

Check against delivery

Human Rights Council 32nd Session



OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

Opening Statement by

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Distinguished President of the Council,
Excellencies
Colleagues and friends

When the Inter-American Commission announces it has to cut its personnel by forty percent – and when States have already withdrawn from it and the Inter-American Court;

When States Parties now threaten to withdraw from the Rome Statute of the International Criminal Court – and, even more recently, others threaten to leave the United Nations, or the European Court of Human Rights and the European Union;

When those calling for departure have seemingly already fled in their minds from the urge to protect the world from the untold sorrow and miseries which twice swept the world, and brought about the creation of many of these very institutions;

When filthy abuse by politicians of the vulnerable is tolerated; when the laws – human rights law, refugee law, international humanitarian law – are increasingly violated, and when hospitals are bombed – but no one is punished;

When human rights, the two words, so rarely found in the world of finance and business, in its literature, in its lexicon. Why? Because it is shameful to mention them?

When working for the collective benefit of all people, everywhere is apparently losing its ardour, and features only in empty proclamations swelling with unjustified self-importance and selfishness –

Then do we really still have an international community? When the threads forming it are being tugged away and the tapestry, our world, is unravelling? Or are there only fragmented communities of competing interests – strategic and commercial – operating behind a screen of feigned allegiance to laws and institutions?

I think of a video clip I saw on the internet only days ago, where the body of a young child, a young girl, with a face that is white with dust, nose bloodied, hair springing with life still and her body crushed, inert as the rubble – dug out as she was from a bombed building in Syria, so reports said, just days ago.

The poet Hafiz says:

*As pallid ghost appears
Speak the epic of thy pain*

Please stop this, because this madness can be stopped.

Mr President,

As I stand before this 32nd session of the Human Rights Council, at which all of the 193 Member States of the United Nations are represented, the international community's familiar customs and procedures are much in evidence.

And yet the workable space in which we function as one community – resolving disputes, coming to consensus – is under attack. The common sets of laws, the institutions - and deeper still, the values – which bind us together are buckling. And suffering most from this onslaught are our fellow human beings – your people – who bear the brunt of the resulting deprivation, misery, injustice, and bloodshed.

I, and many others, seek your support.

Hate is becoming mainstreamed. Walls – which tormented previous generations, and have never yielded any sustainable solution to any problem – are returning. Barriers of suspicion are rising, snaking through and between our societies – and they are killers. Clampdowns on public freedoms, and crackdowns on civil society activists and human rights defenders, are hacking away at the forces which uphold the healthy functioning of societies. Judicial institutions which act as checks on executive power are being dismantled. Towering inequalities are hollowing out the sense that there are common goods.

These trends bleed nations of their innate resilience. They do not make them safe: they make them weaker. Piece by piece, these mutually reinforcing trends are shearing off the protections that maintain respect, enable development, and provide the only fragile basis for world peace. They are attacks on sanity. And they can be reversed.

Mr President,

This is a period of powerful lessons – if we choose to learn from them.

We can build societies in which disputes can be peacefully resolved by impartial and effective institutions, and where people's right to development and other fundamental rights are respected.

We can shore up the basic building blocks of co-existence and well-being, both within States and between them.

Sound rule of law institutions, which offer the confidence of impartial justice, build confidence and strength. Equality: every individual must be clear in the knowledge that regardless of sex, race, ethnicity, opinions, belief, caste, age or sexual orientation, her equal rights are fully acknowledged. Trust can only accrue if government is transparent and accountable – and when people know they are entitled to contribute to all decisions in which they have a stake, there is greater social unity. When fundamental economic and social goods – such as education, clean water and adequate health-care – are viewed,

correctly, as rights, resources are allocated with greater fairness and society as a whole is stronger. The freedoms of expression, association and belief must prevail, together with independent media, in order that people be fully informed and free to contribute ideas and experiences without fear of attack.

These are powerful levers for development and peace. They are investments which pay instant and long-term benefits in maintaining peace, in maximising sustainable development, and in optimizing the well-being of each society and humanity as a whole. In contrast, the damage done by denial of human rights spills across borders and mutilates the destiny of generations to come. Human rights are not costly – they are priceless.

Mr President,

We are 7.4 billion human beings clinging to a small and fragile planet. And there is really only one way to ensure a good and sustainable future: ensure respect, resolve disputes, construct institutions that are sound and fair and share resources and opportunities equitably.

The 2030 Agenda, which arises out of the Declaration on the Right to Development, is a practical, structured road-map for investing in human rights, including vital economic, social and cultural rights, and maintaining loyalty to the needs of humanity as a whole. These and other policies that benefit humanity are in the national interest of every State.

The 2030 Agenda details the way forward to combat exploitation and exclusion, and to build more just and resilient societies that fulfill the rights of all – including women and others who frequently suffer discrimination. It may not be a perfect or entirely sufficient programme, but it constitutes a universal commitment by States to the absolutely vital work of prevention.

