

39th session of the Human Rights Council

Opening Statement by UN High Commissioner for Human Rights Michelle Bachelet

10 September 2018

Distinguished President,
Excellencies,
Colleagues and friends,

It is an honour to be called to this mandate, to assist States to uphold the human rights of their people, in this year in which we celebrate the 70th anniversary of the Universal Declaration of Human Rights.

The Universal Declaration is a commitment to values and policies that have delivered tremendous benefit to millions of people. This Council, my Office, and every Member State of the United Nations must continue to push forward with that work. The future of our world depends upon it.

I want to acknowledge the courage and the achievements of my predecessor, High Commissioner Zeid. His activism, humanity and formidable intelligence have advanced the cause of human rights, and brought great access and impact to our Office. He truly became the spokesman for those who are voiceless: the victims of human rights violations.

Their needs and rights should always be the central focus of our work. Human rights express the core purpose of the United Nations: we can only attain peace, security and sustainable development for all societies when we advance the dignity and equality of all human beings. In the course of my work, I fully intend to honour both the spirit and the practises established by my predecessors.

I bring to this mandate my experience in public service and my lifelong dedication to reversing hatred and ensuring equality and respect for all.

I have been a political detainee and the daughter of political detainees. I have been a refugee and a physician – including for children who experienced torture, and the enforced disappearance of their parents. I have headed a United Nations body, and I have been honoured to lead my country, twice, as its President.

This is the eve of the day on which we Chileans mark the memory of the coup d'état, 45 years ago, and the ensuing years of brutal oppression and bloodshed. My country has known the pain and terror of tyranny. But I am proud to say we have been able to surmount divisions and meet vast challenges – shaping institutions which enable greater participation, and greater freedom, justice and dignity, for our people.

And so I bring to the cause of human rights the diversity of cultures that have nourished my approach to public service. I bring my commitment to bridging the differences between communities, and promoting respect, well-being and freedom.

I bring my fundamental attachment to the courage, the dignity and selflessness of all defenders and activists for human rights.

I bring my absolute conviction that cooperation between all actors, through multilateral institutions, can solve the complex challenges that face the world, and that by working to uphold human rights, my Office – like this Council – can ensure more just and respectful societies, living together in sustainable development and security.

Good governance is based on identifying and amending gaps in access to justice, dignity and equality – so that all can live in more respectful and harmonious societies, and enjoy development that is more dynamic and sustainable.

Good doctoring is based on building resilience: strengthening healing processes and intervening to interrupt symptoms of pathology.

And human rights are a powerful medicine, which heals wounds and develops resilience.

Excellencies,

Political differences may divide some of the countries in this room. But upholding human rights is in the interest of every State. Your peoples seek a common agenda: rights, sustainable development and peace.

We can only progress towards that vision together. If we undermine multilateral institutions such as this one, we will fail to meet the challenges our people face.

I have deeply admired much of the work done by this Council, with its mechanisms and experts. The Universal Periodic Review ensures ground-breaking scrutiny of the human rights record of every State in the world. The inquiries led by the Council's fact-finding expert missions and Special Procedures have uncovered essential facts which must be addressed, and have pointed to recommendations that it is essential to apply.

Your expanding agenda and increased workload are not only a testament to the world's failures to uphold human rights; they are also a mark of your importance.

I am convinced that this Council must strive for consensus. I believe there should be more engagement by all Member States – not sterile disputes; not withdrawals; but collective, coordinated and cooperative work to sustain core principles and common goals.

Kofi Annan, for whom I had the deepest respect, often pointed out that in our complex, globalised world, "no country, no matter how powerful or wealthy" can hope to solve the issues which face States. I quote, "Governments have to show the courage and vision to look beyond themselves to find solutions, and put in place new frameworks and rules".

The most effective solutions are grounded in principle and in openness, in collective agreements and coordinated actions.

I know that consensus is possible.

I know that military leaders can commit to ending military intervention in democratic politics and work to reconcile with the victims of oppression.

I know that centuries of prejudice and discrimination – against women, against the peoples of the Global South and many other discriminated and exploited groups – can be pushed back. This is work that has advanced in the past, and must move forward today.

Excellencies,

It is States which have the primary responsibility for upholding the rights of their people. I will always listen to the concerns of Governments. As a former Head of Government and Head of State, I have shared some of these concerns and faced some of the same challenges.

