

Letter to Member States of the UN Human Rights Council

Re: Support resolution on cooperation with the United Nations, its representatives and mechanisms in the field of human rights

26 September 2017

Your Excellency,

The undersigned 48 civil society organisations, coming from all regions, urge your delegation to **support the adoption of the resolution on cooperation with the United Nations, its representatives and mechanisms in the field of human rights** as tabled. We urge you to **resist efforts to undermine and weaken this resolution**.

The balanced resolution entitled ‘Cooperation with the United Nations, its representatives and mechanisms in the field of human rights (A/HRC/36/L.26), developed through open and transparent informal negotiations, is being considered by the 36st session of the Human Rights Council. The core group comprising Ghana, Hungary, Ireland, Fiji and Uruguay will present the resolution for adoption on 28 or 29 September.

The Secretary-General's most recent report on cooperation presented at this session of the Human Rights Council reveals a worsening incidence of intimidation and reprisals, including a ‘broader’ range of actions, by increasingly ‘blunt’ means. It reports that people engaging with the United Nations experience threats, intimidation, harassment, derogatory media campaigns, travel bans, arbitrary arrests and detention, enforced disappearances, torture and ill-treatment, disbarment, and dismissal from posts.

Beyond the grave impact on the life of persons concerned and their relatives, intimidation and reprisals also constitute an attack on human rights, the rule of law, and the international and regional mechanisms themselves.

The report identifies a number of positive developments, including a strong resolution adopted by the African Commission on Human and Peoples' Rights and the establishment of a mandate by that body to combat reprisals. It is imperative that the Human Rights Council adopts a similarly strong and substantive resolution at this session.

Despite the importance of the resolution – so tragically illustrated by the number of cases included in the Secretary General's report – a small group of States, led by the Russian Federation, China, Egypt and Cuba are seeking to seriously undermine the text. A number of amendments being promoted by these States, in addition to questioning consensus language and terminology from past resolutions, challenge key elements in the resolution, including:

- The right of all people to safe and unhindered access to and communication with international human rights bodies, which is firmly established in international law;
- The commitment made by Member States, in particular Council Members, to cooperate with the Council and its mechanisms, and the acknowledgment that a failure to take steps to prevent, investigate and ensure accountability for such acts may be inconsistent with that commitment;
- The call on States to take measures to prevent the occurrence of intimidation and reprisals;
- The responsibility of the Human Rights Council President and his Bureau to address and follow up on allegations of acts of intimidation and reprisal;

- The recognition of developments on the issue of reprisals in United Nations mechanisms, including the special procedures and the treaty bodies;
- The welcoming of the designation of the Assistant Secretary General on human rights, and acknowledgment of his work regarding reprisals associated with the mandate assigned to him by the Secretary General; and
- The devotion of ‘sufficient time to discuss the report of the Secretary General’ at the Human Rights Council.

These amendments would seriously undermine the ability of the United Nations system to address the needs on the ground. For the United Nations to effectively promote and protect human rights and achieve sustainable development, the right of all people to communicate with and provide information to the United Nations needs to be protected. The proposals to weaken the resolution should be seen in the context of ongoing, systematic efforts in a number of States to restrict civil society space, the right to communicate with the United Nations and its effectiveness and legitimacy. Indeed, several of the proposing States are the subject of allegations of intimidation or reprisals in both the Secretary-General’s report and the joint communications report of Special Procedures.

We urge you not to associate with such positions. **Instead, we respectfully urge your delegation to co-sponsor resolution L.26 as tabled, vote against the amendments presented, and vote in favour of the resolution as drafted.**

Civil society and human rights defenders around the world look to the Human Rights Council and its Member States for support and protection, and we hope your delegation will stand with us.

Yours sincerely,

1. African Centre for Democracy and Human Rights Studies
2. Akahata A.C.
3. Alkarama Foundation
4. Article 19
5. Asian Legal Resource Centre
6. Association for Advancement of Legal Rights
7. Association for Progressive Communications
8. Bir Duino-Kyrgyzstan
9. Both ENDS
10. Business and Human Rights Resource Centre
11. Cairo Institute for Human Rights Studies
12. Canada Tibet Committee
13. Centro de Derechos Humanos de las Mujeres
14. Centro de Estudios Legales y Sociales
15. Christian Development Alternative
16. CIVICUS
17. Collectif des Organisations de Défense des Droits de l'Homme et de la Démocratie
18. Commonwealth Human Rights Initiative
19. Conectas Direitos Humanos
20. DefendDefenders (the East and Horn of Africa Human Rights Defenders Project)
21. Egyptian Initiative for Personal Rights
22. Euro-Mediterranean Foundation of Support to Human Rights Defenders
23. EuroMed Rights
24. FORUM-ASIA (Asian Forum for Human Rights and Development)
25. Global Human Rights Clinic
26. Help & Shelter
27. Human Rights Watch
28. International Commission of Jurists

29. Insan Haklari Dernegi/Human Rights Association
30. Instituto Venezolano de Estudios Sociales y Politicos
31. International Centre for Ethnic Studies
32. International Service for Human Rights
33. Labour, Health and Human Rights Development Centre
34. Ligue pour la Défense de la Justice et de la Liberté / Burkina Faso Coalition of Human Rights Defenders
35. Organisation Mondiale Contre la Torture
36. Partnership for Justice
37. PROMEDEHUM
38. Proyecto de Derechos Económicos, Sociales y Culturales (ProDESC)
39. Réseau International des Droits Humains RIDH
40. Réseau Ouest Africain des défenseurs des Droits Humains
41. Robert F. Kennedy Human Rights
42. Southern African Human Rights Defenders Network
43. Union Internationale des Avocats
44. Unión Nacional de Instituciones para el Trabajo de Acción Social
45. Urgent Action Fund for Women's Human Rights
46. Women's Global Network for Reproductive Rights
47. Yemen Organization for Defending Rights & Democratic Freedoms
48. Zo Indigenous Forum