**Human Rights Council – 39th Session**

**General debate on Item 10**

**27 September 2018**

**Australian Statement**

At its thirty-eighth session, the Human Rights Council took an important step towards clarifying its prevention mandate. The core group on prevention, of which Australia is a member, promotes enabling environments for the prevention of human rights violations. The Irish Principles also offer us instructive guidance on how to treat situations of emerging concern.

As a Council, however, we have responded inconsistently to situations of concern. On **Côte d’Ivoire**, constructive engagement with the Government over a number of years, including under Item 10, facilitated OHCHR access and technical assistance and supported positive progress.

This contrasts starkly with the largely unaddressed situations in **Cameroon** and **Nicaragua**, where in recent months we have received credible reports of grave human rights violations. The former High Commissioner, Special Procedures mandate holders, and regional human rights bodies have issued calls for action. Independent human rights monitors, including OHCHR, have been denied access or ejected.

As we have witnessed in **Venezuela**, a collective unwillingness to address a situation early risks escalation to a full-blown crisis. While we cannot know what early action on Venezuela might have achieved, we can be sure of our failures of omission. Effects on the region and neighbouring countries in particular have already been severe.

The Council has a graduating range of options before it: urgent debates, special sessions, joint and Presidential statements at first instance. And, should efforts at dialogue, cooperation and technical assistance be rejected or falter, escalation to country mandates, fact-finding missions or commissions of inquiry.

How we should best apply these tools to differing and complex situations to prevent human rights violations and respond promptly to human rights emergencies – while making every effort to engage constructively with governments – remains a live question. Australia looks forward to collective discussion of these important issues at the upcoming intersessional seminars on the Council’s prevention role. Failure to act should not be an option.

*312 words*