But above all, I will advocate for the civil, political, economic, social and cultural rights that are the inherent entitlements of all people. I will strive to be their voice and their strong defender, in complete objectivity, without fear or favour, and to urge all States to protect and promote *all* human rights, without distinction.

This Council, too, has the responsibility to speak out against every instance of human rights violations, regardless of sex, gender identity, race or ethnicity, religion, disability or migration status, or other characteristic. Irrespective of the type of political regime in a given country, the Human Rights Council has the duty to advocate and to assist transformative improvements in upholding *all* rights.

These rights extend from the frontiers of the digital universe to the abject poverty of the rooms where mothers die in childbirth, because insufficient resources are allocated for their care.

They include the prevention of conflicts, so often grounded in discrimination, inequality and injustice.

They include protection from and mitigation of the effects of climate change; work to uphold the rights of children, rights to health and to fundamental services; and measures which enable development by upholding the people's right to freely participate in making decisions on all matters that affect them.

We cannot pick and choose from among our people's inalienable rights. They build on each other.

Measures to promote equality drive powerful, sustainable economic development to which every member of society can fully contribute.

Access to the best quality education, and to economic and social rights, help to diminish despair, mistrust and violent extremism.

It is by building access to *all* human rights that society becomes stronger and more able to resist unpredictable shocks.

And although there may be legitimate divergences regarding the best ways of achieving these transformations, the principles which anchor them remain absolutely clear and invariable.

Mr President,

We stand on a sound foundation. Much work has already been accomplished – by my Office, including by its 72 field presences around the world; by this Council and its mechanisms; by the Treaty Body Committees; and by the civil society activists represented in this room and those across the world.

I hope to reinforce our common understanding. We can surpass national borders. We can promote more multilateralism, more cooperation, more dialogue, more consensus and more coordinated action.

We can build new strategies and stronger tools for prevention, early intervention and also accountability. I firmly believe that the power of justice can deter and prevent even the worst violations and crimes.

We can – we must – push forward with the implementation of States' commitments. Norms and laws are vital, but they must be applied. I am convinced that by building up national institutions, we can ensure powerful constituencies for rights, which can contribute to making rights real.

Excellencies,

This is a time of many setbacks for human rights. But it is also one of great opportunity.

We stand on a strong, vital and living body of law and norms, which reflect the universal values that bind humanity. The Covenants, the seven other core human rights treaties, and the recommendations of all UN human rights bodies and experts, are fundamental contributions to the work of preventing, mitigating and ending human rights violations – including the inequalities and discrimination which torment so many of our fellow human beings.

The voice of the Office of the High Commissioner is powerful in its authority, legitimacy and objectivity. And it is far from the only voice that is raised in support of rights.

The new reforms underway at the United Nations present an opportunity to advocate, as powerfully as we can, that a human rights approach be at the centre of the work of our UN partners.

The recommendations of the Treaty Bodies, and the Council's Special Procedures and Universal Periodic Review, are increasingly integrated into coordinated tools, to enable better adoption by States, UN Country Teams and other actors.

In humanitarian operations, the UN is adopting the “New Way of Working” which seeks to join up the development, humanitarian and human rights approaches to these difficult situations.

The 2030 Agenda makes the direct road from discrimination to inequality and under-development absolutely clear. It opens a tremendous opportunity for greater integration of human rights goals, including the recommendations of the human rights mechanisms, into national policies and the work of the UN.

The Sustainable Development Goals will not progress without discussion of and progress on the so-called "sensitive" issues of human rights. I know this as a former Head of State and Government: development must focus, above all, on the well-being and rights of the people.

The Global Compact for Migration, which is due to be adopted in December, offers hope for better and more effective governance of migration. It is a balanced human rights document with achievable, detailed policies to reduce the vulnerability of many of the world's 258 million migrants – and minimize the human rights violations which so often drive their flight.

Historically, people have always moved in search of hope and opportunities. Erecting walls; deliberately projecting fear and anger on migrant communities; denying migrants fundamental rights by limiting their right to appeal, curtailing their right to non-refoulement, separating and detaining families, and cutting integration programmes: such policies offer no long-term solutions to anyone – only more hostility, misery, suffering and chaos.

It is in the interest of every State to adopt migration policies that are grounded in reality, not in panic; which provide opportunities for safe, regular movement instead of forcing people to take lethal risks.

