

[Side event examines lack of reporting of cases of reprisals](#)

A lack of reporting of cases of reprisals against those that cooperate with the United Nations human rights system was the focus of a joint NGO panel discussion held in June.

The side event coincided with the 17th session of the Human Rights Council in Geneva - when the Secretary General's annual report on reprisals is usually due to be tabled. However, the report has been delayed until later this year, apparently partly due to a lack of reported cases. ISHR has made a [statement to the Human Rights Council](#) on the delayed presentation of the report.

During the panel discussion (10 June), ISHR Director Bjorn Pettersson said the NGO community knows reprisals is a major issue amongst human rights defenders - so an actual lack of cases was unlikely to be the issue leading to a lack of reporting. More likely, he said, was that the fear experienced by human rights defenders was preventing them from reporting the problem.



Joining Mr Pettersson on the panel were Hassan Shire, of the East and Horn of Africa Human Rights Defenders Network, David Koros, from the Center against Torture, and Christophe Peschoux, from the Office of the High Commissioner for Human Rights.

Some 50 civil society and State representatives were in attendance, including delegations from Denmark, Hungary, Norway, the Netherlands, and Switzerland.



The event was co-sponsored by Amnesty International, Asian Legal Resource Centre, Asian Forum for Human Rights and Development, Cairo Institute for Human Rights Studies, CIVICUS, East and Horn of Africa Human Rights Defenders Network, Human Rights House Foundation, Human Rights Watch, International Federation for Human Rights, International Commission of Jurists, International Rehabilitation Council for Torture Victims, International Service for Human Rights, and World Organisation against Torture.

Key areas of discussion

Mr Shire shared an overview of the serious challenges faced by defenders in the East and Horn of Africa sub-region - including by those that cooperate with UN mechanisms. He said it was distressing that cases of reprisals were not only linked to cooperation with UN special procedures, but also the UPR process. He provided examples of reprisals related to the UPR of Rwanda and of Ethiopia.

Mr Shire said the immediate priority should be measures to protect victims of reprisals from further threats and attacks: '...until these are in place, it is hard to see that more people will come forward to report such cases... The Human Rights Council must also give a higher priority to the issue and make the report a more visible fixture on the agenda. It should respond publicly to reprisals... raising the political costs of such acts, as well as ensuring systematic follow-up on all cases, especially those pending from past reports,' he said.

Mr Koros, from the Centre against Torture, focused on the importance of witnesses for ensuring justice and, therefore, the need for effective witness protection programmes. He emphasised the need for the international community to work with local actors to enable and strengthen witness protection programmes.

However, he said, the best solution was not to remove human rights defenders from their environments and place them in a protection programme - since this would ultimately be an impediment to their work. A better solution was to take preventative measures and provide protection that enables them to safely carry out their work.

Mr Peschoux, of OHCHR, paid tribute to the many human rights defenders that had cooperated with the UN and suffered reprisals as a result.

He said it was important to also remember the positive results of human rights defenders collaborating with the United Nations. For example, a prison monitoring programme in Cambodia and visits by the, then, Special Representative of the Secretary General on Cambodia to prisoners, had led to a significant improvement in detention conditions, and better treatment of prisoners, respectively.

Mr Peschoux said the active presence of OHCHR in countries had helped to deter reprisals. In Cambodia, for example, there had been no reported cases of reprisals against individuals since OHCHR's presence in the country was established.

Key to this was OHCHR establishing a constructive *modus operandi* with the government of the host country, and engaging in a constant effort to bridge the gap between civil society and governments.

Mr Peshcoux stressed the responsibility for protection as a prerequisite for engagement with human rights defenders - saying that if bodies were not able to protect defenders then they should not compromise their safety by engaging with them.

He said a highlight towards the end of the year would be the release of a manual by OHCHR, aimed at providing direction to UN human rights officers in the field, including practical guidance on ensuring the protection of witnesses. This would help combat the issue of lack of awareness contributing to compromises in safety. He said he hoped the manual would prove to be a useful tool for civil society organisations also.

Following presentations by the panellists, the discussion was opened for questions from the floor. Important points raised included: issues NGOs should keep in mind for protection of their partners; questions from States regarding what they too could do to help protect human rights defenders; the need to increase accountability of States for cases raised in the Secretary General's report on reprisals; whether protection tools used by other bodies - such as the International Labour Organization - could also be useful for the UN human rights system; the fact that there are other tools for reporting cases of reprisals, in addition to the Secretary General's report, e.g. Special Procedures; that human rights defenders should report cases of reprisals to OHCHR even if they did not want the cases published in the Secretary General's report - as this provided a valuable overview of the issue to the Secretariat, and enabled the possibility of including cases in the report at a later date if the situation changed to allow this.

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Article year:

2011