

HRC 35 – 16 June 2017 – General Debate

General Debate on ITEM 5

Intervention by The Kingdom of the Netherlands

2"30

Mr President,

This statement is on behalf Belgium, Luxemburg and The Netherlands and we fully align ourselves with the EU statement

In our national capacity, we recall Secretary General Guterres' opening remarks at the last Human Rights Council in March:

"Human rights defenders must be able to freely participate in the Council and engage more broadly with the UN, without fear of reprisal. This is critical to our work and to the credibility of Member States."

The Netherlands believes that reprisals against civil society actors affect the essence of our work. This Council simply cannot function properly without hearing the views and concerns of civil society. NGOs and HRDs have to be able to engage with this council, and its mechanisms without the fear of being intimidated or threatened. A Human Rights Council without the free and safe input from civil society is a useless Council.

Intimidation and reprisals come in many forms: judicial harassment; denial of access to Special Rapporteurs; intimidation and ill-treatment of family members of human rights defenders – these are just a few examples of all the forms in which the work of our Council is affected.

In this regard, we are gravely concerned at reports of certain human rights defenders being blocked from travelling to Geneva during the last UPR.

These practices are simply unacceptable.

Mr President, we would like to use this opportunity to affirm our support for the HRC Presidency and Bureau taking a role in addressing reprisals. We consider, however, that this role could be further strengthened in a number of ways.

Firstly, whilst general statement on reprisals are useful, it is also crucial that specific cases of reprisals receive public attention. We encourage the Presidency to publically denounce individual acts of intimidation or reprisals and consider publishing allegations letters on the extranet if victims give consent. The Presidency and Bureau should also consider maintaining a publicly accessible register of cases of alleged acts of intimidation and reprisals on the extranet, with hyperlinks to allegation letters and State responses, similar in format to the Special Procedures joint communications report. These steps would assist in deterrence, denunciation, transparency, accountability and validation for victims.

Secondly, we encourage the HRC Presidency and the Bureau to take an even more proactive role in investigating and follow-up to cases of intimidation and reprisals. In this regard, we would like to suggest that the HRC Presidency provide short oral updates on cases of alleged intimidation or reprisal, including actions taken, at the start of the Item 5 general debate of each Human Rights Council session and also provide States concerned with the opportunity to respond. We also encourage the HRC Presidency to systematically transmit cases of alleged reprisals to ASG Gilmour and would welcome an update of your collaboration with the ASG on specific cases to date.

We look forward to further and close cooperation to end intimidation and reprisals.

Thank you Mr President.