Among the major strengths of both the 2030 Agenda and the Global Compact is that they are commitments by States to work together – and change, together.

Mr President,

As this Council session begins, the rapidly growing numbers of people fleeing both **Venezuela** and **Nicaragua** once again demonstrate the need to constantly uphold human rights. Yes, it is urgent to help receiving States to solve the many challenges raised by such movements. But it is also fundamental to address the reasons why people are leaving. In both these countries, the Office urges the Human Rights Council to take all available measures to address the serious human rights violations which have been documented in recent reports.

Regarding **Venezuela**, an estimated 2.3 million people had fled the country by 1 July – roughly 7 per cent of the total population – due largely to lack of food or access to critical medicines and health care, insecurity and political persecution. This movement is accelerating. In the first week of August, more than 4,000 Venezuelans per day entered Ecuador; 50,000 Venezuelans reportedly arrived in Colombia over a three week period in July; and 800 Venezuelans per day are now reported to be entering Brazil. Cross-border movement of this magnitude is unprecedented in the recent history of the Americas, and the vulnerability of those who leave has also increased: elderly people; pregnant women; children, including unaccompanied minors; and persons with health problems are crossing the border in increasing numbers.

Since publication of our latest report on Venezuela, in June, the Office has continued to receive information on violations of social and economic rights – such as cases of deaths related to malnutrition or preventable diseases – as well as on violations of civil and political rights, including arbitrary detentions, ill-treatment and restrictions to freedom of expression. The Government has not shown openness for genuine accountability measures regarding issues documented by the Office during the 2017 mass protests.

The number of people fleeing **Nicaragua** is also increasing exponentially, as a result of the ongoing crisis in the country, including the deterioration of human rights. Two weeks ago, the Office released a report documenting disproportionate use of force by the police; extrajudicial killings; enforced disappearances; widespread arbitrary or illegal detentions; widespread ill-treatment, and instances of torture and sexual violence, in detention centres; obstructions to medical care; and violations of freedoms of peaceful assembly and expression, such as the criminalization of human rights defenders, journalists and protestors considered critical of the Government. Some 400 people have been killed and at least 2000 injured. We regret the government's decision last week to expel our team, and call on the Council to strengthen its oversight on the country. In the meantime the Office will continue documenting human rights violations in Nicaragua from outside the country.

In such circumstances, the Global Compact provides for regional and international cooperation to set up prompt, humane reception of all people arriving at their borders, with respect for their human rights; and to develop mechanisms for admission and stay based on the need for human rights protection. The Office is eager to assist States to realise these commitments by building national capacity – including, for example, by training border guards and law enforcement personnel who work in border areas to uphold and respect the human rights of all, and by providing practical guidance for national implementation plans, based on our monitoring and assessment.

The decision by the United States and Hungary to refuse to sign the Compact is deeply regrettable. **Australia**, a member of this Council that has suggested it might withdraw, should join the consensus of the global community, adopt the Compact and revise the country's policies with respect to people arriving at its borders without a visa. The current offshore processing centres are an affront to the protection of human rights.

In June, the Government of **Hungary** adopted additional measures to enable the authorities to arrest, criminally charge and immediately remove from Hungary's border area any lawyer, adviser, volunteer or legally resident family member suspected of helping a person to make an asylum claim, obtain a residence permit, or take other perfectly legal actions. We are also aware of shocking reports that in recent weeks, food has been withheld from migrants held in transit zones on the Hungarian-Serbian border.

The **United States** has halted the unconscionable practice of separating immigrant children from their families. But the authorities have still not taken measures to provide redress for the families whom it has victimised; and over 500 migrant children taken away from their parents by US officials have still not been returned to their families. Of further concern is the announcement last week that the government would no longer abide by a court settlement limiting detention of children to 20 days.

The **European Union** should be encouraged to establish a dedicated humanitarian search and rescue operation for people crossing the Mediterranean, and to ensure that access to asylum and to human rights protection in the EU is guaranteed. The Government of **Italy** has been denying entry to NGO rescue ships. This kind of political posturing and other recent developments have devastating consequences for many already vulnerable people. Although the number of migrants crossing the Mediterranean has fallen, the fatality rate for those making this treacherous crossing has in the first six months of this year been even higher than previously.