At next month's High Level Political Forum, we need member states and our civil society partners to push for real delivery on the Agenda's promises, based on its core commitments to human rights. I also ask States to use their development aid more effectively, to promote the human rights goals that truly build development. Accountable, inclusive and transparent governance and rule of law institutions that are impartial and effective – these massively amplify development. And in the coming months and years, we have an opportunity to truly improve life for millions of people.

My Office is dedicated to that goal. The objective of our scrutiny is to give States the benefit of detailed, fact-based analysis, and to use that analysis as the basis for cooperation programmes that assist States to improve their protection of human rights.

In many situations, and especially when there are conflicting accounts, the independent, objective, and factual information that my Office provides can play an important role to prevent further violations. I very much regret the refusal by some countries to permit my staff to have access in order to monitor and report on events. I

must emphasise that non-cooperation by Governments will not result in my Office remaining silent. On the contrary, it creates a presumption of major violations, and may deprive local and national actors of the opportunity to explain and provide information about events.

In updating this Council at the September session, I may list a number of countries where engagement with or access for my Office is impeded.

This morning, in the course of this update, I will outline some very pressing human rights concerns, which could have been prevented – and must now be redressed. To undertake that work, my recommendations are clear. In every situation of conflict, the principles of distinction, proportionality, precaution and necessity must be strictly observed, in line with international humanitarian law. I urge every State to fully comply with international human right norms and implement the recommendations of the human rights mechanisms and of my Office. All political detainees should be released, and reforms undertaken to ensure fair trials and an impartial and effective administration of justice. Independent national institutions and civil society organizations must be free to raise their voice. Freedoms of expression, assembly and association must be respected and wherever people are jailed for exercising these rights – and there are many – I urge the authorities to release them with immediate effect.

The actions of the police, security forces and all other agents of the State, must be in line with relevant human rights obligations and minimum standards. When reports suggest violations of human rights, I call on the authorities to conduct investigations to establish the facts, prosecute perpetrators and ensure redress for victims. Economic, social and cultural rights are vital, and their respect must include equitable access to resources, services and opportunities. Refugee law must also be respected, especially the principle of non-refoulement. And all forms of discrimination must be eradicated, to ensure that every member of society can freely make choices and participate in decisions.

On a daily basis, we are witness to horrors of every kind around the world. I extend my condolences and respect to all victims of human rights violations, including the victims of conflict and those who suffer violations of their civil, political, economic, social and cultural rights. I also condemn with the greatest possible force the outrageous attacks by violent extremists on innocent people, chosen at random, or because of their presumed beliefs, or opinions, or – as we saw yesterday – their sexual orientation.

Martin Luther King spoke of the deep shame reserved "for those who possess power without compassion, might without morality, and strength without sight". But he also pointed out that we can "re-dedicate ourselves to the long, and bitter, but beautiful, struggle for a new world."

Mr President,

Globally, many countries have distinguished themselves by their principled welcome to large numbers of desperate, often terrified and poverty-stricken migrants and

refugees. They have provided assistance, enabled access to education and labour markets, and protected many vital human rights in line with their commitments under international law.

Many other countries have not done so. And their failure to take in a fair share of the world's most vulnerable is undermining the efforts of more responsible States. Across the board, we are seeing a strong trend that overturns international commitments, refuses basic humanity, and slams doors in the face of human beings in need.

The only sustainable way to resolve today's movements of people will be to improve human rights in countries of origin, and I strongly urge the members of this Council to embark on that work. But meanwhile, the countries of Europe must find a way to address the current migration crisis consistently and in a manner that respects the rights of the people concerned – including in the context of the **EU-Turkey agreement**.

It is entirely possible to create well-functioning migration governance systems, even for large numbers of people, with fair and effective determination of individual protection needs. If European governments can remove hysteria and panic from the equation – and if all contribute to a solution – I am confident that they will be able to achieve this.

Recently I have sent staff to key locations along the **Central Mediterranean** and **Balkan** migration routes. They have observed a worrying increase in detention of migrants in Europe, including in the “hotspots” – essentially vast mandatory confinement areas which have been set up in **Greece** and **Italy**. Even unaccompanied children are frequently placed in prison cells or centres ringed with barbed-wire. Detention is never in the best interests of the child – which must take primacy over immigration objectives. Alternatives to the detention of children must be developed, drawing on the solid examples of non-custodial, community-based and child-friendly good practices that we have seen in the region in past years.

I also strongly recommended comprehensive collection of data by the EU on the detention of migrants in all Member States. These figures would, I fear, be very shocking. I deplore the widespread anti-migrant rhetoric that we have heard, spanning the length and breadth of the European continent. This fosters a climate of divisiveness, xenophobia and even – as in **Bulgaria** – vigilante violence.

In contrast to these many deplorable failures of vision and humanity, a number of cities across Europe have responded commendably to the needs of vulnerable newcomers. I welcome the approach adopted by the Mayors of **Lampedusa** and **Paris**, alongside numerous other communities, many much smaller. With several European cities, such as **Barcelona** and **Madrid**, ready to relocate and resettle people, EU Member States need to make good on their commitments. In September 2015, they committed to relocate 160,000 people from Greece and Italy, but according to figures published last month fewer than 1600 – less than 1% -- have actually been relocated.

