



United Nations Human Rights Council 52nd Session

Agenda Item 3: Interactive Dialogue with the Special Rapporteur on the situation of human rights defenders

Oral Statement

15 March 2023

The Law Council of Australia and the International Bar Association's Human Rights Institute thank the Special Rapporteur for her report highlighting the successes of human rights defenders, which are so often under-recognised and undervalued.

By ensuring access to justice and remedy, lawyers are key accountability actors who make a vital contribution to addressing the implementation gap between the Declaration on Human Rights Defenders¹ and national laws and policies.

Lawyers fulfil a unique role to defend defenders, including whistleblowers, and to hold governments and businesses to account.

They uphold and defend human rights in critical contexts, particularly where people are subject to excessive force, torture, or arbitrary detention, or denied due process which facilitates a fair trial.

Lawyers and their professional associations contribute to the implementation of international human rights norms and standards at the domestic level, and to the design of effective, accountable institutions and justice mechanisms.

We call on the Special Rapporteur to consider lawyers as a specific category of human rights defenders, who face distinct risks in performing their duties, but make unique contributions in achieving positive, systemic change.

Delivered by Mr Luke Murphy, President of the Law Council of Australia.

¹ Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, GA Res 53/144, UN Doc A/RES/53/144 (8 March 1999, adopted 9 December 1998).