Prioritising the return of migrants from Europe, without ensuring that key international human rights obligations are upheld, cannot be considered a protection response. The Office expects to dispatch a team to **Austria** to assess recent developments in this area. We also intend to send staff to Italy, to assess the reported sharp increase in acts of violence and racism against migrants, persons of African descent and Roma. The shocking recent outbreak in **Germany** of anti-migrant violence, which appears to have been stoked by xenophobic hate speech, is worrying. The EU Commission's recent acknowledgment that **Libya** is not a safe place for return is welcome. Migrants in Libya continue to be exposed to unlawful killings, deprivation of liberty, torture, sexual violence, forced labour, extortion and exploitation by both State and non-State actors, in total impunity, and it is unworthy of any State to deliberately send men, women and children to face such risks. The Council will be briefed on the human rights situation in Libya later in the session.

In the context of the EU's ongoing discussions to establish so-called "regional disembarkation platforms", the prospect of the EU outsourcing its responsibility to govern migration to States with weak protection systems is disturbing. Without prejudice to the ongoing discussions, the authorities should recall that respect for the rights of all migrants must be assured, including those in the most vulnerable situations, and processes must be established to ensure that relevant actors be held to account if they fail to meet basic international standards.

Above all, States should adopt a more thoughtful approach, and seek constructive, long-term, sustainable solutions. Governments should focus on expanding regular channels and pathways for movement. The economic argument is clear: migration powerfully contributes to economic growth and other social and cultural aspects of development. An aging population and low birth-rates make those contributions essential.

Mr President,

This Council session will be apprised of the deeply shocking findings of the Independent International Fact-Finding Mission on **Myanmar**. The Mission has determined that many of the gross human rights violations, and serious violations of international humanitarian law, in Kachin, Shan and Rakhine states amount to the gravest crimes under international law. In addition to crimes against humanity and war crimes – reported to have been committed in all three states – there is strong evidence indicating genocide, extermination and deportation of the Rohingya. It is shocking that journalists involved in documenting some of the massacres which occurred have been prosecuted, and now given a harsh sentence. They should be immediately released. Attacks and persecution appear to be continuing in Rakhine: at least 12,000 new Rohingya refugees have fled to Bangladesh so far this year. In Kachin and Shan States, the Fact Finding Mission found indications of extrajudicial execution and unlawful killings, torture and other forms of ill-treatment, including against children; sexual violence; arbitrary arrests; and forced labour. The persistence of these patterns of violations underscores the total impunity accorded to the Myanmar security forces.

I emphasise the imperative of justice for Myanmar. I welcome the Pre-Trial Chamber of the International Criminal Court's finding that the Court has jurisdiction over the alleged deportation of Rohingya from Myanmar, and possibly other crimes. This is an immensely important step towards ending impunity, and addressing the enormous suffering of the Rohingya people. I also welcome efforts by Member States at this Council to establish an independent international mechanism for Myanmar, to collect, consolidate, preserve and analyse evidence of the most serious international crimes, in order to expedite fair and

independent trials in national and international courts. This mechanism would also complement and support the preliminary examination of the ICC Prosecutor. I urge the Council to pass a resolution, and refer the matter to the General Assembly for its endorsement, so that such a mechanism can be established.

In **Bangladesh** – a country to be commended for hosting so many refugees and for its success in poverty reduction – student protestors and media professionals have in recent months been attacked, arrested, charged with defamation and, reportedly, ill-treated. The perpetrators of this violence must be held accountable to prevent recurrence. The Government should do more to ensure freedom of expression, which is indispensable for free and fair elections. Troubling reports also indicate that an anti-narcotics drive has led to over 220 killings, and thousands of arrests, with allegations of extrajudicial executions.

Drug issues everywhere are best tackled through a focus on health, education and opportunities – not the death penalty, or death squads. The Office has submitted a report to this session on more effective, and human rights compliant, measures to address narcotics issues.

In **Cambodia**, commendable advances with respect to poverty reduction, the minimum wage, basic social protections and non-discrimination contrast with the severe deterioration of civil and political rights, which is a substantial threat to such progress. The recent elections were held amid crackdowns on dissent and independent media, and the dissolution of the former main opposition party deprived many people of their choice of representation. Last month saw the welcome release of a prominent human rights defender, two journalists, and several opposition members, but the Government should also release all other political actors, journalists and ordinary citizens arrested or convicted for exercising their human rights. Sustainable development requires the authorities to protect and expand the space for civil society, including NGOs, the media and political opponents, in an environment of dialogue that allows all Cambodians to have a voice – including those who may be critical of government decisions.