In south-east **Turkey**, I am alarmed by satellite imagery which indicates widespread destruction in the eastern area of the town of Nusaybin due to the use of heavy weapons. Hundreds of buildings have been damaged or destroyed, including extensive damage between 25 and 29 May. Last month, I requested that my staff be given access to the affected areas, in the context of multiple and contradictory reports of violations of international law and other human rights abuses. While I welcome the personal invitation by the Turkish government for me to visit the country, this invitation must first be extended to my staff so that a team from my Office can establish clarity about the facts. I remain acutely concerned about the harassment of civil society organisations and journalists.

The rights of people still suffering from the protracted conflicts in the **South Caucasus** have long been a concern of my Office. We have received allegations of violations of international law in the context of the upsurge in hostilities along the line of contact in the **Nagorno-Karabakh** conflict zone, especially in April. Significant efforts are needed to address the situation of displaced people. My Office is ready to assist in the collection of objective information on human rights needs in the affected areas.

In several countries of central and south-eastern Europe, including **Hungary, Poland** and **The former Yugoslav Republic of Macedonia**, I am concerned by challenges to the independence of rule of law institutions which provide an important check to executive overreach. Human rights defenders and civil society activists are under increasing pressure, indicating an almost region-wide narrowing of the democratic space, and we have observed multiple cases of harassment or persecution of journalists. In **Poland**, the European Commission has issued an opinion that is highly relevant to the regrettable constitutional crisis in the country, and I encourage the Government to cooperate under the EU's Rule of law framework. I further encourage the authorities to benefit from the expertise of Poland's highly respected Ombudsman organisation.

In **Azerbaijan**, I welcome recent releases of civil society actors and journalists. I invite the authorities to use this momentum to undertake meaningful steps towards widening space for civil society and safeguarding freedom of expression, including improving the justice system and the legal framework regulating NGO activities. My Office is ready to further advance a constructive dialogue with the Government with a view to addressing these issues.

This week, a number of amendments to the **Russian Federation's** law on foreign agents come into force. More than 90 NGOs are now listed as "foreign agents" a designation which implies that their activities are "political". I continue to urge the authorities to follow up on recommendations from UN human rights mechanisms and to amend this law in line with Russia's international human rights obligations.

In **Ukraine**, we are concerned about the increasing violations to the ceasefire and the presence of heavy weaponry on both sides of the contact line. Only full implementation of the Minsk Agreements by all parties can protect civilians and restore hope for a lasting peace. My Office has access to detention facilities in areas under the

control of the Government and there has been some improvement in conditions, and in terms of specific individual cases. But this access has not been possible in areas controlled by armed groups, leading to an assumption that allegations of very severe conditions may be accurate. We continue to receive reports of torture, arbitrary deprivation of liberty, and sexual and gender based violence linked to the conflict on both sides of the contact line. In areas controlled by the armed groups, we deplore the continued collapse of rule of law and severe restrictions on freedoms of opinion, expression, association and assembly. ASG Simonovic has recently completed a mission to Ukraine and will brief the Council during this session.

I welcome the continued search by many States for innovative, human rights-based approaches to challenges, including economic, social and cultural rights. Last week **Switzerland** held a referendum to consider a guaranteed basic income. The vote was negative, but in other countries, such as **Brazil, Finland, Italy** and the **Netherlands**, local and national governments are experimenting with new ways to approach social protection and equal opportunities using some form of basic income.

Mr President,

In many parts of the Middle East and North Africa, the life-forces of society – which are the freedom and hopes of the people – are crushed by repression, conflict or violent anarchy. Torture, summary execution and arbitrary arrests are assaults on the people's security, not measures to protect security. It is a mistake to imagine that attacking the people's rights makes them any safer or more content.

The antidote to the savagery of violent extremism is greater rule of law. The best way to fight terrorism, and to stabilize the region, is to push back against discrimination; corruption; poor governance; failures of policing and justice; inequality; the denial of public freedoms, and other drivers of radicalization.

Mr President,

The disaster of **Syria** continues to deepen. So disturbed are we by the Inferno that Syria has become that to brief, month after month, this gathering or other bodies has become grotesque in itself. Collecting and analysing information so appalling, and reporting on it, is intended to serve action. But when it simply piles up and then dissipates into the corridors of power, we are shaken, feeling as I'm sure many around the world feel, almost helpless in this horror.

Torture, arbitrary detention, enforced disappearances, forced evictions and the destruction of schools and entire neighbourhoods continue unabated. Hospitals are attacked, apparently deliberately: last week, in Aleppo, three medical centres hit in a single day – one, a paediatric centre, for the second time. Women and girls in particular, and minorities, are abused by twisted fanatics with a dehumanising sadism that is part of no religion. Over half a million people are trapped in sieges by government forces or armed groups, and are forced to scavenge for their basic needs – in some cases,

since 2012. In yet another atrocity, on Friday the people of Daraya were hit by multiple air and ground strikes, just hours after aid made it through to them – for the first time in four years.

