**40th session of the Human Rights Council**

**Item 2: Annual Report and Oral Update by the High Commissioner for Human Rights on the activities of her Office and recent human rights developments**

**Statement by UN High Commissioner for Human Rights Michelle Bachelet**

6 March 2019

Distinguished President,

Excellencies,

Colleagues and friends,

I am honoured to present to the Council the report on the work of my Office in 2018, including our 74 field presences (report A/HRC/40/3). The report outlines our efforts to assist States to uphold all human rights, at a time when humanity faces many serious challenges.

These include the existential threat of climate change; technological developments; unbearable civilian suffering in multiple armed conflicts; displacement; youth unemployment; structural economic injustices; xenophobia and hate speech; and – a focus of my statement today – gross inequalities.

Inequalities in income, wealth, access to resources, and access to justice constitute fundamental challenges to the principles of equality, dignity and human rights for every human being. They result from poor governance, corruption, lack of rule of law, discrimination, and weak or biased institutions: they are generated as much by violations of civil and political rights as of economic, social and cultural rights. Indeed, these two aspects feed into each other – each force intensifying the direction and strength of the other, to create a virtual cycle, or a vicious one.

Assisting States to create and maintain a positive dynamic, so that civil and political rights, and economic, social and cultural rights work in synergy for maximum positive effect, is an essential role for the United Nations as a whole. The Office participates very robustly in that task, and appreciates the genuine collaboration by many Member States.

Mr President,

Inequalities affect all countries. Even in prosperous States, people feel excluded from the benefits of development and deprived of economic and social rights – leading to alienation, unrest, and sometimes violence. In recent months we have seen people across the world take to the streets to protest inequalities and deteriorating economic and social conditions. Their demands call for respectful dialogue and genuine reform. And yet, in several cases, they are being met with violent and excessive use of force; arbitrary detentions; torture; and even alleged summary or extra-judicial killings.

In **Sudan**, for the past several months, people protesting harsh economic conditions, and bad governance, have been violently dispersed by security forces, sometimes using live ammunition. The excessive use of force, including inside hospitals, mosques and universities; arbitrary detention; torture; and a declaration of a state of emergency will have no effect on the very real underlying grievances which the protestors seek to voice. We encourage swift and meaningful reforms to combat corruption, open the civic space, and enable inclusive dialogue and greater participation by people in decision-making.

In **Zimbabwe**, protests against austerity measures have also been met with unacceptable violence by security forces. The Government's effort to launch a dialogue process in recent days is encouraging, but I am worried by reports of door-to-door raids, as well as intimidation and harassment of activists, human rights defenders, and lawyers representing those arrested.

In **Haiti**, protests also broke out last month over rising food prices and corruption. At least 41 people were killed and 100 injured. The government has announced measures to curb high prices, raise wages and fight corruption. Ensuring accountability – including for alleged cases of excessive use of force by police – and a constructive dialogue will also be essential.

In **France**, the "Gilets Jaunes" have been protesting what they see as exclusion from economic rights and participation in public affairs. We encourage the Government to continue dialogue – including follow-up to the national discussions which are currently underway – and urge full investigation of all reported cases of excessive use of force.

Mr President,

The situation in **Venezuela** clearly illustrates the way violations of civil and political rights – including failure to uphold fundamental freedoms, and the independence of key institutions – can accentuate a decline of economic and social rights. It also shows how those swiftly deteriorating economic and social conditions give rise to even more protests; even greater repression; and further violations of civil and political rights – a spiral of accelerating and strongly negative trends. This situation has been exacerbated by sanctions, and the resulting current political, economic, social and institutional crisis is alarming. The unprecedented numbers of Venezuelans compelled to leave their homes and country also has serious consequences across the region. I will be further discussing this human rights situation, among other countries, on 20 March.

In the context of **Nicaragua**'s very serious social and political crisis, the resumption of national dialogue could constitute a significant step to address the grave problems facing the country. These include increasing restrictions to civic space; persecution of dissenting voices; and crackdowns on press freedom, as well as austerity measures, and unemployment. The Government must ensure that dialogue is respectful, safe and inclusive of all political actors and civil society groups. It is my hope that it will lead to concrete steps to better uphold all human rights, including freedom of expression, victims’ rights to truth, justice, reparation and guarantees of non-repetition, and economic and social rights.

