

Human Rights Council has a duty to strengthen response to reprisals

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(Geneva) - Acts of intimidation or reprisals against human rights defenders and others who cooperate with the United Nations are unacceptable in all circumstances, the International Service for Human Rights said today. .

'The Human Rights Council, its President and Member States have a moral and legal duty to ensure that all persons are free to access the UN human rights system without hindrance and without fear of harassment and attacks. The UN system should ensure that those who seek to contribute to its work are protected, not punished,' said Eleanor Openshaw, Head of ISHR's Women Human Rights Defender Programme.

Reprisals against human rights defenders sending information and providing testimony to the UN, including its human rights bodies, continue. Reprisals can take many forms - from harassment, to detention, to physical attacks and even killings.

'Chinese human rights defender Cao Shunli was disappeared, detained and denied adequate medical treatment for seeking to cooperate with the Human Rights Council,' said Ms Openshaw. Ms Cao died in Chinese custody on 14 March, during the 25th Council session.

'Cases such as that of Cao Shunli expose the inadequacies of the current system-wide UN response to preventing reprisals,' Ms Openshaw said.

Further examples abound. In January, Malaysian authorities outlawed the 'Coalition of Malaysian NGOs' for reasons that reportedly included submitting a UPR report. One week ago reports emerged of the detention of activists in Sri Lanka on suspicion of providing 'false information' about the human rights situation in the country to advocates working at the Council.

Reprisals are also having a chilling effect on human rights defenders' engagement with the UN. 'We know of cases of defenders who are unwilling to risk attending or speaking at the Council for one reason only - the fear of intimidation or attack,' said Ms Openshaw.

With defenders staying away, UN and Member States are denied the knowledge and experience they depend on to carry out their mandates properly. Moreover, reprisals severely limit the potential for international mechanisms to be complementary protection tools for victims of human rights violations. 'Those who most need to access international human rights mechanisms are being deterred from doing so,' said Ms Openshaw. 'This despite the fact that engaging with the UN, including the Human Rights Council, is a right.'

'The prevention of reprisals requires a more coordinated, unified and effective response from the Council, and we welcome the cross regional statement made by Botswana and many other States reaffirming their commitment to see this effected.' said Ms Openshaw. ISHR considers the designation of a high-level focal point, as requested in HRC resolution 24/24, to be the most appropriate response and joins the calls of the Secretary-General and High Commissioner to see this resolution swiftly implemented.

'The UN Human Rights Council, its President and Member States have both a moral and legal obligation to ensure that human rights defenders and others can access the Council and other UN mechanisms without hindrance and without fear of intimidation and attack,' Ms Openshaw said.

ISHR's Statement to the Human Rights Council on the prevention of reprisals is [available here](#).

A cross-regional statement led by Botswana reaffirming a commitment to end reprisals and calling for a comprehensive, coordinated institutional response is [available here](#).

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