

22 May 2014

To: Permanent Representative to the United Nations in Geneva
Cc: Chair of the Council Working Party on Human Rights (COHOM)
Member State representatives to COHOM
All EU Member States' Permanent Representatives to the United Nations in Geneva and New York

Call for sustained engagement to secure consistent and coordinated UN action against reprisals

Your Excellency,

The undersigned civil society organisations are deeply concerned by the possibility of States abandoning the Human Rights Council decision to designate a UN-wide senior focal point to prevent and address intimidation and reprisals against those cooperating with the UN human rights system. Resolving the still unsettled deferral by the UN General Assembly of the consideration of Human Rights Council Resolution 24/24 is essential to both significantly improving the UN response to, and prevention of, reprisals and intimidation, and to respecting the integrity of the institutional relationship between the Human Rights Council and the General Assembly.

Intimidation and reprisals continue against those who cooperate or seek to cooperate with the UN human rights system. The death of Chinese human rights defender Cao Shunli following her detention for attempting to engage with the Human Rights Council is one of the most egregious of many examples of reprisals. If left unaddressed, individuals may be deterred from engaging with the UN, as they consider the risks to be too high. The many cases speak to the urgent need for a coordinated and consistent response to reprisals and intimidation, to arrest this flagrant violation of human rights and attacks on the United Nations, and to reassure those considering engagement with the UN human rights system that States and the UN will not tolerate reprisals or intimidation against them.

The importance of institutionalising an improved response to the scourge of reprisals is clearly shown in the recent decision of the African Commission on Human and Peoples' Rights to create its own focal point on reprisals, and was reaffirmed in the joint statement led by Botswana and supported by a cross-regional group of 54 states delivered in the Human Rights Council in March.¹ It is now imperative that this recognition and commitment in Luanda and Geneva be translated into focused political action in New York. States must not allow gains in Resolution 24/24 in the protection for those that cooperate or seek to cooperate with the UN to be lost.

The EU and its Member States have a long tradition of supporting human rights defenders in their work, including through the EU Guidelines on Human Rights Defenders. Human rights defenders and all those who cooperate with the UN therefore look in particular to the European External Action Service and to EU Member States to ensure their protection.

¹Delivered under HRC agenda item 5 on 19 March 2014.

We acknowledge the leadership of EU Member States in increasing attention and prompting action regarding intimidation and reprisals against those cooperating or seeking to cooperate with the UN, including through Human Rights Council Resolution 24/24. However, we remain deeply troubled by the lack of further action following the General Assembly's decision in December 2013 to defer consideration of and action on Resolution 24/24, particularly given that such consideration is to take place before the end of the GA's 68th session.²

Such lack of action is concerning as it fails to protect individuals and groups from intimidation and reprisals and also leaves in abeyance the implementation of duly adopted Resolution 24/24 of the Human Rights Council. With the end of the 68th session of the General Assembly a few months away, we urge your government to work in tandem with EU partners and supportive States from other regions to increase awareness of the scourge of reprisals with a view to generating support for the unified and coordinated response from the UN envisaged in Resolution 24/24. We encourage your government to deploy such efforts at capital level with third states and amongst third state diplomats in New York to find a satisfactory cross-regional solution to this pressing issue.

Yours faithfully,

Amnesty International
Association for the Prevention of Torture (APT)
Asian Forum for Human Rights and Development (FORUM-ASIA)
Cairo Institute for Human Rights Studies
Commonwealth Human Rights Initiative
Conectas Direitos Humanos
Human Rights House Foundation
Human Rights Watch
International Commission of Jurists
International Federation for Human Rights (FIDH)
International Service for Human Rights
World Organisation Against Torture (OMCT)

²A/RES/68/144 paras 2 and 3.