When the reckoning is taken, all global decision-makers will find their legacy has been forever damaged by their failure to take decisive action to end this terrible, and entirely preventable, conflict. The serious and systematic crimes that are being inflicted daily on the people of Syria profoundly dishonour all those responsible.

In **Iraq**, I am acutely concerned about the situation of tens of thousands of civilians who currently remain trapped inside Fallujah, and I refer you to my public communications on this topic earlier this month. I have urged the authorities to take immediate steps to redress the situation regarding people fleeing the outskirts of the city. I welcome the announcement last week that the Prime Minister will appoint a committee to investigate allegations of violations committed against these displaced people, and I trust that this investigation will be truly consequential. I also commend the statement by Ayatollah al-Sistani urging security forces to protect the lives of civilians. The country must avoid further divisions or violence along sectarian lines, lest it implode completely.

I am also profoundly concerned about the suffering of the people of **Yemen**. The armed conflict that began more than a year ago has taken a terrible toll on civilians, with 9,700 civilian casualties documented by my Office. The humanitarian situation is disastrous and continues to worsen. More than 21 million Yemenis – 80% of the population – need basic assistance, 2.8 million people have been forced to leave their homes. Humanitarian aid is frequently obstructed by the parties to the conflict and limited by funding difficulties. In September, I will be submitting a comprehensive report on human rights violations in Yemen and the progress made by the national commission of investigation. I strongly urge all parties to the conflict to abide by their obligations under international humanitarian law, in particular concerning the protection of civilians. The delivery of humanitarian aid must be ensured in all conflict zones and besieged areas.

The occupation of Palestinian territory by Israel entered its 50th year last week. Tensions remain high across the **Occupied Palestinian Territory** and in **Israel**, and the risk of a further sudden escalation in violence remains very real. Violence is among the many consequences of this prolonged oppression, including and inexcusably against civilians on both sides. Both sides have seen civilians attacked recently, and I deplore those actions. The reactions of the Israeli authorities – in particular, instances of excessive use of force – have also been a cause for concern. I have reminded the Israeli Government of its obligations under international human rights and humanitarian law on a number of occasions. The increase in detention of Palestinians this year, particularly in administrative detention without trial, is another serious concern. At the end of April there were almost 700 Palestinian administrative detainees, more than double the figure at the end of September 2015 and the highest number since June 2008. Over 400 Palestinian children are currently detained in Israeli prisons, among them 13 who are in administrative detention – again, the highest figure since public records began in 2008. I

once again join the call by a number of Treaty Bodies for the practice of administrative detention by Israel to be abolished.

The situation in Gaza is untenable, with the continuing illegal blockade impeding reconstruction and basic services, and bleeding the people of hope. Arbitrary and often violent enforcement of the so-called "Access Restricted Areas" along the land and sea borders of Gaza not only obstructs access by Gazans to their livelihoods, but also results in deaths and injuries. So far this year, 73 fishermen have been arrested and detained by Israeli security forces – the same number as for all of 2015. Recent skirmishes along the border are a warning signal that another escalation of hostilities is a very real prospect unless there is real improvement for the people of Gaza.

Libya continues to be beset by violence and impunity, and my Office continues to document violations and abuses by all parties. Civilians have been attacked, killed, and abducted on account of their origins, religion, or political views and all parties have used heavy weaponry in residential areas without regard for civilian life. The main hospital of Benghazi, the country's second-largest city, came under repeated fire throughout the month of May, and two weeks ago shells damaged the intensive care unit. Thousands of people continue to languish in detention centres controlled by various armed brigades, where my staff have documented extremely dire conditions. Human rights defenders and journalists have been attacked or abducted.

We have also received disturbing reports of many migrants in Libya being subjected to prolonged arbitrary detention; attacks and unlawful killings; torture and other ill-treatment; sexual violence; and abduction for ransom. On a visit to one centre in which migrants were detained, UN staff found dozens of people crammed into storage rooms without space to lie down. All cooperation measures that are taking place between the European Union and Libyan authorities on migration and border management must only be carried out in full respect for the human rights of the people involved. Such cooperation should not, for example, facilitate migrants being sent back to face arbitrary detention in centres where such abuses are rampant.

I remain acutely concerned about the actions by violent extremists in **Egypt**, as well as by the shrinking democratic space, including constant harassment of civil society organizations and human rights defenders. Measures being employed to restrict freedom of peaceful assembly and freedom of expression include excessive use of force by security forces, arbitrary arrests and detention. The legislation governing peaceful assembly is excessively restrictive. Crackdowns breed grievance and rage, and feed cycles of violence. I urge the authorities to reflect on the long-term implications of their policies.

