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**Human Rights Council 43rd Session**



**Oral updates and introduction to country reports of the Secretary-General and the High Commissioner**

 **( Colombia,Cyprus, Eritrea,Guatemala,
Honduras, Iran, Nicaragua, Sri Lanka,
 Venezuela, Yemen)**

**Statement by Michelle Bachelet**

**United Nations High Commissioner for Human Rights**

**Geneva, 27 February 2020**

Distinguished President,

Excellencies,

Colleagues, Friends,

 I am honoured to present reports by the Secretary General and my Office regarding the human rights situations in Colombia, Cyprus, Guatemala, Honduras, Iran, and Sri Lanka. I will also briefly update the Council on the situations in Eritrea, Nicaragua and Yemen, as well as our technical cooperation in Venezuela.

I begin with the situation in **Yemen.** The recent escalation in armed hostilities in Marib, Sana’a, Al Jawf, Ad Dali, Shabwah, Taizz, Al Hudaydah and Sa’ada governorates have dashed hope that the lull in fighting earlier this year could lead to an end to the long suffering of Yemen’s people. In the first two months of 2020, we confirmed the killing of 74, including 43 children, and 107 others injured. Since March 2015, we have verified and confirmed the killing of 7,734 civilians, including 2103 children, and injuries to 12,269 others due to indiscriminate attacks, landmines, improvised explosive devices, and the storage of weapons and explosives in residential areas, by all parties to the conflict. The actual civilian casualty statistics are likely to be far higher.

Despite the ceasefire in Al Hudaydah enabled by the Stockholm agreement, the location with the highest number of civilian casualties in 2019 was Al Hudaydah, with 102 civilians killed and 310 injured - mostly due to indiscriminate attacks launched by both the Houthi and Government forces. Overall, in 2019, my Office verified a total of 735 civilians killed. More than 40% of them were killed as a result of attacks launched by the Saudi-led Coalition; more than 20% by the Houthis; and a little less than 10% by Government forces. The remainder were killed by other armed groups or unidentified perpetrators.

Thousands more people have died from illness and malnutrition, resulting from constraints on humanitarian aid, the blockade, as well as the collapse of the economy and key institutions and services. Today, out of a population of 30.5 million people, 20.1 million face hunger and 14.4 million need immediate assistance to sustain or save their lives. In this context, I am deeply concerned that restrictions on humanitarian aid continue to be imposed by all parties to the conflict, in violation of their obligations under international law. In 2019, the *de facto* authorities in Sana’a issued more than 200 directives affecting humanitarian action in the North. Also, in late December 2019, a series of attacks by armed individuals against humanitarian actors in Ad Dali forced the suspension of vital aid to more than 217,000 people in Government-controlled areas.

Since March 2015, 3.65 million people have been displaced, including 410,000 people during 2019. Their living conditions are disastrous, with women and girls especially at high risk of trafficking, forced marriage and sexual violence and exploitation. Child marriage is widely practiced in internally displaced persons’ camps, largely due to poverty.

The rights of Yemen’s children are being violated on all sides. One in five schools can no longer be used as a direct result of the conflict, and at least two million children are out of school. In 2019, my Office documented 21 attacks on schools by all parties. We have also continued to document cases of child recruitment and use in hostilities by the Houthi and Government forces.

Arbitrary detention and enforced disappearances are widespread across the country. My Office has documented 2,654 cases of arbitrary detention since March 2015, including 179 children, as well as 79 cases of enforced disappearances by all parties to the conflict.

The space for media freedom is under pressure. Since March 2015, my Office has verified the killing of 26 media workers and injuries to another 44. In addition, 173 journalists have been detained and 22 media networks have been closed. I am particularly concerned about the current trials of 10 journalists in Sana’a, on charges of spreading false information and harming the highest interest of the state – noting that my Office has received reports of ill-treatment during detention, and failure to observe the fair trial standards.

Civic space is also under heavy pressure. All parties increasingly impose restrictions on the activities of civil society groups, whose members face increasing threats, including detention and closure of their organizations.

