



Intimidation and reprisals against individuals cooperating with the United Nations are an attack on the United Nations. Oral intervention at the 21st session of the UN Human Rights Council (10-28 September)

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Item 3¹: Panel Discussion on the the issue of intimidation or reprisal against individuals and groups who cooperate or have cooperated with the UN, its representatives and mechanisms in the field of human rights

Oral statement

Madam Moderator,

Amnesty International welcomes today's substantive discussion of reprisals and intimidation and urges that it be the first of many.

Cooperation of individuals and groups with the United Nations, its representatives and mechanisms in the field of human rights in freedom and safety is central to ensuring the effective promotion and protection of human rights.

Reprisals and intimidation against individuals and groups cooperating or seeking to cooperate with the United Nations, its representatives and mechanisms in the field of human rights are attacks not only on the individuals and groups against which such reprisals and intimidation are directed.

Reprisals and intimidation, and the climate of fear that they generate, are attacks not only on the communities and societies to which targeted individuals and groups belong.

Where reprisals and intimidation involve the Human Rights Council and its mechanisms, they are an attack on this Council as an institution. When they relate to cooperation with another part of the UN, such as the human rights treaty bodies, the UN Secretary-General or the Commission on the Status of Women, they are attacks on those entities as institutions. In short, Madam Moderator, intimidation and reprisals are an attack on the United Nations. They challenge directly the authority of the United Nations.

One must ask whether acts of intimidation or reprisals carried out or tolerated by a government against individuals and groups cooperating with the United Nations in the field of human rights constitute breaches of that government's legal obligations as a member of the United Nations. This question should be explored.

This Council in its institutional foundations, endorsed by the United Nations General Assembly, has strongly rejected any act of intimidation or reprisal against individuals and groups who cooperate or have

¹ Item 3 on the agenda of the Human Rights Council: *Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.*

cooperated with the United Nations, its representatives and mechanisms in the field of human rights, and it has urged States to prevent and ensure adequate protection against such acts.

Intimidation and reprisals must not be tolerated. The Human Rights Council has a central role to play in ensuring that there is accountability for reprisals and intimidation against individuals and groups that cooperate or seek to cooperate with the UN in the field of human rights. It has this role both in respect of the individuals and groups concerned, but also in respect of the institutional integrity of the Council and the United Nations.

Making alleged cases public is a first step in this regard but far from adequate.

All credible allegations of reprisals or intimidation against persons and groups who have engaged or have sought to engage with the UN human rights machinery, particularly the Human Rights Council and its mechanisms, must be brought to the urgent attention of the Council.

Whenever there is a credible allegation of intimidation or reprisal for cooperation with any UN body or mechanism in the field of human rights, the Council must demand that the government concerned inform it of measures taken to investigate the allegation and the outcome of such investigations.

This Council must demand that States ensure prompt, impartial, transparent and effective investigation of any alleged reprisals and that perpetrators are held to account.

Any government concerned must report to the Council plenary on measures it has taken to investigate the allegation, the outcomes of the investigation, any eventual prosecution of the perpetrators and provision of remedies and reparation to victims. The Council called for accountability and remedies for victims of reprisals in *Resolution 12/2*. It must make these words reality.

This Council should also support efforts by UN bodies, including its own mechanisms, to prevent and address instances of reprisals or intimidation in line with Council Resolution 12/2.

Madam Moderator,

I would like to ask the panelists for their views about what can be done to deal with intimidation and reprisals as an attack on the United Nations itself.

Thank you Madam Moderator.