At least 250 people in **Bahrain** have reportedly been stripped of their citizenship by the Government because of their alleged disloyalty to the interests of the Kingdom. In addition to these severe restrictions on freedom of expression, which contravene Bahrain's international human rights obligations, an indefinite ban on gatherings in the capital has been in place since 2013. Dozens of people – including minors – have been

prosecuted for participating in protests. Repression will not eliminate people's grievances; it will increase them.

In **Mauritania**, there has been considerable progress on the issue of slavery in recent years, although much work remains to be done. My Office in Mauritania will continue to work with the Government and civil society to further human rights through constructive dialogue, including on the right to a fair trial.

Mr President,

New waves of attacks by violent extremist groups in **Mali** have targeted civilians, the armed forces and UN peacekeepers; MINUSMA has become the most deadly of all current peacekeeping missions. In addition to the toll of civilian casualties, the activities of extremist groups are also denying the population access to basic services, as they obstruct the work of the authorities and aid agencies. Schools have closed in some areas due to fear that they will be attacked, because these groups oppose their values. It is essential that all security forces conduct counter terrorism operations in line with international human rights standards – avoiding, in particular, arbitrary arrests, arbitrary detention and use of excessive force. Such methods are contrary to international law and create widespread resentment, fuelling greater recruitment by extremist groups.

In **Burundi**, killings, disappearances and arbitrary arrests by agents of the State or associated militia continue throughout the country and the political and security situation is tense and highly volatile. Almost on a daily basis, grenades explode indiscriminately in the centre of Bujumbura, or are aimed at police and military targets. In recent weeks military officers from the defunct Armed Forces of Burundi, known as ex-FAB, have also been targeted, and I am concerned that some of these killings may be ethnic-based. There are also deeply disturbing allegations of ethnic-based hate speech against Tutsis during a large public rally organised two weeks ago in the south of the country by the Imbonerakure militia. These allegations of speech amounting to incitement to violence must be urgently addressed.

As this Council is aware, the independent experts whom you mandated to conduct investigations travelled to Burundi in March. Their Secretariat was deployed to Burundi in May. Its six human rights officers and one security officer will be conducting missions to Rwanda, Tanzania, Uganda, and the Democratic Republic of the Congo this month to interview refugees. The second mission of the independent experts is planned for this week, and they are due to report to the Council in September. I note also that the International Criminal Court recently announced it will open a preliminary examination into violence in Burundi.

The formation of a transitional government of national unity offers hope, at last, for the people of **South Sudan**. However, violence has continued in some areas – particularly in Greater Equatoria and Greater Bahr el Ghazal, which were not previously affected – and restrictions imposed on humanitarian access remain a significant problem. I trust that there will be no further delays in establishing the hybrid

criminal court and other key institutions mandated by the peace agreement. The appalling violence that the country has suffered has roots in past failures of accountability, and there must now be a clear and determined commitment to hold perpetrators to account. I am hopeful that this session's enhanced interactive dialogue will contribute to that accountability and reconciliation, and that the new Commission on Human Rights on South Sudan will provide much-needed support.

In **Sudan**, the ongoing conflict in the Jebel Marra area of Darfur, the fighting in Southern Kordofan and Blue Nile States and inter-tribal clashes continue to result in serious violations of human rights and international humanitarian law, and large-scale displacement of civilians. Accountability and respect for human rights remain the only realistic hope for a sustainable end to this protracted conflict. I call on the Government to cooperate with the investigation and prosecution processes laid out in the Doha Document for Peace in Darfur, as well as with the work of the International Criminal Court pursuant to Security Council resolution 1593.

The peaceful transfer of power to the **Central African Republic's** newly elected President, in March, was an important milestone. President Touadera's government has no representative of any armed group, breaking with past practises and sending a courageous message that using violence will not lead to political reward. Nevertheless, the new government faces enormous challenges ahead and will need strong support to deliver effective reforms that can secure a path away from conflict and towards sustainable peace, respect for human rights and development. I encourage steps towards the disarmament of armed groups, the protection of civilians who remain threatened, and an end to impunity for human rights violations, to help reconcile divided communities.

Mozambique, which has been considered an African success story in recent years, shows signs of backsliding into violence. The resumption of an armed confrontation between Renamo's armed wing and the national army has led to the displacement of people in affected areas. Abductions, summary executions, and ill-treatment and threats to human rights defenders and journalists have been reported. I urge the Government to do its utmost to hold perpetrators to account, and to address the corruption that deprives so many of their economic and social rights.

Gambia's President reportedly made statements vilifying and threatening the Mandinka ethnic group at a political rally ten days ago. His speech included comparisons to animals and death threats to both the Mandinka and to political opponents. This appalling rhetoric may constitute incitement to violence under the terms of the International Covenant on Civil and Political Rights. Furthermore, in the run-up to the Presidential elections scheduled for December, peaceful demonstrations have met with severe actions by police. I call on the President and the Government to unreservedly guarantee the rights of all the people of the Gambia.