In **India**, I hail last week's decision by the Supreme Court to decriminalise same-sex relations. Laws that criminalise consensual adult relationships are, as Chief Justice Misra said, manifestly arbitrary and a source of discrimination and harassment. I very much hope other countries around the world will look to India's example in this respect.

In Kashmir, our recent report on the human rights situation has not been followed up with meaningful improvements, or even open and serious discussions on how the grave issues raised could be addressed. The people of Kashmir have exactly the same rights to justice and dignity as people all over the world, and we urge the authorities to respect them. The Office continues to request permission to visit both sides of the Line of Control, and in the meantime, will continue its monitoring and reporting.

In **Afghanistan**, the Office is documenting record levels of civilian casualties. The number of civilians killed in conflict-related violence during the first half of 2018 was the highest six-month toll since we began our systematic documentation in 2009. Since then there has been a Taliban offensive on Ghazni in mid-August, and targeted attacks on the Shi'a community. We urge all parties to comply with international humanitarian and human rights law, and to show more courage and creativity in breaking away from decades of war and violence.

The rapprochement unfolding on the Korean peninsula is a historic opportunity to address, from the outset, the severe and longstanding human rights violations in the **Democratic People's Republic of Korea**. Discussion of the rights of millions of people cannot be postponed for the sake of convenience or other factors. Regarding the Council's resolution 34/24, work is underway to monitor and document violations committed in the DPRK, in order to establish a central repository of cases and develop possible strategies for future accountability. The Council will receive a report on this work in March.

China's review last month by the Committee on the Elimination of Racial Discrimination brought to light deeply disturbing allegations of large-scale arbitrary detentions of Uighurs and other Muslim communities, in so called re-education camps across Xinjiang. CERD's concluding observations corroborate other reports we have received. Reports have also been received of patterns of human rights violations in other regions. In light of these reports, we would request the Government to permit access for the Office to all regions of China, and trust we will embark on discussion of these issues.

In **Sri Lanka**, although the authorities have moved too slowly towards meaningful implementation of the transitional justice agenda, the Office of Missing Persons has now begun consultations and institutional capacity-building to fulfil its mandate. We look to that Office to work quickly, to begin to provide answers to the families of the disappeared. Legislation establishing an Office for Reparations is also underway. More progress in advancing accountability and truth-seeking could have great weight in the long-term stability and prosperity of the nation. Recurrent incidents of racist and inter-communal violence are disturbing, as are announced plans to resume use of the death penalty.

Mr. President,

In **Syria**, we are deeply concerned about the ongoing military operations in Idlib and nearby areas, and their impact on up to three million civilians who live there. We remind all parties to the conflict that they must adhere strictly to all relevant principles of international humanitarian law in the conduct of operations – and that no efforts should be spared to minimize the impact of armed conflict on civilians and to ensure their protection, including access to aid – and to humanitarian corridors to permit them to safely leave conflict-affected areas, should they choose to do so. In much of the rest of the country, armed conflict has diminished or ceased, and an estimated 80 per cent of the population now lives in Government-controlled territory. It is essential that measures be taken to address the root causes of the conflict and the rights of all Syrians – including the millions of people who have been wounded or detained, suffered the loss of family members through death or disappearance, or whose property and future have been devastated. Accountability must be a corner-stone of the country's future.

Regarding **Yemen**, I urge all parties to take stock of the gravity of the findings of the Group of Eminent Experts. They have identified a number of individuals who may be responsible for international crimes, and that confidential list is now in the Office. It is crucial that there be continued international and independent investigations into all allegations of violations of international humanitarian law and war crimes – particularly in light of the apparent inability of the parties to the conflict to carry out impartial investigations. Last month's shocking strike on a bus carrying schoolchildren was followed by another horrific series of airstrikes which left dozens of civilians and children killed and injured in Al Hudaydah. I note the recent statement by the Coalition acknowledging mistakes over the airstrike on the school bus in

Sa'ada, and I will be closely following what steps are taken to hold the perpetrators accountable and provide remedy and compensation to the victims. There should be greater transparency over the coalition's rules of engagement and the measures taken to ensure that such tragedies are not repeated. The recent Saudi royal order which appears to provide a blanket pardon to members of the Saudi armed forces for actions taken in Yemen is very concerning.