Pursuant to resolutions 42/2 and 42/31, my Office continues to provide technical assistance to the Yemeni National Commission of Inquiry to support its investigatory work regarding violations and abuses committed by all parties in Yemen, in compliance with international standards.

The Group of Eminent Experts on Yemen will present its third report to the Human Rights Council next September. I encourage all stakeholders to facilitate and support the work of the Experts, by sharing information relevant to their mandate, and giving them access.

I am concerned that the *de facto* authorities refused my Representative permission to enter Sana’a. I would urge the *de facto* authorities to reconsider this action and to permit my Representative freedom of access to ensure that our work can continue for the benefit of the people of Yemen.

I urge all parties to the conflict to comply with their obligations under international law to protect all civilians, and to put an end to the recruitment and use of children in hostilities. I also call on all parties to cease violations of fundamental freedoms and all other human rights. People throughout the country have suffered unbearably from this conflict, and I fully support efforts by the Special Envoy, Martin Griffiths, to mediate a swift end to hostilities.

I move now to the update on **Eritrea**, as mandated by resolution 41/1. Despite a historic peace agreement with Ethiopia in July 2018; signature of a cooperation agreement with Djibouti; and renewed diplomatic relations with Somalia, the human rights situation inside Eritrea has not tangibly improved. The civic space remains entirely under Government control, and rights to freedom of expression, association, peaceful assembly and belief, as well as freedom of the press, are largely denied.

I am troubled by crackdowns on people who express even implicit criticism of the Government. For example, after Catholic bishops released a pastoral letter obliquely calling for justice and reform, 21 Catholic-run hospitals were reportedly closed down. We have also received repeated reports of arrests and detention of people for practicing their religious beliefs.

The Government has continued to arrest scores of Eritreans for exercising their fundamental rights to the freedoms of opinion, belief and peaceful assembly, detaining many without trial, in sub-standard conditions, and often incommunicado.

Eritrea should ensure that persons in detention are treated with humanity and dignity; release those subjected to arbitrary detention; enable fair trial guarantees; and clarify the fate or whereabouts of disappeared persons. I join the Human Rights Committee in its concern about widespread impunity regarding serious human rights violations.

The indefinite duration and harsh conditions of military service are one of the main factors pushing many young Eritreans to leave the country. Reports indicate that some conscripts are used as unpaid or ill-paid labour. The Government has stated that reforms of conscription are planned, but no practical measures have been taken to date. I encourage the Government to announce a timetable for demobilization and to permit private enterprise to create jobs for those released.

The Office has repeatedly offered to provide technical assistance, including on the three priority human rights areas identified by the authorities: strengthening the judiciary, rights of persons with disabilities, and rights to water and sanitation. We have also offered to assist Eritrea in implementing UPR recommendations and look forward to receiving a positive response to our offer of assistance.

 I move now to the report of the Secretary-General on **Iran (A/HRC/43/20)**, and refer you to the section on the death penalty, including for child offenders. While the Secretary-General notes Government efforts to address this issue, including constructive engagement with my Office, he reiterates calls for the strict prohibition of the death penalty against child offenders.

The report also highlights discrimination against women and minorities, as well as the arrest, imprisonment and ill-treatment of human rights defenders, labour rights activists, journalists, scientists, environmentalists and dual and foreign nationals. Recent court decisions confirm that women’s rights defenders and labour rights activists continue to be sentenced to harsh sentences for peaceful assembly and human rights advocacy. Cases of torture, arbitrary detention, and unfair trials continue to be reported.

The report notes the impact of sectoral sanctions on the availability of essential medicines and medical equipment, as well as on food prices. Banking restrictions are impeding UN humanitarian and development operations, with a negative impact on the most vulnerable: women, children, low-income families, victims of natural disasters, migrants and refugees.

Since the report was finalized, security forces have responded to the nation-wide November 2019 protests with excessive force, and in some cases live ammunition, reportedly causing over 300 deaths. Over 7,000 protesters have been arrested; many remain in detention and are denied access to medical care and legal representation, with some reportedly subjected to torture and other ill-treatment. Although the Government has informed the Office that a Committee will investigate these allegations, no further information has been provided.