In the **Republic of the Congo**, I am concerned about recent reports of human rights violations in the Pool region, following an alleged militia attack on a police office. This week, with the Government's agreement, I have deployed a six-week mission to

assess the human rights situation, with particular attention to the affected area, and to make appropriate recommendations on possibilities for strengthening OHCHR's engagement in the country.

In the **Democratic Republic of the Congo**, there has been a sharp reduction in the democratic space since the changes to the electoral law of January 2015, including arbitrary arrests and detention; the prohibition or disruption of numerous meetings and demonstrations by the opposition or civil society; and ill-treatment of protestors. Last month police fired on demonstrators in North Kivu province, and subsequent related protests in Kinshasa also resulted in violence. I remind the authorities that all Congolese have a right to participate in the public affairs of their country.

I am also concerned about heightened tension in **Kenya**, where elections will take place next year. Fears have been raised by the excessive use of force by police in response to protests over alleged bias by the election commission; by the widespread use of speech tantamount to incitement to violence; and by some violence on the part of protestors. Kenya's people, who endured the massive post-election bloodshed and destruction of eight years ago, deserve better. As in every country, I urge the authorities to respect the right to peaceful assembly and to investigate and prosecute the use of excessive force. I also urge protestors to remain peaceful.

The Commission of Inquiry on **Eritrea** mandated by this Council has found reasonable grounds to conclude that widespread, systematic and continuing crimes against humanity have been committed since 1991. My Office is ready to support the Government in implementing the Commission's recommendations. I have noted recent developments in the country, including the release of some Djiboutian prisoners of war as well as reports of the release of Eritrean ex-combatants, and I encourage the Government to continue along this path and release other political prisoners.

The government in **Nigeria** has made progress in addressing insecurity linked to the operations of Boko Haram. I encourage the government to address issues highlighted by militancy in the Niger Delta, including dislocation and environmental damage resulting from business activity. Attacks against sedentary communities by displaced Fulani herdsmen should also be addressed. The widespread perception of exclusion and discrimination among Biafrans is also of concern. As the country painfully learned from its initial response to Boko Haram, high-handed and militaristic responses to grievances may exacerbate situations and cement intractable problems into place. I welcome unreservedly the government's anti-corruption focus, and I hope national anti-corruption bodies will be rapidly strengthened, to enhance their transparency and impartiality.

Mr President,

In **Afghanistan**, civilian casualties continue to rise. Earlier this year, UNAMA's Human Rights Unit documented a 2% increase, and almost one third of the victims were children. UNAMA is also reporting numerous attacks across the country targeting judges, prosecutors and judicial staff, with the Taliban claiming responsibility for many of these

incidents. I deplore this continuing carnage, and demand that all attacks against civilians immediately cease.

Regarding the **Democratic People's Republic of Korea**, where very serious human rights concerns persist, my Office is working to implement Resolution 31/18, which mandates the establishment of a group of independent experts, in order to recommend mechanisms for accountability, truth and justice for the victims of possible crimes against humanity. I continue to believe that dialogue with the Government is also essential, to encourage reform and cooperation. In April, the Government submitted reports to CEDAW and CRC. I welcome this as an indication of its willingness to cooperate with international human rights mechanisms, and I renew my offer of technical cooperation.

I am very concerned about the dramatically increased number of brutal murders in **Bangladesh** that target freethinkers, liberals, religious minorities and LGBT activists. I note recent reports of police arrests, and I urge that investigating and prosecuting the perpetrators of these vicious crimes be made a priority, with full respect for human rights. I also urge all government officials and political and religious leaders to unequivocally condemn these attacks on freedom, and to do more to protect affected groups.

In **China**, I have repeatedly noted my concern regarding the detention and interrogation of lawyers in connection with their work, as well as harassment and intimidation of Government critics and NGO workers. I am concerned that legislation on NGOs which is due to come into effect next January will further shrink the space available for civil society. Following last year's wave of arrests, at least 24 individuals have reportedly been charged with crimes, including subversion, incitement to subversion and assembly to disturb social order, and I understand that by mid-August, judicial authorities will decide whether or not to proceed with their prosecution. I call on the authorities to reconsider these proceedings and to release all individuals who have been detained in the context of legitimate work and activism, including the ten activists arrested in recent days.

In **Cambodia**, recent arrests of opposition members, officials of the National Election Committee and members of civil society indicate a drastic and deplorable narrowing of the democratic space. This will not help to create an environment conducive to credible elections in 2017 and 2018.

I remain concerned about the shrinking democratic space in the **Maldives**. Recent events once again raise significant fair trial issues. I am troubled by the application of terrorism-related charges against opposition leaders, and a number of new rules which have negative impact on fundamental freedoms. The access given to my Office by the Government is a positive signal that the authorities are open to discussion, and I am hopeful that we will be able to assist the Government to embark on institutional and legislative reform.

