

## **Human Rights Council – 17<sup>th</sup> session**

6 June 2011

### **Item 5 - human rights bodies and mechanisms**

Mr President,

The International Service for Human Rights (ISHR) regrets the report of the Secretary-General on reprisals against individuals and groups who seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights has been postponed to the 18<sup>th</sup> session in September. If the Secretary-General's report is to be an effective tool to prevent intimidation and reprisals against those that provide the Council with information, it has to be timelier. Unfortunately, the postponing of the report testifies to the lack of attention the Council continues to pay to this issue.

In its Resolution 12/2, the Council has asked the Secretary-General to compile and analyse 'any available information, from all appropriate sources' of alleged reprisals. This should in particular – but not exclusively – include cases that have been brought to the attention of the State concerned through the Council's special procedures.

Resolution 12/2 also asks the Secretary-General to develop recommendations on how to address the issues of intimidation and reprisals. Unfortunately, this part of the mandate has not been implemented to date, as no concrete mechanisms have been proposed. We also feel that the absence of a larger number of communications for the report proves that individuals do not feel safe to report alleged cases of reprisals, given that they have already suffered punishment for having cooperated with the UN. Protecting victims of reprisals is therefore a crucial aspect of the Council's response to this issue, and we look to all involved, including States, OHCHR and its field offices, as well as civil society, to improve their record in this regard. On Friday 10 June, ISHR will hold a side event to explore this issue more closely.

Pending the development of more effective responses by the Council, the Secretary-General's report is an important opportunity for victims of reprisals to have their story told, and for States to reflect on a more adequate response. We therefore look forward to the presentation of the Secretary-General's report on reprisals in September and, in that regard, offer the following recommendations to improve its effectiveness:

- The report should include follow-up information to past cases, including those submitted to the 14<sup>th</sup> session of the Council concerning Algeria, Colombia, the Democratic Republic of the Congo, Guatemala, India, Iran, Israel, Kenya, Mauritania, Myanmar, Sri Lanka, Uzbekistan, Venezuela, and Yemen. In that regard, we welcome that Venezuela and Kenya have provided the Council with more information on cases of reprisals earlier this session, but note that both cases remain unresolved.
- The report should also benefit from a standalone interactive dialogue, with the High Commissioner introducing the report on behalf of the Secretary-General. This would allow States concerned to brief the Council on their efforts to investigate allegations of intimidation or reprisals and to bring perpetrators to justice as required by Resolution 12/2.

Thank you.