In **Saudi Arabia**, the recent crackdown on peaceful human rights defenders, especially defenders of women's equality and women's rights, is deeply disturbing. Samar Badawi and Nassima Al-Sadah were, according to our sources, arrested on 30 July 2018 and have been held incommunicado since then. The prosecutor's recommendation of the death penalty for Israa al-Ghomgham, reportedly on charges related to participation in protests, is of serious concern. These and other arbitrary arrests of peaceful activists for the collective good sharply contradict the spirit of the country's proclaimed new reforms. We call on the authorities to release all individuals detained for exercising their fundamental freedoms.

Iraq has recently emerged from a traumatic armed conflict that has devastated the lives of millions of its citizens and destroyed many areas of the country. With the military defeat of ISIL, the country can now concentrate on the processes of rebuilding and healing that must take place if the country is to finally put an end to recurring cycles of violence. Caring for the many thousands of victims of crimes and human rights violations and abuses, particularly those perpetrated by ISIL, will be vital to this process. Furthermore, addressing the root causes of conflict, including decades of abuses and violations, will be essential for the country to enjoy the benefits of peace and development. During the past two months, at least 25 people have been killed and some 500 injured in the context of protests and escalating violence, in Basra and elsewhere. Some positive measures have been taken by the government in response to the longstanding economic and social grievances at the root of the unrest. However, the government should take action to ensure the right of peaceful assembly and address the need to ensure that all people, without discrimination, have access to basic services – including justice and protection from physical and sexual violence. Only when decision-making processes are truly inclusive of all segments of Iraqi society, and its diverse communities, can they ensure peaceful solutions to the challenges the country faces.

In **Bahrain**, a large number of cases of revocation of citizenship has been reported to the Office. The legislation underpinning such actions should be reviewed in line with Bahrain's obligations under international law. Reports of possible exclusion of Bahraini citizens from the forthcoming elections of the National Assembly are disturbing. All human rights defenders who are currently arbitrarily detained should be released, including Nabeel Rajab.

Iran's dialogue with the Office and strengthened engagement with international human rights mechanisms are welcome, together with the recent amendment to drug-trafficking legislation, which abolishes the mandatory death penalty for some offences. The Government should be encouraged to ensure that the review of all cases is transparent, with due process guarantees such as effective legal representation. Continued use of the death penalty for juvenile offenders is deeply troubling and should be prohibited in all circumstances, with the sentences of those currently on death row commuted. I deeply deplore the executions last week of three Iranian Kurdish prisoners, despite the serious concerns raised by Special Procedures mandate holders that they were not afforded fair trials, and were subjected to torture. Recent arrests and ill-treatment of a number of human rights defenders and lawyers are deplorable. All those

detained for peacefully exercising rights to freedom of expression and association should be released.

In **Egypt**, I am shocked by Saturday's death sentences for 75 people, following another mass trial which failed to comply with international standards regarding due process guarantees. The trial of these protestors contrasts sharply with a recent law that bestows immunity on senior members of the security forces for human rights violations which they may have committed.

Prospects for peace and respect for human rights in the **Occupied Palestinian Territory** are undermined by the continued occupation. The ever-deepening human rights crisis in Gaza stems from 11 years of Israel's blockade, as well as successive escalations in hostilities. Against this backdrop, the high number of deaths and injuries of Palestinians in the context of recent demonstrations along the fence in Gaza this year raise serious concerns about excessive use of force. In the West Bank, including East Jerusalem, the Israeli settlement enterprise – illegal under international humanitarian law – continues unabated. The coercive environment created by demolitions and severe restrictions on freedom of movement of Palestinians continues in many areas of the West Bank, with increasing acts of settler violence. Of great concern at present is the possible imminent demolition of Khan al Ahmar-abu Helu, one of 46 Palestinian Bedouin communities at risk of forcible transfer in the West Bank. We are also concerned by the recent adoption of the Nation State Basic Law in Israel, which enshrines discrimination against Israel's non-Jewish population.

Mr President,

The Joint Declaration of Peace and Friendship signed in July between **Eritrea** and **Ethiopia** offers hope for an end to the decades-long stalemate between the two countries, which has had very severe impact on the people on both sides of the border. The Office stands ready to support both countries in protecting human rights. We particularly look forward to seeing an end to indefinite conscription into the Eritrean military. In Ethiopia, the Office has recently visited regions affected by intercommunal violence between the Gedeos and the Gujies communities, where recent clashes have reportedly forced over a million people to flee their homes. We welcome initial steps taken by the Government and urge a thorough, impartial and independent investigation into the human rights violations which allegedly occurred, with full accountability for the perpetrators.