In **Thailand**, the authorities have scheduled a referendum in August so that the public can determine whether or not to support the draft constitution. Paradoxically, they have also limited dialogue on the topic. People who have posted critical comments on the draft constitution have been detained and charged with “sedition”. The people of Thailand have a right to discuss – and to criticise – decisions about their country, and free, fair and dynamic public debate on the draft constitution is vital if the country is to return to sustainable democracy. I remain concerned about the increasing use of military courts to try civilians. I welcome the decision last month to enact the Prevention and Suppression of Torture and Enforced Disappearance Act and to ratify the International Convention for the Protection of All Persons from Enforced Disappearance. I trust these commitments will be put into effect as a matter of priority.

I remind the incoming President of the **Philippines** that international law, which is binding on his administration, requires him to protect the rights of all his people, including journalists, civil society activists and human rights defenders who expose malfeasance. Criticism of people in power is not a crime. However, incitement to violence, and extra-judicial assassination, *are* crimes and are prohibited under multiple conventions to which the Philippines has acceded. The people of his country have a right to the rule of law. The offer of bounties and other rewards for murder by vigilantes, and his encouragement of extrajudicial killings by security forces, are massive and damaging steps backwards which could lead to widespread violence and chaos. I urge the Government to reconsider such initiatives, and to refrain from its plans to reintroduce the death penalty, in a country which has been a leading force in the campaign to end the practise.

In **Papua New Guinea**, longstanding protests escalated last week when police used excessive force, including live ammunition, against demonstrators. I welcome announcements by the Prime Minister and police that investigations will be set up, and I trust that these will be independent and result in appropriate accountability. Policing and security forces must embody the rule of law – or tarnish the reputation and legitimacy of the State among its people.

In **Sri Lanka**, the government’s efforts to implement its commitments in Resolution 30/1 will require a comprehensive strategy on transitional justice that enables it to pursue different processes in a coordinated, integrated and appropriately sequenced manner. This will require the inclusive and meaningful engagement of all Sri Lankans. I will present an oral update later in the session.

In **Myanmar**, the formation of a civilian Government in March represents a watershed moment in the continuing transition to democracy. The President and State Counsellor have set a reformist agenda focused on national reconciliation, peace, democratic reforms and development. Complex and wide-ranging human rights challenges remain, but they are not intractable. My Office stands ready to support the Government in addressing these challenges, which will be key to Myanmar's transformation,. As requested by this Council, on 29 June I will present my report on the human rights situation of Rohingya Muslims and other minorities in Myanmar.

Mr President,

The **Inter-American Commission on Human Rights** is an important strategic partner and inspiration for the United Nations system, and a vital human rights actor within the region. The financial crisis that it faces is alarming. I call on Member States from the Americas, who so constructively engage with the Human Rights Council, to also come out in defence of their regional human rights system through regular financial contributions.

Mr President,

I share the concern of many partners across the Americas regarding the very high incidence of **gun violence and gun-related deaths**. According to UNODC, the Americas have by far the highest rate of intentional homicide of any region in the world. Many of these crimes can be linked to organised criminal gangs, which also drive corruption of the judiciary and other institutions.

In **El Salvador**, violence has risen steadily and, last year it had by far the highest murder rate of any country in the world not at war. Pervasive violence has forced thousands of people to migrate, mainly to the US, including unaccompanied children who fear they will be killed if they refuse to enrol in gangs. While the Government has launched a comprehensive “Plan for a Safe El Salvador” that included accountability and work to rehabilitate former gang members following prison sentences, more recently much harder-line security measures have been put forward. Recent allegations of extra-judicial killings by death squads are intolerable and are likely to fuel even greater violence.

I urge firm action to increase public security in all the affected countries, with a focus on the respect of human rights and on strengthening the capacity of rule of law institutions.

Regarding the situation in **Venezuela**, my Office shares many of the concerns of the Organization of American States, as well as its conviction that a solution to the current critical situation cannot be imposed from outside but must come from Venezuelans. We urge the Government and opposition to work towards this end, refraining from violence and hate speech, and in full respect of all international human rights norms. I am encouraged to see that the region is now engaging in support of Venezuela, and I offer the experience of my Office in ensuring independent and objective human rights monitoring and reporting, as well as support for the implementation of all human rights recommendations.

In **Guatemala**, I welcome the launch of a national dialogue on justice reform in response to numerous recommendations by my Office regarding judicial independence, access to justice and institutional strengthening. I hope this will be a decisive turning point in the fight against impunity and corruption, and that it will result in comprehensive

reform to guarantee a fully independent and effective judiciary. As part of the Technical Secretariat of this dialogue, my Office has been closely involved in many aspects of its work, and in the context of discussion about recognising indigenous jurisdiction over legal matters, our staff have held meetings throughout the country with indigenous communities to foster their participation.