I move to our update on **Sri Lanka, HRC/43/19,** assessing the progress made in implementing Human Rights Council resolution 30/1. I regret that the new Government has announced a very different approach to the commitments previously made in the resolution which risks setting back efforts to advance reconciliation, accountability and human rights.

The State must work for all its people and the needs of all communities, particularly the minorities, must be acknowledged and addressed. I urge the Government to preserve and build upon the gains which have been made over the last few years. In particular, I encourage the Government to ensure the Office on Missing Persons and the Office of Reparations are provided with political and resource support. The families of missing persons from all communities deserve justice and redress.

Sri Lanka’s independent institutions, strengthened under the 19th Constitutional Amendment, are a key pillar in its democratic structure. And the space for civil society and independent media should be protected. I am therefore troubled by the recent trend towards moving civilian functions under the Ministry of Defence or retired military officers, and renewed reports of surveillance and harassment of human rights defenders, journalists and victims. The increasing levels of hate speech, and security and policy measures appear to be discriminately and disproportionately directed against minorities, both Tamil and Muslim.

The fundamental problem remains that Sri Lanka has still not addressed impunity for past violations, nor undertaken the security sector reforms needed to address their drivers and enablers. Systemic barriers that continue to exist within the criminal justice system remain an impediment to real justice. Domestic processes have consistently failed to deliver accountability in the past and I am not convinced the appointment of yet another Commission of Inquiry will advance this agenda. As a result, victims remain denied justice and Sri Lankans from all communities have no guarantee that past patterns of human rights violations will not recur.

I urge the Council to remain alert to this situation in terms of prevention and to explore all possible avenues for advancing accountability.

I now move to the report on **Cyprus** (A/HRC/43/22).

Obstacles to full enjoyment of human rights continue to be generated by the division of Cyprus. In particular, the report documents concerns regarding the right to life and the question of missing persons; the principle of non-discrimination; freedom of movement and the right to seek asylum; property rights; freedom of religion or belief and cultural rights; freedom of opinion and expression; and the right to education. It also emphasises the need to ensure that the political process is grounded in human rights and a gender perspective.

I commend the work of the many Cypriots across the island who are working together to advance human rights through bi-communal cooperation. I also note some progress towards a mine-free Cyprus and in the search for missing persons, although I encourage accelerated efforts in both areas. I urge stronger efforts for mutual dialogue and a human rights-based approach, which can enhance conditions conducive for peace, as well as help to ensure, ultimately, that peace is sustained.

Madam President,

I now present the update on **Nicaragua,** pursuant to resolution 40/2.

Since the submission of my latest report in September 2019, human rights violations have continued unabated, in an extremely complex political and social context.

In 2019, the economy contracted by 5.7 per cent, with increasing inflation and formal unemployment. I highlight that the Government maintained social spending as a budget priority, particularly on health and education, and well as measures to combat poverty.

However, as of 31 December 2019, more than 98,000 Nicaraguans had left the country, without basic conditions for a safe return. My Office documented cases of threats and harassment, including seven people arbitrarily detained immediately after their return.

Among other work necessary to follow up on the situation, from 1 August 2019 to date, a specific Nicaragua team within our Regional Office for Central America, in Panama has interviewed 221 men and 174 women, victims and witnesses of human rights violations.

Victims' organizations demanding justice, truth and reparation, as well as their leaders and their lawyers, continue to be subjected to threats and intimidation.

The right to peaceful protest is systematically denied. Massive police deployments discourage Nicaraguans from demonstrating. When protests have been held, including during religious celebrations, either police abruptly dispersed them or pro-government elements violently attacked them.

Since 1 August, my Office has received reports of at least 108 arbitrary detentions of up to 48 hours. These individuals have been released without charge.

On 30 December, the Government ordered the release of 91 people, with alternative measures to imprisonment. Among them were 10 men and 6 women who had been arrested last November while delivering water to relatives of detainees on hunger strike at a church in Masaya. Some of these individuals had provided information to my Office, and their detention could be considered an act of reprisal for having cooperated with us.

