

# United Nations High Commissioner for Human Rights



## Special Rapporteur on the situation of human rights defenders

**Mission to Australia  
4-18 October 2016**

### **Background note**

#### **The Special Rapporteur**

In June 2014, the Human Rights Council appointed Mr. Michel Forst as Special Rapporteur on the situation of human rights defenders. Mr Forst has extensive experience in human rights and Mr. Forst has extensive experience on human rights issues, including human rights defenders, the rights of children with disabilities, extreme poverty and older persons. He has held a number of leading positions within the field of human rights, including the French National Consultative Commission on Human Rights, the Cimade (Comité inter-mouvements auprès des évacués), UNESCO, the first World Summit on Human Rights Defenders (Paris), and Amnesty International (France).

From 2008 to 2013, Mr. Forst was the UN Independent Expert on the situation of human rights in Haiti, and between 2012 and 2013 he was the Chair of the Coordination Committee of the Special Procedures of the Human Rights Council. He is also a former member of the Board of the International Service for Human Rights (Geneva) and a founding member of Front Line Defenders (Dublin).

Mr. Forst succeeds to Ms. Margaret Sekaggya as Special Rapporteur on the situation of human rights defenders (2008-2014) and Hina Jilani, who served as Special Representative of the Secretary-General on the situation of human rights defenders from 2000 to 2008.

#### **The mandate**

At its session in 2000, the then Commission on Human Rights decided to establish a mandate on human rights defenders through its resolution 2000/61. The Commission's intention was to give support to implementation of the United Nations Declaration on human rights defenders adopted by the General Assembly in 1998 (resolution 53/144) and also to monitor the actual situation of human rights defenders around the world.

The mandate has since been renewed in 2008, 2011 and 2014 by the Human Rights Council. The latest resolution of the Human Rights Council renewed the mandate in line with resolution 16/5, which defined the tasks of the Special Rapporteur as follows:

- (a) To promote the effective and comprehensive implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms through cooperation and constructive dialogue and engagement with Governments, relevant stakeholders and other interested actors;
- (b) To study, in a comprehensive manner, trends, developments and challenges in relation to the exercise of the right of anyone, acting individually or in association with others, to promote and protect human rights and fundamental freedoms;
- (c) To recommend concrete and effective strategies to better protect human rights defenders through the adoption of a universal approach, and to follow up on these recommendations;
- (d) To seek, receive, examine and respond to information on the situation and the rights of anyone, acting individually or in association with others, to promote and protect human rights and fundamental freedoms;
- (e) To integrate a gender perspective throughout the work of his mandate, paying particular attention to the situation of women human rights defenders;
- (f) To work in close coordination with other relevant United Nations bodies, offices, departments and specialized agencies, both at Headquarters and at the country level, and in particular with other special procedures of the Council;
- (g) To report regularly to the Human Rights Council and the General Assembly.

Further information on the mandate of the Special Rapporteur can be found through the following webpage:

<http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/SRHRDefendersIndex.aspx>

### **Purpose of the visit to Australia (4 - 18 October 2016)**

The Special Rapporteur will carry out an official visit to Australia at the invitation of the Government, with a view to gathering first-hand information on the situation of human rights defenders in the country and identifying general trends.

The purpose of the mission is to examine, in the spirit of cooperation and dialogue, the situation of human rights defenders in Australia in the context of the mandate of the Special Rapporteur, and to report conclusions and recommendations thereon to the Human Rights Council. In particular, the visit will focus on measures taken to ensure that human rights defenders are able to perform their important and legitimate work in a safe and conducive environment, and identify obstacles encountered by human rights defenders in that regard.

The mission will generally address issues related to the legal and policy framework influencing the activities of human rights defenders; public institutions whose mandates affect the work of civil society and the exercise by defenders of fundamental freedoms and rights; other actors in society with an influence over the situation of defenders; as well as groups of human rights defenders at specific risk and the type of risks facing defenders in the country. He will meet with specific groups of human rights defenders, such as those working on rights of migrants and asylum seekers, rights related to land and environment and rights of indigenous peoples and communities, among others, to identify issues related to their work.

### **Meetings and other activities**

The Special Rapporteur proposes to meet with various Government representatives, from both Federal Government and the local State Governments while in the different cities.

Tentative agenda:

- 3-4 October 2016 : Melbourne
- 5-6 October 2016 : Sydney
- 7-9 October : Hobart, Tasmania
- 10-11 October : Canberra
- 12-13 October : Brisbane
- 14-15 October : Darwin
- 16-18 October: Canberra

The visit will conclude on 18 October 2016 with a press conference in Canberra, during which the Special Rapporteur will share his preliminary findings and recommendations. Prior to the press conference, the Special Rapporteur will discuss the findings with the Government.

### **Outcome**

The Special Rapporteur will submit a report on the mission to Australia as an addendum to his report to the Human Rights Council. The report will put forward main observations from the visit and provide recommendations to a number of actors, including the Government of Australia. The Government will be given an opportunity to comment on the factual aspects of the draft report before its final submission.