Haiti still does not have a constitutional President, and this lack of stable governance structures is impeding action on a wide range of crucial human rights issues. I take note of the Verification and Evaluation Commission's recent report and invite all actors to work together to ensure a swift return to constitutional order. Six years after the 2010 earthquake, more than 60,000 people remain displaced and are urgently in need of sustainable solutions. The fate of Haitians and people of Haitian descent deported from the Dominican Republic is also of concern. Other vital human rights issues include the cruel and degrading conditions in detention centres and prisons, and the exploitation of children as domestic workers. Cholera remains a serious issue with the authorities recording more than 9000 deaths since 2010. Member States and, especially, members of the Security Council need to consider what can or should be done to deal with the tragic consequences of the cholera epidemic for Haitians.

I welcome the historic ruling two weeks ago in **Argentina** regarding Operation Condor, a covert pact in the 1970s between military dictatorships in Argentina, Bolivia, Brazil, Chile, Paraguay and Uruguay to hunt down and murder political activists. Fourteen former military officials from Argentina and Uruguay were found guilty of crimes and human rights violations, including torture. This landmark of accountability will, I hope, bring a measure of peace to the families of the countless victims.

The greatest threat to the dividends of peace in **Colombia** is the risk that violence and human rights violations will be generated by struggles for control of illicit coca growing and illegal mining, following demobilisation. This is a trend that my office in Colombia is already observing. I urge the international community to invest with Colombia to transform these areas into productive economies that will improve the human rights situation and sustain peace.

In the **United States of America**, although federal civil rights legislation has had undeniable positive impact, many African Americans in particular struggle to achieve their rights to full equality. Especially when they are poor – as they disproportionately are – African Americans are more likely to be exposed to violence and crime, less likely to achieve a decent education and will have fewer employment opportunities, receive less adequate health care and face more violent interactions with the police. There is a need for much more action to address structural racial discrimination in the country. Accountability and justice must be upheld in cases of excessive use of force by law enforcement officials. I am also concerned about the findings by the Working Group on People of African Descent that voter ID laws have discriminatory impact on minorities.

As the coordinator of the International Decade for People of African Descent, I am concerned about the continuing low political representation of Afro-descendants in

Latin America and the Caribbean. There are around 150 million people of African descent in the region, amounting to about 30 percent of the population. They make up more than half the population of **Brazil** and well over ten percent of the population of **Cuba**, to take two examples. But their representation in high levels of government, including Ministerial Cabinets, is far lower.

Representation matters. This deficit of representation at the summit of power affects all of society: parliaments, workplaces in the public and the private sectors, schools, law courts, the media – all of them places in which the voices of Afro-descendants are given too little weight. The voices, the choices, the experiences and the faces of Afro-descendants need to be better reflected in government. I urge these and other States to take action to reflect the diversity of their population in decision making bodies, including consideration of affirmative action policies.

Mr President,

The state of implementation of resolution 68/268 on **treaty body strengthening** is globally positive. The treaty body system is already making strides towards greater efficiency and effectiveness, as attested by the notable increase in State party reviews, examinations of individual communications and field visits. The capacity-building programme which the resolution called for has been established by my Office, and I encourage States to make use of it. Looking ahead, the Secretary General will soon submit to the General Assembly a first report under resolution 68/268. It remains clear that the ever-growing treaty body system still requires sustained support and attention in the process leading towards the 2020 review.

Mr President,

As the world learned very recently from Ebola, major health emergencies are also human rights crises. The **Zika** epidemic continues to grow, with 60 countries worldwide now reporting cases – and there is an urgent need for a strong preventive and human rights-based approach in every one of those countries, as well as regionally and globally. Zika appears to disproportionately affect poor people, who live in areas with inadequate sanitation and whose homes and workplaces are less likely to be air-conditioned and mosquito-free. That must not mean that decision-makers downplay this epidemic. I urge adequate preventive measures, include the allocation of funds, as well as full respect for the human rights of all those affected. Disease is inevitable, but it is within our capability to prevent and reverse epidemics and pandemics. Indeed, it is our urgent duty.

Mr President,

Today is **International Albinism Awareness Day**, and I would like to stress my appreciation for this Council's work to address the terrible problems faced by people with albinism – including the appointment of the first Independent Expert. I am glad to note that **Malawi** has adopted a plan of action to address attacks against persons with albinism. **Tanzania** has recently appointed, for the first time, a person with albinism as a

Deputy Minister. In Malawi and **South Africa**, organisations of traditional healers have publicly dismissed the myths that body parts of persons with albinism can be used to make traditional medicine. These are significant steps, but the gruesome suffering that is inflicted on people with albinism will require much greater focus and support from many actors.

Mr President,

I have listed many preventable calamities, which inflict unnecessary suffering on many people. I have also suggested many of the tools which can roll back those forces and revive the resilience and unity of societies around the world. Equality. Dignity. Participation. Respect. Conflict can be prevented, and peace, security and development can be strengthened or rebuilt, brick by brick.

Respect for human rights offers States a path towards greater stability, not less. And assistance in establishing that path is what my Office, in all humility, offers. We shed light on protection gaps in order to help States repair them. I urge you to assist our work, and to avail yourselves of the help we offer. Despite the often terrible trends that I have outlined in this discussion, I firmly believe that it is not yet too late to act.

Thank you.