

## 18<sup>th</sup> session of the Human Rights Council

15 September 2011

### Item 3 – General Debate

#### REPRISALS AGAINST THOSE WHO COOPERATE WITH UN HUMAN RIGHTS MECHANISMS

Madame President,

We welcome the latest report of the Secretary-General on reprisals, harassment and intimidation against persons cooperating with the UN human rights mechanisms, including in particular those of this Council. It remains unacceptable that the work, physical integrity and the lives of those who provide the Council with necessary information and expertise is put at risk, and the increasing attention that the Council is paying to this phenomenon is long overdue.

The latest report of the SG marks a significant improvement over previous reports, and we are pleased to see this matched by increasing attention from States and representatives of the human rights system. In this respect we wish to highlight that not only the Secretary-General, the High Commissioner and her Deputy have deplored the occurrence of reprisals and underscored the urgency of a more adequate institutional response to it.

Importantly, the SG's report acknowledges that the cases presented are but a snapshot of acts of intimidation or reprisals. Many victims are reluctant to report cases of reprisals, since the UN system with which they cooperated has already proven incapable of protecting them. The report goes on to note that in some cases, "the security concerns illustrate a general pattern of intimidation and harassment in a particular country." This indicates that more efforts are needed, including in particular by UN country presences, in providing protection to persons wanting to report reprisals.

ISHR is also pleased to see initial elements of follow-up contained in the report, with several cases contained in last years' report (A/HRC/14/19) updated this year. However, we regret that such follow-up seems to have only been included where there have been new steps by special procedures, or information forthcoming from the government. In other cases, such as Algeria, Colombia, the Democratic Republic of the Congo (DRC), Israel, and Sri Lanka, no new information is provided. We therefore recommend that a running list of all cases received, along with the respective status of each, be included in the next report.

That said, we also hope that the next report will be even more a stand-alone, researched analysis of the phenomenon of reprisals – in addition to the compilation of cases. We therefore recommend that the SG ensures that OHCHR has sufficient resources to do proper outreach, research and follow-up. It's too important of an issue, and not realistic for OHCHR to do this within existing resources.

The resolution underlying the report (A/HRC/RES/12/2) requests information on reprisals against persons cooperating with "all representatives and mechanisms of the United Nations in the field of human rights" and from "all appropriate sources". However, the report almost exclusively deals with reprisals for cooperation with special procedures, and is mainly based on special procedures information. We also hope that future reports will live up to the broad

scope of Resolution 12/2, and include cases in relation with OHCHR field presences, or information received through general UN country teams.

We also support the SG's recommendation to inscribe the issue of reprisal more firmly in the Council's programme of work and to devote sufficient time and attention to this issue, and we appreciate the efforts of Hungary in this regard.

The report is an important step in helping to stop States from "resorting to reprisals to silence criticism" by those whose input enables the UN human rights system to function effectively. As the SG recommends, it is important that States in which reprisals have occurred inform the Council of steps taken to investigate them, and provide remedies and compensation to victims.

Finally, as the President of the Council, Madame, we also look to you to ensure the Council steps up to this mark.

Thank you.