In the **Occupied Palestinian Territory**, the devastating impact of the occupation on economic and social rights is closely interlinked with violations of civil and political rights. In Gaza, the Israeli blockade – now in its 12th year – has led to negative economic growth; environmental degradation; over 50% unemployment, even higher for youth; and the reliance of more than 70% of people on humanitarian assistance, primarily food. It could be said that the major product of Gaza's economy is despair. The end of this month will mark one year since the start of demonstrations which – as the Council's Commission of Inquiry reported – have been met with deadly, disproportionate force by the Israeli Security Forces, leading to a very high toll of killings and injuries. I was disappointed to see the immediate dismissal of that report by Israel, without addressing any of the very serious issues raised. All parties concerned should exercise restraint as the date of 30 March approaches. In the West Bank, settlements affect all aspects of Palestinians' daily lives, including significant negative impact on freedom of movement, and access to work, education and healthcare. Imposing economic hardship on Palestinians does not make Israelis safer. We regret Israel's decision to cancel the Temporary International Protective Presence in Hebron, which has helped to prevent and mitigate some human rights violations in a frequently challenging context. It will be essential to ensure continued humanitarian access and protection.

Mr President,

To achieve the 2030 Agenda, the world's States need to advance on tackling inequalities – inequalities of resources, income, power, access to justice and with respect to the basic conditions for human dignity. When States agreed to “Leave No One Behind”, they made a profound commitment to address them.

Goal 16 is a clear statement that fair access to justice; effective, accountable and inclusive institutions; and sound and inclusive governance are vital, priority development issues. We need much more – and faster – work to implement that promise, by enacting laws, policies and programmes which adopt and advancethe powerful synergies resulting from the interdependence of all human rights.

The right to development also makes clear that real development can only be based on civic participation. If we seek the most sustainable and effective development, we need to ensure a broad space for civil society and human rights defenders.

I am shocked by the number of killings of human rights defenders around the world – some, reportedly, by State agents, and others, insufficiently protected by the State from attack by economic or other interests. Attacks on journalists, and media freedoms, are becoming increasingly widespread. Sound, independent information is the foundation of public participation in democratic governance. Restrictions on the civic space are being enacted by numerous States, across several regions. I remain very concerned about reprisals against victims, human rights defenders and non-governmental organisations who cooperate with the UN.

Today, allow me to voice my concern at the apparently arbitrary arrest and detention, and alleged ill-treatment or torture, of several women human rights defenders in **Saudi Arabia**. The persecution of peaceful activists would clearly contradict the spirit of the country’s proclaimed new reforms. We urge that these women be released.

In **Turkey**, I call on the authorities to view critical or dissenting voices – including human rights defenders, academics and journalists – as valuable contributors to social dialogue, rather than destabilizing forces. The recent prosecution of 16 civil society activists for “attempting to overthrow the government,” for their alleged roles during protests in 2013, is emblematic of many other trials lacking international due process standards.

Mr President,

In **China,**  rapid development has lifted millions of people out of poverty – and yet in some areas, communities and individuals have been left behind. My Office seeks to engage on this issue with the Government for full access to carry out an independent assessment of the continuing reports pointing to wide patterns of enforced disappearances and arbitrary detentions, particularly in the Xinjiang Uyghur Autonomous Region. This area is at the centre of the Belt and Road Initiative, enabling land corridors to Central Asia, South Asia and Europe, and I am convinced that stability and security in this region can be facilitated by policies which demonstrate the authorities' respect of all people's rights.

In **India**, where there has also been significant poverty reduction in overall terms, inequality remains a serious issue. In addition, we are receiving reports that indicate increasing harassment and targeting of minorities – in particular Muslims and people from historically disadvantaged and marginalised groups, such as Dalits and Adivasis. It appears that narrow political agendas are driving the further marginalisation of vulnerable people. I fear that these divisive policies will not only harm many individuals, but also undermine the success of India’s economic growth story.

