

[UN human rights monitoring bodies adopt policy to combat reprisals](#)

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(Geneva) - A group of UN bodies responsible for monitoring human rights has adopted a [significant policy](#) to combat intimidation and reprisals against those who provide information or contribute to the treaty bodies' work to promote and protect human rights.

The UN treaty bodies are a group of ten international committees of independent experts that monitor State parties' implementation of the core international human rights treaties and their optional protocols. The Chairpersons of the treaty bodies adopted the Guidelines against intimidation or reprisals (known as the '[San José Guidelines](#)') at their annual meeting from 22-26 June 2015, following sustained [advocacy and submissions by ISHR](#) and others, and in response to cases of intimidation and reprisals that continue to arise in the context of their work reviewing countries' human rights records.

'Human rights defenders and others who provide information and testimony to the treaty bodies continue to be subject to threats, attacks and reprisals, ranging from the defamation of activists in [Venezuela](#) to the arbitrary detention of women human rights defenders in [China](#). These Guidelines mark a potentially important contribution to ensuring that defenders can access and communicate safely with the treaty bodies, free from attacks and reprisals, and to ensuring that States are held to account when such incidents occur,' said Madeleine Sinclair of ISHR.

The Guidelines emphasise the responsibility of States 'to avoid acts constituting intimidation or reprisals and to prevent, protect against, investigate and ensure accountability and to provide effective remedies to victims of such acts or omissions'. However, they also acknowledge that the treaty bodies 'possess a range of means to assist and protect individuals and groups alleging that they have been the object of intimidation or reprisals for seeking to cooperate or cooperating with them'.

The Guidelines provide for the appointment within each treaty body of a rapporteur or focal point on intimidation or reprisals, to coordinate proactive implementation of the policy, which includes receiving allegations of intimidation or reprisals, assessing allegations, and determining the appropriate course of action. Actions in turn can include reactive measures when allegations of intimidation or reprisals are received but also preventative measures to protect individuals or groups at risk. A range of reactive measures are envisioned by the Guidelines, including raising concerns with State officials and relevant UN and regional human rights mechanisms, security measures in case of imminent threats on UN grounds, and exposing instances of reprisals through the media.

'ISHR welcomes the adoption of these important Guidelines, which recognize the primary duty of the State to prevent and ensure accountability for reprisals but also the obligations of the UN to protect those who contribute to its important work,' said Ms Sinclair. The Guidelines themselves speak of the treaty bodies'

'uncompromising stance against reprisals and their increasing efforts and commitment to prevent them'.

The Guidelines complement and build on a number of policies devised by individual treaty bodies, such as the [Sub-Committee on the Prevention of Torture](#), the [Human Rights Committee](#) and the [Committee on Enforced Disappearances](#), as recommended by an [ISHR submission on the legal duty of treaty bodies](#) to take all such steps as are necessary to prevent and ensure accountability for reprisals.

'The Guidelines are an important step toward ensuring that defenders can engage and that protection measures do not differ from one treaty body to the next. We urge all treaty bodies to appoint focal points and begin implementing the Guidelines without delay', Ms Sinclair said.

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Photo: Emmanuel Decaux, Chair of the Committee on Enforced Disappearances and Chair of the Meeting of UN Treaty Body Chairs (UN Photo/Amanda Voisard)

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