

REPRISALS: THE HUMAN COST OF COOPERATING WITH THE UN



'Regrettably, reprisals against persons cooperating with the United Nations, its mechanisms and representatives in the field of human rights continue. They take many forms, ranging from smear campaigns, threats, travel bans, harassment, fines, the closing of organisations, sexual violence, arbitrary arrests, prosecutions and lengthy prison sentences through to torture, ill treatment and even death.' - Ban Ki-moon, 2013

- **All persons have the right to unhindered communication with the UN in the field of human rights and to be protected from threats and attacks for exercising this right.**
- **Despite this, reprisals continue to be perpetrated against those who engage with UN mechanisms or missions, submit information, cooperate with country teams, call for accountability, or promote the implementation of UN recommendations at the national level.**
- **The Secretary General's annual reports detail many cases, though under-reporting is acknowledged as a major problem.**
- **Reprisals have a deterrent effect, with many defenders deeming engagement with the UN to be too risky.**
- **Activists from all regions suffer various types of reprisals for a range of kinds of engagement.**

Sunila Abeysekera and others Sri Lanka, 2012



Sunila Abeysekera and colleagues were victims of a violent smear campaign by private and State controlled media. The human rights defenders were portrayed as traitors to their country. Ms Abeysekera and colleagues had been engaging at the Human Rights Council regarding reconciliation and accountability for reported war crimes in Sri Lanka.

Judge Maria Lourdes Afiuni Venezuela, 2009



Judge Afiuni was arrested for following UN guidance. She ordered the conditional release of an individual whose detention the Working Group on Arbitrary Detention considered arbitrary. During her three year detention, Judge Afiuni was assaulted, intimidated and raped by a government agent. Her house arrest was revoked on health grounds. The trial against her continues.

Pierre-Sosthène Kambidi D.R.C, March 2012

Journalist Pierre-Sosthène Kambidi was subjected to fresh incidents of ill-treatment in detention, following a meeting to denounce previous human rights abuses to in-country OHCHR staff.

- Details of these cases, and many more, can be found in the Secretary General's annual reports on reprisals (2011: <http://bit.ly/1inRgdR>; 2012: <http://bit.ly/SKwcb1>; 2013: <http://bit.ly/SbtgnE>).
- For details of the case of Cao Shunli, see <http://www.ishr.ch/news/un-human-rights-council-must-demand-accountability-death-cao-shunli>.
- For more information on reprisals, contact Eleanor Openshaw: e.openshaw@ishr.ch.

Coalition of Malaysian NGOs Malaysia, 2012



COMANGO was declared illegal in a statement made by the Malaysian Home Ministry, reportedly due to COMANGO submitting a report to the UN Human Rights Council on Malaysia's human rights record in March 2013. The statement was later revoked.

Cao Shunli China, 2014



Human rights activist Cao Shunli died in March after being disappeared, arbitrarily detained and denied access to adequate health care. She had advocated for civil society participation in the UPR and was disappeared by authorities while attempting to board a plane to Geneva

Maryam Bahram Iran, 2011

Maryam Bahram, women's activist and member of the One Million Signatures Campaign was arrested and sentenced to a suspended prison term of eight months on charges of propaganda against the State. Her prosecution appeared to be linked to her participation in the 55th session of the Commission on the Status of Women (CSW) in New York. Iranian women defenders reportedly decided not to attend the CSW session in 2014 for fear of reprisals.

Woman Human Rights Defender West Africa, 2014

ISHR approached a well-known women's rights defender to nominate her as a speaker at a High-Level Panel at the Human Rights Council. Her insights into defending rights in repressive environments, and on the struggle for women's rights, would have enriched Council debate. She declined for one reason only: for fear of reprisals.

Human rights defenders, NGOs and the UN High Commissioner for Human Rights have repeatedly echoed the Secretary General's call for 'organizational coherence and a systematic approach by the United Nations to protect civil society actors and organizations better'.

In September 2013 the UN Human Rights Council rose to this challenge, passing resolution 24/24 requesting that the Secretary-General appoint a high-level official to coordinate the international response to reprisals, strengthen protection for human rights defenders, and intervene in cases of alleged attacks. The call for precisely this kind of response within human rights bodies was vindicated when, in April 2014, the African Commission on Human and Peoples' Rights designated a focal point on reprisals.

The UN cannot work without those civil society actors who cooperate with it. The General Assembly must take responsibility to ensure a unified, coordinated response, ensuring that impunity for reprisals is not perpetuated, deterrence of participation is eradicated and human rights defenders are protected.

Reprisals are not an abstract phenomenon. They are attacks on the integrity of brave individuals cooperating with the UN.