In **Mali**, particularly in the central part of the country and in the region of Menaka, human rights and basic security are sharply deteriorating as a result of violence across intercommunal lines; attacks by violent extremist groups; the use of improvised explosive devices; and counter-terrorism operations conducted by national and international forces, which do not always respect the human rights of the people. Credible allegations have been made regarding the extrajudicial executions of at least 77 people since the beginning of 2018. The Government has opened judicial investigations for most of these incidents, and the Office will be closely following up these and other cases.

The situation in **Cameroon** has also worsened in recent months, as fighting has intensified in the so-called Anglophone regions between security forces and armed groups, with a large number of civilian victims and over 180,000 people forced to take refuge far from their homes – now in pressing need of humanitarian assistance. Many economic activities across these regions are now paralyzed. In this volatile security context, many people fear reprisals if they

participate in the Presidential elections scheduled next month. The Government has not acted to promote the conference on dialogue suggested by religious leaders, and there is still no mechanism in place which could envisage a halt in hostilities in the short term. We strongly condemn reports of the killing and abductions of teachers and students and the destruction of schools by armed elements in the north-west and south-west regions. These acts of intimidation are preventing thousands of children from attending school. We note that the Government has opened investigations into several atrocious crimes apparently committed by members of the military, and urge swift and effective action to ensure all the perpetrators of human rights violations are held accountable. Due process should also be guaranteed for all those detained in connection with terrorism, and we urge the Government to address key grievances, in order to foster peaceful resolution of this crisis.

In **Sudan**, clashes in Jebel Marra between security forces and armed groups have again led to new displacements of people in recent months. Despite some improvements in overall security in Darfur, displaced people continue to be subjected to attacks, including killings and rapes, when they venture outside their camps. Many such attacks are attributable to Government security forces and related militias, which still operate with impunity in Darfur.

In **South Sudan**, the agreement signed by the warring parties last month has again raised hopes for a peaceful and sustainable solution to the conflict. We urge the parties to acknowledge their part of responsibility for the violations suffered by so many across the country, by helping to establish and operationalize the long-awaited Hybrid Court – notably, by signing its statute. We are deeply concerned by the general amnesty announced by President Kiir in Khartoum, which may result in protecting from justice a large number of perpetrators of serious human rights violations and abuses from both the government forces and armed groups. We remind the authorities that amnesties may not shield from prosecution individuals who may be criminally responsible for war crimes, genocide, crimes against humanity or gross violations of human rights, including gender-specific violations. The Commission on Human Rights in South Sudan will hold an interactive dialogue with the Council later on the session. We join the Commission in deploring the fact that peace efforts have largely ignored accountability as a lever for change.

In **Somalia**, continued attacks against civilians by both State and non-State actors are deeply concerning. In July, UNSOM documented 51 civilians killed and 82 injured, and noted that civilian casualties attributed to Al-Shabaab had increased 309 per cent since June, and those attributable to state actors had risen by 125 per cent. The Office is also extremely concerned by the very limited democratic space in Somalia. An UNSOM report this month on violations of freedom of expression notes that between 1 August 2016 and 31 July 2018, at least eight journalists and media workers were killed and 32 injured; 94 individuals were arbitrarily arrested and/or subjected to prolonged detention on charges related to their exercise of freedom of expression; and 19 media organs were forced to close, some temporarily. A report published by UNSOM and the Office in August details numerous human rights violations and abuses committed during the 2016 and 2017 electoral process, including 44 cases of killings of community leaders and electoral delegates.

In the **Central African Republic**, sporadic clashes between armed groups outside the main towns continue to expose civilians to atrocity crimes and protection concerns. We deplore recent attacks against humanitarian workers in the Central region of the country. Clashes in August and September between ex-Seleka and anti-Balaka forces in Bria last month caused multiple civilian casualties and the reported destruction of villages, resulting in forced

displacement of their inhabitants. In the context of current peace initiatives, we emphasise the importance of ensuring that any agreements comply with human rights law, address the importance of people's safety, and ensure that the perpetrators of human rights violations and abuses will be held to account. Those who have incited violence and hatred between communities should also be held accountable. The Office is ready to support the establishment of inclusive and victim-centred transitional justice.

