United Nations HRI<sub>/MC/2021/2</sub>



Distr.: General 14 April 2021

Original: English

English, French and Spanish only

Thirty-third meeting of Chairs of the human rights treaty bodies 7–11 June 2021
Item 5 of the provisional agenda
Implementation by the treaty bodies of the Guidelines against Intimidation or Reprisals (the San José Guidelines), with a particular focus on trends and cases of reprisals in the treaty bodies

Mapping the practices of treaty bodies on intimidation and reprisals and identifying issues that need further action by the Chairs\*

#### Note by the Secretariat

#### **Summary**

At their 32nd annual meeting (resumed session) on 14 December 2020, the Chairs of the human rights treaty bodies held an exchange on reprisals on the basis of the note prepared by the Secretariat (HRI/MC/2020/2/Rev.1). The Chairs requested the secretariat to update the note for the 33rd meeting of the Chairs.

The present note focuses on the changing landscape of reprisals in 2020 due to the coronavirus disease (COVID-19) pandemic, recent developments and some good practices, and aims to keep the Chairs and the experts appraised of the situation of preventing, reporting on allegations, and responding to allegations when they are made. It does not duplicate the information presented in the report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, and should be read in conjunction with the upcoming report outlining cases and trends of reprisals in order to complement it.

<sup>\*</sup> Agreement was reached to publish the present document after the standard publication date owing to circumstances beyond the submitter's control.



GE.21-04938(E)

#### I. Introduction

- 1. At their 32nd annual meeting (resumed session) on 14 December 2020, the Chairs of the human rights treaty bodies held an exchange on reprisals on the basis of the note prepared by the Secretariat (HRI/MC/2020/2/Rev.1). The Chairs requested the Secretariat to update the note for the 33rd meeting of the Chairs.
- 2. The present note focuses on the changing landscape of reprisals in 2020 due to the coronavirus disease (COVID-19) pandemic, recent developments, the role of rapporteurs, a summary of the previous meeting of the Chairs and the report of the co-facilitators on the 2020 treaty body review, and outlines some good practices and for further action by the Chairs.
- 3. The restrictions required to address the pandemic prevented the holding of in-person meetings from mid-March to the end of 2020, for which reason no State party reviews were conducted during that period, with the exception of the online review of Iraq by the Committee on Enforced Disappearances under its additional information procedure. The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was likewise unable to undertake any in situ visits during the same period. As a result, fewer allegations of cases of reprisals were reported to the United Nations Secretariat and the treaty body focal points on reprisals for cooperation with the treaty bodies.

## II. Background

- 4. Everyone, in particular victims of human rights violations and civil society actors, has the right to have unhindered access to and communicate with the human rights treaty bodies, without any fear of intimidation or reprisals. Civil society and victims bring crucial information and testimonies and provide treaty body experts with contextual information making their work more meaningful. States have a primary responsibility to prevent and refrain from acts of intimidation and reprisal. States also have an obligation to protect individuals against reprisals, and to investigate and to provide effective remedies to victims of reprisals.
- 5. The Chairs of the treaty bodies endorsed the Guidelines against Intimidation or Reprisals (the San José Guidelines) during their annual meeting in 2015. The Guidelines, which have the aim of improving the efficiency and effectiveness of treaty body action, set out six underlying general principles and provide for a range of possible operational measures to address and prevent reprisals.
- 6. All treaty bodies have appointed focal points and rapporteurs to address the issue of reprisals. The San José Guidelines comprehensively and explicitly set out the functions of focal points and rapporteurs, to (a) ensure consistency across treaty body system; (b) receive and assess allegations of acts of intimidation; (c) determine the most appropriate course of action; (d) as part of a network of focal points/rapporteurs on reprisals, share information, facilitate supportive action and align approaches; and (e) compile information on good practices.

#### A. Responses of treaty bodies to allegations of reprisals

7. When addressing allegations of intimidation or reprisals, treaty bodies respond in a variety of ways on the basis of the San José Guidelines. Some pursue both confidential and public actions, such as by meeting with members of Permanent Missions, sending communications to States, raising cases with the special procedures of the Human Rights Council or the United Nations High Commissioner for Human Rights, or addressing them in concluding observations, press releases or reports to the Council and the General Assembly. Treaty body focal points consider all allegations on a case-by-case basis, with the informed and free consent of the persons concerned and respecting the principles of "do no harm", confidentiality, safety and security.

8. The San José Guidelines set out preventive measures, including specific steps, such as allowing confidential submissions from individuals and groups, having closed meetings with civil society, victims or legal representatives, and reminding State parties of their obligation to prevent and refrain from all acts of intimidation or reprisal against those who cooperate with the treaty bodies. Awareness-raising initiatives are another way for the treaty bodies to reaffirm the importance of cooperation with all stakeholders and to disseminate information about the San José Guidelines.

