

## Guidance on intimidation and reprisals for cooperation with the UN\*

**Intimidation** are acts to discourage individuals or organizations from future participation or cooperation with the UN.

**Reprisals** are forms of retaliation against individuals or organizations for ongoing or past cooperation with the UN.

### DEFINITIONS AND SCOPE

The United Nations **relies on the cooperation of the people it serves**. Individuals and groups engaging with the UN provide valuable on-the-ground insights and first-hand information, alert the UN system to evolving situations, including early warning, and push for relevant action to be taken

and make useful recommendations. When those engaging with the UN face intimidation, threats, imprisonment and worse for doing so, we all lose, and the credibility of the UN is damaged.

**The freedom to engage** with the UN is a **basic exercise of fundamental freedoms** and human rights of all. This includes engagement with **all UN organs, entities or agencies**, anywhere in the world.

Intimidation and reprisals can be **perpetrated by both State and non-State actors**. Victims can be anyone engaging with the UN in a non-remunerated capacity, including **civil society** and **government**. The UN as a whole has a **collective responsibility to address and prevent** these reprehensible acts.

**Cooperation** can include: sharing information with the UN, giving testimony, submitting complaints to UN bodies and mechanisms, attending UN meetings, events or trainings and other forms of engaging with UN entities. **It also includes attempts to cooperate or engage.**

### KEY ACTORS

**States** bear the **primary responsibility for protecting the rights of all persons under their jurisdiction**. Therefore, any victim, witness, human rights defender or other person cooperating with the UN has the right to be protected from threats and reprisals committed by anyone, whether a State or non-State actor.

Heads of **UN entities, agencies or departments** have a crucial role in **reaffirming the duty of States** to prevent and address reprisals through prompt and impartial investigations, as well as accountability and effective remedies for victims. They also have **a leadership role in clarifying policies of the Organization and responsibilities of staff members** vis-à-vis those they engage with.

Heads of **agencies, country or regional offices in the field, and peace missions**, play an essential role by being the **primary interlocutor and voice of the UN at country/regional level**. UN field presences often experience most acutely the implications for the UN system when key partners are afraid of cooperating.

Intimidation and reprisals often occur when there are **visiting UN officials and/or independent experts** given UN mandates to carry out their work, such as: **commissions of inquiry, fact-finding missions, special panels and investigations, special representatives and experts of special procedures**.

Often those cooperating with the UN face intimidation and reprisals for participating or seeking to participate in **UN meetings, conferences or sessions** by **submitting information reports, testimonies or individual cases, participating online, or by travelling to and attend at meetings**.

*\*Consult OHCHR for more elaborate and detailed internal guidance and working methods.*



## UN SYSTEM-WIDE RESPONSE

Member States have given the **Secretary-General** a mandate to address intimidation and reprisals, who since 2010 **has submitted annually a system-wide report to the Human Rights Council** containing: a compilation and analysis of cases and trends, good practices, and recommendations.

To enhance a comprehensive system-wide response, the Secretary-General designated the **Assistant Secretary-General for Human Rights** as UN system-wide **senior level focal point** to: provide guidance, assess risks, engage with victims, verify allegations, collect and analyse information on trends/patterns, and elevate cases or situations to authorities.

The **first respondent** to allegations of reprisals should be the **UN presence, office, body or mechanism with which victims/sources cooperated**. The office or entity working closest with the victim(s) are best placed to verify allegations, assess risks, and determine the best course of action.

*“More than ever this issue should be a priority and a core responsibility of the Organization. I reiterate my call on all United Nations entities to be vigilant and engaged on this issue.”*

UN Secretary-General,  
A/HRC/42/30, para. 93

### Victim’s approach

- apply the ‘do no harm’ principle
- seek informed consent for any action
- give due weight to victim’s perspectives and risks

### General measures

- **Involve the State in question:** Through confidential and quiet diplomatic contacts, during interactive dialogues with the UN human rights mechanisms, or bring the case to national institutions for examination/follow-up
- **Seize UN leadership:** Raise the case with UN leadership, including heads of UN field missions, and/or the High Commissioner for Human Rights and the Assistant Secretary-General for confidential advocacy and documentation, and document the case for public reporting
- **Use third party engagement and multilateral measures:** Request support from third party governments, bring the case to the attention of the President of the Human Rights Council, General Assembly, Security Council when the case is related to these bodies, raise the case with regional human rights mechanisms
- **Seize independent experts for action:** Raise the case with members of commissions of inquiry, fact-finding investigations, special procedures mandate holders of the Human Rights Council or with human rights treaty bodies

### Urgent protective measures

- **Check with the UN focal point on protection/reprisals** and refer to UN security officials for protection options, with the consent of those affected
- **Consider possible support to victims through diplomatic interventions and/or civil society protection networks:** 24-hour emergency response phone line, emergency relocation, trial monitoring, physical protection, replacement of compromised communication equipment, and financial support
- **Consider public advocacy:** Raise cases/trends in press briefings, statements, interactive dialogues and reports to bodies of the Human Rights Council, Security Council, General Assembly and ECOSOC