Burundi continues to enforce increasing restrictions on an already gravely-threatened civic space, amid continuing reports of grave human rights violations. In another very worrying development, the *Imbonerakure* militia responsible for multiple abuses is now increasingly acting as a law enforcement body. In the **Democratic Republic of the Congo**, widespread violations of civil and political rights endanger the credibility of the electoral process. The Council will be briefed on issues in these two countries later in the session.

Mr President,

Earlier this year, our Regional Office in Central Asia organized its first Human Rights Defenders Forum for the region, with more than 80 participants. The Office was, however, unable to invite activists from **Turkmenistan**, as a mere invitation could have posed a threat to them. As discussed at the Forum, we continue to receive reports of intimidation, harassment, arbitrary arrests and detention, at times marked by ill-treatment, against those who legally and peacefully express dissenting views in other Central Asian countries – notably **Tajikistan**. While the gravity of issues is specific to each country, the freedoms of journalists, human rights defenders, members of ethnic and religious minorities and more generally, civil society, have significantly diminished. Torture also remains a pressing issue across the region, with widespread impunity for perpetrators. And as in other regions, heavy-handed policies intended to counter or prevent violent extremism are likely to be counterproductive; we encourage the authorities to focus on promoting human rights when developing and applying such policies.

As in other parts of the world, we are also concerned by the numerous reported cases of torture and ill-treatment committed by law-enforcement and penitentiary personnel in the **Russian Federation**. We note the prompt reaction of the Russian Government and the Federal Ombudsperson to the alleged collective torture of a detainee by prison personnel in Yaroslavl, and urge full investigation and accountability to this and all such cases.

Turkey has recently lifted its state of emergency, but we are deeply alarmed at the recently enacted anti-terror law, which retains numerous emergency restrictions and is likely to continue their adverse effect on human rights and fundamental freedoms. For instance, the law restricts due process guarantees, prolongs the duration of pre-trial detention and allows for continued dismissals of public officials, including judges and prosecutors, because of alleged links to terrorist organizations. This *de facto* state of emergency is accompanied by the increasing concentration of powers in the executive, and an intense and ongoing crackdown on journalists and human rights defenders. The Office also continues to receive an extremely high number of allegations of deportations of Turkish nationals from third countries, and reported abductions, enforced disappearances, arbitrary detentions, and torture and ill-treatment.

The Council will receive a specific briefing on events in **Ukraine** later in the session. The ceasefire which began on 29 August to accommodate the beginning of the school year is another opportunity to for all parties to demonstrate their serious commitment to the

protection of civilians, and end the suffering of 600,000 civilians living close to the contact line, on both sides.

Mr President,

Human rights defenders in the Americas are increasingly facing grave risks as a result of their legitimate activities. We urge these States to strengthen protection and preventive measures to swiftly address this deteriorating situation. In **Colombia**, by 1 September the Office had recorded 53 homicides of leading human rights defenders this year, and we are verifying 57 more cases. In **Mexico**, 8 human rights defenders were killed in the first eight months of 2018 – again, more than in the whole of 2017. Many more have been victims of criminalisation, abusive lawsuits, smear campaigns, surveillance, death threats and attacks. Last year was also the deadliest year on record for journalists in Mexico, with at least 12 killings in 2017. In 2018, we have already recorded 8 killed and 1 person who has disappeared. In **Guatemala**, we have documented 18 murders of human rights defenders so far this year, compared to 12 in all of 2017. The recent Presidential decisions not to extend the mandate of the CICIG beyond September 2019 – and to refuse entry to the country to its Head, Ivan Velasquez – are deplorable. They abolish an essential instrument in the fight against impunity and corruption.

We welcome **Haiti's** nomination of a high level focal point on human rights, but its recent withdrawal of support for a resolution which would have provided resources for establishing a national human rights action plan is disappointing. We encourage the Council to resume its consideration of technical assistance to Haiti.

Mr President,

These updates point to many challenging situations, but also progress in some areas. I very much hope that we can address those challenges, and build on the progress which has been made.

In a few days it will be the equinox, when our world is poised between equal night and day.

For us in the Global South this date marks the end of winter and the start of spring. Many of our cultures celebrate this time as a time of hope and working together.

I am committed to the task of ensuring that together, we grow civil, political, economic, social and cultural rights for all, together with the right to development, and thus ensure peace and sustainable development across the world.