I take note of other releases ordered more recently.

However, according to civil society, as of 13 February 2020, 61 people remained in detention for reasons related to the 2018 protests. Forty of them were arrested after the Amnesty Law came into force in June 2019, and charged with ordinary offences such as possession or trafficking of drugs, or the manufacture, trafficking, possession and use of restricted weapons, substances or explosive devices. I urge the Government to release those who remain in detention for reasons related to the protests.

I also urge the authorities to guarantee safe and adequate conditions for human rights defenders to carry out their work freely.

The rights to freedom of opinion and expression of people who share news or opinions critical of the Government continue to be violated. Many journalists have been forced into self-censorship by threats and the fear of losing State advertising or their own jobs. Since 1 August, we have documented threats and physical attacks against journalists, media outlets and their workers, and cases of theft or damage to media facilities. The workplaces of media outlets "Esta Semana", "Confidencial", and "100% Noticias" continue to be closed down. After supplies to the La Prensa newspaper were held up in customs for 75 weeks, they have been delivered. I urge the Government to take all necessary measures to guarantee press freedom and the full exercise of the rights to freedom of expression and information.

The decision to cancel the registration of nine civil society organizations in November and December 2018 unfortunately remains in force.

Human rights defenders, journalists, political opponents, members of the Catholic Church, people released from prison under the Amnesty Law, relatives of people still detained in connection with the protests and of victims of serious human rights violations, continue to suffer repeated acts of intimidation and harassment by police or pro-government elements, including stigmatizing statements by government authorities

I repeat my call for the resumption of dialogue with all sectors of Nicaraguan society, and for measures to advance the electoral reforms necessary to ensure that future elections are fair, credible and transparent.

The killings of peasants and the situation of indigenous peoples are also of concern. Of the 14 homicides documented by my Office in 2019 in the north of the country, the authorities reported having identified alleged perpetrators in only four cases and sentenced one person.

Various indigenous peoples, such as the Miskitu and the Mayangna, have denounced the presence of settlers on their lands, threatening their territories and resources. It is the duty of the State to protect the indigenous peoples.

I call on the Government to urgently implement the recommendations made by my Office and other international and regional mechanisms. In particular, I reiterate the recommendation that my Office be granted access to the country. I also urge the Council to continue monitoring the human rights situation in Nicaragua.

I now present my annual report on **Colombia, A/HRC/43/3/Add.3**.

I welcome the renewal of the Host Country agreement for my Office, which will enable us to continue to support efforts to consolidate peace and promote the full enjoyment of human rights.

I encourage the State to implement all aspects of the Peace Agreement between the Government and the FARC-EP, including rural reform, keeping the rights of victims at its centre.

I welcome the progress made by the Comprehensive System of Truth, Justice, Reparation and Non-Repetition, and urge that this progress be consolidated.

I also welcome the firm commitment of the majority of former FARC-EP members to the peace process.

In 2019, my Office has noted persisting high levels of violence, which have generated serious human rights violations, including 36 massacres.

I also reiterate my concern regarding the use of the Armed Forces in situations related to public security, including social protests. I urge the Prosecutor's Office to continue its investigation into cases of alleged human rights violations.

Defending human rights remains a high-risk task in Colombia. In 2019, we documented 108 killings of human rights defenders; as of 19 February this year, my Office confirmed 4 cases and 31 more are being verified.

The numbers of the Ombudsman's Office are even higher. The institution documented 134 cases of homicide in 2019.

Most of these people belonged to rural communities and ethnic villages and were killed for promoting the implementation of the Peace Agreement on matters such as land restitution and the substitution of illicit crops. I encourage the State to address the structural causes of this violence, investigate these attacks and punish those responsible - including those who planned and ordered them.

My office is ready to continue supporting the authorities in the implementation of the recommendations of my report.

I now turn to the situation in **Guatemala (A/HRC/43/Add.1).** The general elections in 2019 were held without incident. However, setbacks in judicial independence, and in the fight against corruption and impunity, continued to occur.