Mr President,

Inequalities are a driver of several of the global trends which are of greatest concern to this and other inter-governmental bodies. Involuntary and precarious **migration** is a case in point. Armed conflict is frequently cited as a root cause of involuntary migration. But time and again, we see that involuntary displacement and conflict are both being driven by inequalities, and their underlying factors – including poverty, discrimination, oppression, violence, poor governance, climate change and violations of civil, political, economic, social and cultural rights.

Caught in this downward spiral, people – and especially young people – may feel oppressed and robbed of their rights, leading them to migrate, often in precarious ways, to seek a life of dignity.

This is a challenge which, together, we can address – by taking on the comprehensive and balanced human rights measures outlined in the **Global Compact for Migration** which was adopted in Marrakesh on Human Rights Day, last December.

The continuing movement of people from El Salvador, Guatemala and Honduras to the United States is a result of failure to ensure that development reaches everyone – with persistent violations of rights leading to profound inequalities. The comprehensive development plan being developed by **Mexico, Guatemala, Honduras**, **El Salvador and ECLAC** is a welcome response to this challenge, very much in line with the Global Compact for Migration. In **Mexico**, too, the government is making efforts to move from an approach focused on detention and deportation of migrants to a new focus on protection of the rights of migrants, including opportunities for regularization, and alternatives to detention.

In the **United States of America**, the new Migrant Protection Protocols which restrict access to asylum and other forms of human rights protection – and push migrants back across the border to wait for their proceedings without due process or safeguards– are a source of concern. A recent report by the Inspector General for the United States Department of Health and Human Services indicates that thousands more migrant children have been separated from their families than had been previously reported.

The Office has raised concerns with **Australia** about the imminent transfer of migrants from Manus Island and Nauru to new detention centres. Those people have been suffering for more than six years; more humane policies could, and should, be implemented.

I am encouraged by recent announcements from the **European Union** expressing interest in setting up broader channels for regular migration, as an integral element of sound migration governance. My Office looks forward to providing guidance on setting up these pathways. We also look forward to helping ensure that cooperation agreements with countries of origin and transit comply with international human rights law.

I commend **Germany**’s successful programmes to help migrants integrate into the economy and society, as well as legislation in several countries – including **Finland, Portugal** and **Spain** – which enable the entry and stay of migrants in vulnerable situations, based on human rights grounds. I am troubled about other aspects of European migration policies, particularly the number of fatalities in the Mediterranean. Another 226 deaths were recorded in the first two months of this year. With several NGO vessels forced to suspend operations by measures that essentially criminalise solidarity, the ancient responsibility of rescue at sea is increasingly falling on merchant vessels – which are often ill-suited to such a task. In addition, some governments have refused entry to ships.

I call on the EU and its member states to prioritize the lives and safety of migrants crossing the Mediterranean, strengthen search and rescue measures, permit NGO rescues, and coordinate swift and safe disembarkation of these human beings, while at the same time tackling the root causes of this migration.

Mr President,

Inequalities also undermine peace and security, by fuelling grievances, extremism and conflicts.

In the **Sahel**, the Office has been implementing an innovative approach aimed at reducing the risk of harm to civilians during counter-terrorism operations. OHCHR is working with the **G5 Sahel Joint Force**operating in Burkina Faso, Chad, Mali, Mauritania and Niger to establish a Compliance Framework to guide military operations. A training programme is underway; standard operating procedures are being developed which aim to reduce civilian harm and ensure sensitivity to gender issues; and a network of legal advisors is being established within the Joint Force to ensure the operational application of international human rights and humanitarian law.

Comprehensive efforts which take measures across the spectrum of rights – so they can work in synergy – will have the greatest impact on terrorism and conflict. We need greater investment in justice, and in upholding economic and social rights. The Office seeks to expand its engagement with Governments and civil society in the region to address a broader range of human rights issues.

