

Reprisals: Strengthening protection for defenders and seeking accountability for perpetrators

The right to safe and unhindered access to international and regional justice mechanisms, and to be free from any form of intimidation or reprisal for seeking justice, is both a fundamental human right and essential to the relevance and effectiveness of these mechanisms.

Throughout 2018, ISHR contributed significantly to strengthening protections against reprisals for defenders and pursuing accountability against perpetrators of such acts. Together with key partners, ISHR's work and impact included:

- securing the adoption of the San José Guidelines on intimidation and reprisals by the UN Committee on the Elimination of Discrimination against Women, thereby enhancing access and strengthening protection for women human rights defenders engaging with this important treaty body;
- securing and influencing the Human Rights Council's first ever dedicated debate on reprisals, providing a powerful platform to focus international political and media attention on reprisals against defenders such as Ibrahim Metwally of Egypt, Chinese defenders Wang Qiaoling, Li Wenzu and Cao Shunli, and Uyghur activist Dolkun Isa;
- organising the first ever meeting of all treaty body focal points on reprisals, which led to the identification of good practices which ought to be replicated by all Treaty Bodies and which will strengthen protections for rights holders, victims and witnesses; and

“ The range and nature of reprisals is shocking, ranging from travel bans, smear campaigns and surveillance, to arbitrary detention, torture and even killings. Reprisals affect the lives of victims and their families. They are designed to dissuade civil society and others from engaging with the UN, thereby adopting a strategy that violates international human rights obligations, as well as the UN Charter itself. Without civil society engagement, the UN's effectiveness in promoting and protecting human rights is weakened. We need to challenge such tactics energetically and consistently.

Andrew Gilmour, UN Assistant Secretary-General for Human Rights and Senior Official on Reprisals

- filing and supporting cases regarding threats of retaliation for cooperating with the International Criminal Court in relation to alleged war crimes by US military and intelligence services in Afghanistan; for NGOs from Kyrgyzstan which suffered reprisals for engaging with the UN Committee on Migrant Workers; and for a child rights advocate subject to a travel ban by Cuba rendering her unable to leave the country, just to name a few. ○