#### B. Presentation of the previous note on reprisals

- 9. The Chairs discussed the note of the Secretariat on mapping the practices of treaty bodies on intimidation and reprisals and identifying issues that need further action by the Chairs (HRI/MC/2020/2/Rev.1) at the resumed meeting of their 32nd session, on 2 October 2020.
- 10. In the note, the Chairs noted that the treaty bodies had made significant progress in responding to allegations of reprisals, and that all the treaty bodies had appointed focal points or rapporteurs on reprisals. The San José Guidelines had been adopted or officially endorsed by all treaty bodies, with the exception of the Committee on Economic, Social and Cultural Rights, which had instead adopted a statement on human rights defenders and economic, social and cultural rights and set up a procedure for addressing allegations of reprisals on a case-by-case basis. At its 100th session, the Committee on the Elimination of Racial Discrimination adopted guidelines on reprisals (available on the web page of the Committee). At the time of the presentation, and as at September 2020, five of the treaty bodies had guidelines or specific information on reporting reprisals posted on their web pages.
- 11. The Chairs also noted that the committees had responded to allegations of reprisals resulting from working with the treaty bodies by raising concerns verbally with the Permanent Mission of the State concerned, in reports or in written communications, or had taken protective approaches, such as, at the opening of sessions, requesting States parties to provide information on the measures taken to prevent reprisals. It further noted that some committees had held confidential briefings with non-governmental organizations and accepted confidential submissions, while others had held remote briefings. Two committees had made their letters to Governments concerning cases of reprisals publicly available on their web pages, an approach intended to promote transparency and accountability to the extent that those affected consent to it.
- 12. Some committees used the follow-up procedure to draw attention to cases of reprisals. Preventive measures were increasingly being taken: Chairs or rapporteurs would announce at the beginning of State party reviews that any reprisals reported would be addressed promptly and in accordance with confidentiality measures. Committees also made increasing use of concluding observations to highlight cases of reprisals by making specific recommendations to address them. During a State party review, the rapporteur of one committee asked the delegation to confirm that the persons and organizations that had shared information with the Committee to assist in its review of the report of the State party concerned would not be subjected to reprisals or threats to their safety as a result of that collaboration, and that individuals whose cases had been mentioned by the Committee would similarly not be subjected to reprisals.
- 13. The Chairs suggested that there was further scope for the committees to increase awareness-raising by posting their correspondence on a web page dedicated to cases of reprisals, and by emphasizing at the opening of each session or at meetings with States parties a zero-tolerance approach to acts of intimidation or reprisals.
- 14. The Chairs also suggested that coordination among the treaty body focal points and rapporteurs could be strengthened, including by requesting the Office of the Assistant Secretary-General for a coordinated and strategic response to individual allegations and cases. The meeting of the Chairs was an opportunity for them to exchange on further action that the treaty bodies could take to increase awareness-raising, including on some good practices referred to in the report, such as increasing coordination with other human rights mechanisms, in particular with the special procedures of the Human Rights Council, such as

the Special Rapporteur on the situation of human rights defenders. Other suggestions made in the report included that protective measures could be strengthened, including by holding confidential meetings with non-governmental organizations and human rights defenders away from United Nations premises to protect victims, human rights defenders and members of civil society who may face a greater risk of reprisals.

- 15. In the report, the Chairs also proposed that they or rapporteurs could exchange on a more regular basis on instances or allegations of intimidation and reprisals, including intersessionally, and communicate more regularly, including on responding to allegations. The Chairs asked the Secretariat to keep them appraised of the situation, and asked for an updated note for the 33rd meeting of the Chairs.
- 16. The civil society network TB-Net took the floor at the 32nd meeting of the Chairs under the specific agenda item. It pointed out that treaty bodies and civil society organizations that worked to protect, promote and realize human rights were more important than ever, and made a series of recommendations for the treaty bodies to protect their space for engagement and to prevent acts of intimidation or reprisas. For example, it stressed that a safe technology platform for online work was essential to avoid interference and leaks of confidential information, and risks of reprisal; that the option for committee members to request an inperson discussion on any communication should be retained; and that full, meaningful and safe civil society engagement must be guaranteed for all online meetings.<sup>1</sup>

# III. Good practices on reprisals and the treaty bodies since the 32nd meeting of the Chairs

17. Several good practices and developments have been witnessed since the 32nd meeting of the Chairs.

#### A. Role of rapporteurs or focal points on intimidation or reprisals

- 18. In 2020, the rapporteur on reprisals for the Committee on Enforced Disappearances prepared draft guidelines on the management of allegations of reprisals. The guidelines grew out of the need to clarify the scope and steps of the procedure, and the division of responsibilities between the different actors involved in the treatment of such allegations. They also took into account the guidelines adopted by other committees. The Committee will discuss and adopt the guidelines at its 20th session, in April 2021.
- 19. The web page of the Committee on the Protection of the Rights of All Migrant Workers<sup>2</sup> and Members of Their Families has been recently updated with the procedure on reprisals. The web page outlines what reprisals are, who the rapporteur or focal points on reprisals for the Committee are, and importantly, how to report an allegation of reprisal or to submit information on reprisals, as well as the overall procedure on reprisals for the Committee.
- 20. The Committee on the Rights of the Child held its 84th extraordinary session in Samoa, the first time a treaty body has held a session outside of Geneva or New York. The Committee welcomed the opportunity to connect to the work in the field, with more direct engagement and closer to stakeholders. The Pacific region is geographically one of the most distant from Europe, imposing high travel costs and logistical impediments on those wishing to travel to Geneva for State party reviews. The meeting was seen as a positive precedent for engagement by treaty bodies with more local organizations and networks, while increasing the visibility of the treaty bodies in a remote region. At its first regional session, the Committee focused on the situation of children's rights in the Pacific region, and also held a public meeting with Samoan children.