 The new Government has a key opportunity to address existing challenges and to protect human rights.

 Guatemala continues to experience high and persistent levels of inequality, discrimination and insecurity.

 I commend the authorities' commitment to improving the living conditions of the people, in particular by combatting chronic malnutrition and multidimensional poverty.

 I recommend that measures adopted regarding security be geared towards preventing and combating crime, and that they take a human rights approach and avoid the militarization of public security.

It is crucial that the State adopt effective and comprehensive measures to prevent attacks against human rights defenders and justice officials, with specific attention to indigenous and women defenders, among others.

In addition, full respect for the rights of indigenous peoples must be guaranteed, including their right to consultation.

I urge the new legislature to prioritize an agenda aimed at strengthening the protection of human rights and avoiding setbacks.

Similarly, guaranteeing the independence of the justice system - including the independent and objective selection of judges - is essential to ensure full enjoyment of human rights, and the fight against corruption and impunity.

I thank the Government, legislature and judiciary for their continued cooperation with my Office. I encourage the authorities to implement the recommendations made in the report.

Madam President,

My annual report on **Honduras (HRC/43/3/Add.2)** highlights the main human rights developments and challenges in the country, as well as the efforts of the authorities to address the situation.

The complex social and political situation continued to result in high levels of poverty, violence, insecurity, and the displacement of the Honduran population both within the country and towards the North.

I encourage the State to guarantee the sustainable reintegration of returnees, as well as to ensure the protection of migrants and those displaced.

In 2019, my Office registered an increase in social protests. I call on the Government to adopt legislation and protocols on use of force that comply with international human rights standards, and to approve a plan to demilitarize public security.

The situation in prisons, where 60 detainees were killed in 2019, including 49 in December alone, remains a source of concern.

My Office also continues to monitor attacks on human rights defenders. I am particularly concerned by the situation of indigenous communities, including killings of those working to protect indigenous lands and territories.

On the other hand, I welcome the advance of accountability for the murder of defender Berta Cáceres. I call for investigations to be continued until the intellectual authorship of the crime is fully established.

I also welcome the approval of the National Agenda for Sustainable Development and the linkage of the targets with human rights recommendations.

Agradezco al gobierno de Honduras por su continua cooperación con mi Oficina y con los mecanismos de protección de derechos humanos.

I thank the Government of Honduras for its continued cooperation with my Office and the human rights mechanisms.

I turn now to the activities of my Office in the Bolivarian Republic of Venezuela (HRC/42/42.4). On 10 March, I will address the human rights situation in the country.

I appreciate the access to and collaboration with my Office since my last oral update to this Council. We have made progress in the implementation of the technical cooperation work plan, as well as on protection issues. Among other activities, my Office has made three new visits to detention centres during which it has been possible to interview 28 people confidentially. The observations made during these visits have been shared with the relevant authorities for their action.

We have submitted more than 130 cases of alleged violations of the rights of people deprived of their liberty to the Coordination Committee. The Committee is an inter-institutional protection mechanism established together with my Office. I thank the authorities for their cooperation, and reiterate the request for access to the detention centres of the intelligence services.

I take note of the release of 14 people in January. I reiterate my call for the unconditional release of all those detained for political reasons, including the implementation of findings by the Working Group on Arbitrary Detention.

My Office has also begun discussions regarding adoption of a protocol that would allow us to observe trials and monitor respect for judicial guarantees.

Together with the Government, we are evaluating the first six months of implementation of the Letter of Understanding we signed in September 2019. I thank the operational space so far guaranteed to my office. It is vital that in the coming months we can advance towards the establishment of a country office, in line with my overall global mandate to promote and protect human rights.

I also trust that the Government to will specify dates for the visits of the Special Procedure mandate-holders which have already been accepted, and to extend an invitation for a third mandate-holder to visit.

This concludes my introduction of country reports and updates under item 2. In every instance, I encourage stakeholders to implement the recommendations of UN human rights bodies, including those in the relevant reports.

Thank you