I encourage **Cameroon** to also consider the benefits of such an approach. Last month, the Committee on Economic, Social and Cultural Rights noted the heavy-handed approach of the security forces to the crisis in the North-West and South-West regions, including destruction of medical facilities, schools, essential infrastructure and entire villages. I note the statement at this Council by the Minister of External Relations, indicating that investigations of alleged violations by security forces are underway, and sanctions will be applied. I am also concerned by alarming instances of hate speech, including by political leaders, as well as serious restrictions on the political space, with prosecutions in a military court of a number of members of opposition parties. It is essential that steps be taken now, to de-escalate the increasing crisis in the country, and prevent a further descent into violence.

In **Myanmar**, economic interests and activities appear to be a key factor driving both violence and displacement by the Myanmar military, together with the dehumanisation of the Rohingya, and long-term discrimination. I am concerned by the failure to take any meaningful measures towards the safe, dignified, voluntary and sustainable return of the Rohingya and others – in compliance with their rights to citizenship and other rights. The ceasefire agreements now in place in some regions appear to be having some positive effect. However, armed clashes in Rakhine State between the Army and the mainly Buddhist Arakan armed group are taking on new magnitude, with further impact on civilians. Establishing the conditions for the refugees to return voluntarily, in safety and dignity, must be a priority, alongside measures to ensure that the rights of ethnic and religious minorities will be fully respected – including the Rohingyas’ right to self-identify as "Rohingya".

Human rights are essential to peace. This fact is almost universally acknowledged, but too often it is not translated into action. In the context of the various talks involving the **Democratic People’s Republic of Korea,** broadening the issues under discussion to address severe human rights violations could support concrete outcomes to benefit the population of the DPRK. It can also help the talks attain their overall objective of lasting peace and security.

In **Syria,** justice and accountability will remain essential to any reconciliation, and I call on the Government and other actors to provide full information to all families about what has happened to the many men, women and children who are missing, and those who are detained. I remain particularly concerned about the rising toll of civilian deaths in Idlib governorate. All parties must ensure that the thousands of civilians fleeing formerly ISIL-held territory receive adequate protection and assistance. I join the Special Envoy's call for a comprehensive political solution.

In **Yemen**, I am deeply concerned by the suffering of civilians, despite the current ceasefire. This remains the world's worst humanitarian crisis. The conflict has not just killed and injured thousands of civilians. It has brought famine, deprived people of the most essential goods and services, and destroyed vital infrastructure and a unique cultural heritage. The debilitating consequences of injuries from airstrikes, shelling, landmines and acute malnutrition – especially for children – as a result of obstruction of humanitarian assistance, will scar the country's future for generations. I commend the mediation efforts of the Special Envoy, the United Nations Mission to support the Hodeidah Agreement and the continuing work of the Group of Eminent Experts. The people of Yemen deserve all the elements for lives of dignity, beginning with peace and accountability.

Mr President,

Amid these negative trends, there are some hopeful areas, in which far-sighted leadership seeks to advance civil, political, economic, social *and* cultural rights, to ensure a convergence of positive and constructive forces.

In **Ethiopia,** reforms have sought to address a wide spectrum of human rights issues, including benefit to sustainable development. The depth and pace of Prime Minister Abiy's political and economic reforms, and the appointment of women to senior positions, could open the path to a more inclusive and effective development model, providing hope for Ethiopia’s young population. My Office will continue to assist the Government to devise sound laws, mend grievances, and set up measures to prevent violence in areas of the country.

Ethiopians can be proud of the achievement of gender parity in government, as well as their first woman President and first woman Chief Justice. Elsewhere, too, we continue to make some progress with respect to women's leadership and women's equality. Last year, a woman was elected Mayor of the capital of **Tunisia** – in a region where women have the lowest levels of political representation in the world. A record number of women were elected recently to the **US Congress**, and marked important steps for diversity: they included the first Muslim American congresswoman, the first Native American congresswoman, and the youngest woman ever elected to Congress. I hail all powerful women around the world, and the model they present to the next generation.

But in many parts of the world, women are attacked, preyed upon, exploited, silenced, and robbed of their dignity and rights. Sexual violence continues to be rampant in conflict situations, with many victims targeted based on their perceived ethnic, religious, political or clan affiliation. Migrant women and girls are also at high risk of gender-based violence. Of the 25 countries with the highest rates of femicide in the world, 14 are in Latin America and the Caribbean – while one in five women in the European Union have experienced physical or sexual violence by a current or former partner.

