay, Ghana, Ireland and Fiji).

### **Reprisals**

The Secretary General's annual report on cooperation with the UN, its mechanisms and representatives in the field of human rights - more frequently referred to as the "reprisals report" - will be presented at this session of the Council. The report is expected to cover the period from 1 June 2015 onwards.

Particular attention during HRC33 will be paid to Bahrain. According to allegations of travel bans against human rights defenders documented by the President of the Human Rights Council, and communicated via the minutes of a recent meeting of the HRC Bureau [LINK], in which the President expressed concern about "the lack of appropriate action or adequate explanatory information from the concerned State" to the allegations.

The Secretary-General's report consists of a compilation of cases of intimidation and reprisals due to cooperation with the UN organisations and its specialised agencies in the field of human rights, including cases in relation to the Council, its UPR and Special Procedures; Human Rights Treaty Bodies; the OHCHR, its field presences and Human Rights Advisers; United Nations Country Teams; human rights components of peacekeeping missions and other parts of the Secretariat or specialized agencies working in the field of human rights.

The Secretary General's last report documented a significant number of cases in which people have been threatened, stigmatised, censored, restricted from travelling, detained, beaten, held in solitary confinement,

disappeared, and tortured for their work to expose and pursue accountability for human rights violations at the UN. In many of the cases the threats and attacks have not been properly investigated nor have perpetrators been held to account. However, the report did note a range of positive developments aimed at preventing and promoting accountability for reprisals highlighting that, as [recommended and advocated by ISHR](#), a number of treaty bodies have appointed reprisals rapporteurs or focal points, the treaty bodies as a whole have recently adopted a [comprehensive set of guidelines on combatting intimidation and reprisals](#), and the [President of the Human Rights Council](#) has developed 'ways of addressing the issue of reprisals in a more coherent and systematic manner'.

In line with previous recommendations of the Secretary-General, States are encouraged to use the General Debate under Item 5 to address the cases documented. This should include in particular the States concerned, i.e. those mentioned in the report, who are expected by civil society to respond to the allegations and set out the steps taken to investigate them, hold the perpetrators to account and provide remedies to the victims.

### **Working Group on Enforced Disappearances**

The Working Group on Enforced Disappearances will present its report, summarising its activities over the last year and previewing its thematic study on enforced disappearances in the context of migration. Included in this is a short discussion of 'individuals [who] migrate due to the disappearances of their relatives or loved ones or to avoid reprisals due to their work in searching and pursuing justice... and human rights defenders who are forced to migrate due to their work fighting enforced disappearances.' The Working Group's report also expresses serious concern as to 'a pattern of threats, intimidation and reprisals against victims of enforced disappearance, including family members, witnesses and human rights defenders working on such cases. It calls upon States to take specific measures to prevent such acts and re-iterates the call for the UN to appoint a high-level official to combat reprisals as a matter of urgency and priority.

### **Working Group on Arbitrary Detention**

The mandate of the Working Group on Arbitrary Detention will be renewed at this session. Among the likely 'asks' of the resolution are more resources to support their ability to respond to victims of arbitrary detention, the ability to raise awareness through reporting to the UN General Assembly and the mandate from the Council to embark on a thematic study.

### **National human rights institutions**

National human rights institutions have a vital role to play in contributing to the national implementation of international human rights obligations. The annual report of the Secretary-General and High Commissioner sets out a range of steps and measures that both States and NHRIs should take in this regard. For States, such steps should include ensuring that the NHRI is broadly mandated (including in respect of economic, social and cultural rights), that it is adequately resourced, authorised to inspect places of detention, and protected from interference, intimidation and reprisals. States should also implement recommendations of NHRIs. For NHRIs, the report emphasises the importance of engaging and consulting closely with civil society, contributing to the protection of human rights defenders, and enhancing cooperation with international human rights mechanisms as a means of bridging the 'implementation gap'. In ISHR's view, each of these recommendations should be reflected in the proposed resolution on NHRIs to be presented by Australia at the 33<sup>rd</sup> session.