At this session, the Council's Special Rapporteur on the situation of human rights defenders presents a report on the rising attacks on, and repression of, women's human rights defenders in the context of today's backlash against women's human rights. It makes clear that women defenders face the same risks as men, but with additional threats shaped by a view that women should be bound to the service of a male-dominated society. Physical and sexual violence, public shaming – including on the Internet – and attacks on their famililes and children are among the tactics increasingly used to silence women activists.

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Recently a group of 30 women leaders issued an Open Letter emphasising the "urgency and peril" of the current roll-backs to hard-won rights and freedoms. I fully share their concerns, and will continue to work against gender inequalities with all the energy and principle that I can muster.

Mr President,

Allow me to note that during this Council session, my Office will present thematic reports and country-specific oral updates or reports, including on Afghanistan, Colombia, Cyprus, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Eritrea, Guatemala, Honduras, Iran, Libya, Myanmar, Sri Lanka, Ukraine, Venezuela and Yemen, as well as on the Occupied Palestinian Territory.

Last month, during our informal discussion, I raised the situations in a number of countries in the context of prevention and early warning of escalating human rights violations. Before closing today, I would like to add a few additional situations of increasing concern.

In **Libya**, escalating violence since the beginning of the year – in particular, hostilities in the city of Derna and in the south of the country – could spark an even more chaotic situation, given the increasingly fragmented political context and continuing lawlessness. Armed groups which fall outside of effective State command and control structures, but which are integrated into State institutions, continue to commit grave violations of international humanitarian and human rights law throughout the country, in almost complete impunity. The number of civilians killed and injured in 2018, as documented by UNSMIL and OHCHR, was 40% higher than in 2017. Prevention measures should be considered a matter of urgency.

I remain concerned about the ongoing tensions in Kashmir, as shelling and firing on both sides of the Line of Control continue to contribute to loss of life and displacement. I encourage both **India**and**Pakistan** to invite my Office to monitor the situation on the ground, and to assist both States to address the human rights issues that must be part of any solution to the conflict.

In the **Philippines**, several sources now estimate that up to 27,000 people may have been killed in the context of the campaign against illegal drugs since mid- 2016.  Despite serious allegations of extra-judicial killings, only one case – the widely reported killing of a teenage boy – has been subject to investigation and prosecution. People who have fallen into the trap of drug reliance need help to rebuild their lives; drug policies should not be more of a threat to their lives than the drugs they are abusing.  I encourage the Philippines to adopt a public health approach, and harm reduction initiatives, that comply with human rights standards, as recommended to the 2016 General Assembly Special Session.  I also note that Special Rapporteurs of this Council have been subjected to threats; and opposition politicians, human rights defenders and journalists have been threatened, attacked and jailed. And I am extremely concerned by Congress consideration of measures to reintroduce the death penalty for drug related crimes, and reduce the age of criminal responsibility from 15, to 12 – or even 9 – years old. The drug policies in place in the Philippines, and its lack of respect for rule of law and international standards, should not be considered a model by any country.

Distinguished President,

We have seen that inequalities, and the failure to give equal weight and respect to all human rights, have the power to erode all three pillars of the UN: peace and security, development and human rights.

Inequalities threaten our opportunity to achieve sustainable, inclusive development. Inequalities stir grievances and unrest; fuel hatred, violence, and threats to peace; and force people to leave their homes and countries. Inequalities undermine social progress, and economic and political stability.

But human rights build hope. They bind humanity together with shared principles and a better future, in sharp contrast to the divisive, destructive forces of repression, exploitation, scapegoating, discrimination – and inequalities.

And some countries – not always the richest, in income or resources – are choosing to adopt principled and more effective policies, grounded in the full range of human rights. By taking steps to advance civil, cultural, economic, political and social rights as mutually reinforcing, they can count on building a strong basis for sustainable development and social harmony.

Our Office will always be open to assisting these endeavours.

I thank you, Mr President.