<sup>&</sup>lt;sup>1</sup> TB-Net Reflections on the implications of the COVID-19 crisis for the effective functioning of the UN Treaty Bodies: Challenges and opportunities regarding online meetings, Informal Meeting of Chairs of the Human Rights Treaty Bodies, 2–5 June 2020.

www.ohchr.org/EN/HRBodies/CMW/Pages/Reprisals.aspx.

21. The Committee adopted a child safeguarding procedure on 4 December 2020 to ensure a safe, child-friendly environment for the children with whom it interacts. The objective of the procedure is to safeguard children against any harm arising from their participation in the Committee's work. The procedure outlines the steps for reporting and responding to a child's safety concerns.

#### B. Reporting to the General Assembly and the Economic and Social Council

- 22. In 2020, a number of committees, including the Committee against Torture, the Committee on the Rights of the Child and the Committee on Enforced Disappearances, included specific reference to and sections on reprisals in their annual or biennial reports, as provided for in the San José Guidelines.
- 23. The annual report of the Committee on the Rights of the Child included an annex containing recommendations from the 2018 day of general discussion on protecting and empowering children as human rights defenders with the goal of providing guidance to States parties and other stakeholders on strengthening the protection and empowerment of child human rights defenders with regard to reprisals. The Committee recommended that States should take all appropriate measures to create safe spaces for child human rights defenders, where they can express their views willingly, fully and without any fear, about all matters relating to their rights, and should protect child human rights defenders from all forms of intimidation or reprisal, or fear of such. It recommended that civil society, when engaged with child human rights defenders, should take all precautions to minimize any negative consequence of children's human rights activities, and should also aim at protecting child human rights defenders from any form of intimidation or reprisal, or fear of such.<sup>3</sup>
- 24. In its annual report, the Committee against Torture referred to the decision made at its forty-ninth session to adopt a mechanism to prevent, monitor and follow up on cases of reprisal against civil society organizations, human rights defenders, victims and witnesses after their engagement with the treaty body system. Following that decision, the Committee appointed a rapporteur on reprisals under article 19 and another one under articles 20 and 22. The Committee also reported that, at its fifty-fifth session, it adopted guidelines on the receipt and handling of allegations of reprisals against individuals and organizations cooperating with the Committee under articles 13, 19, 20 and 22 of the Convention (CAT/C/55/2). The guidelines include a clear recognition of the value of the San José Guidelines. At its sixty-third session, the Committee designated a new rapporteur on reprisals under articles 19, 20 and 22.4

#### C. Network of rapporteurs or focal points on intimidation and reprisals

25. New rapporteurs were appointed by the Committee against Torture, the Subcommittee on Prevention of Torture, the Committee on the Rights of the Child, the Human Rights Committee and the Committee on Migrant Workers (see annex).

#### D. Compiling good practices

26. For the first time, sessions on reprisals were held in three languages during induction training held in February 2021 for new treaty body members. The sessions, which were well attended, covered the San José Guidelines and included an interactive session and a video message from the Assistant Secretary-General for Human Rights and the designated United Nations focal point on reprisals. Relevant information was also uploaded on an extranet for treaty body experts. The sessions may be considered a good practice and should be continued and strengthened.

<sup>&</sup>lt;sup>3</sup> Official Records of the General Assembly, Seventy-fifth Session, Supplement No. 41 (A/75/41), annex II.

Official Records of the General Assembly, Seventy-fifth Session, Supplement No. 44 (A/75/44), para. 17.

# IV. Overview of cases of allegations of reprisals since the 32nd meeting of the Chairs

# A. Annual report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights

- 27. In the eleventh annual report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights covering the period from 1 June 2019 to 30 April 2020,<sup>5</sup> the treaty bodies addressed allegations concerning Andorra, Bangladesh, Equatorial Guinea, the Philippines, Poland, Saudi Arabia, Uzbekistan and Viet Nam.
- 28. The Assistant Secretary-General noted in the report that multiple civil society representatives reported self-censorship and had refrained from directly engaging with the United Nations either by not submitting alternative reports to reviews by the treaty bodies or by not travelling to Geneva for the sessions of the treaty bodies or the Human Rights Council in 2019 and 2020.<sup>6</sup>

#### **Committee on Enforced Disappearances**

29. The Committee on Enforced Disappearances received allegations of the harassment, surveillance and criminalization by State actors of staff members of an organization and a victim's relative in one Member State following the submission of requests for registration of urgent actions to the Committee under article 30 of the Convention. In two cases, the Committee requested the State party to take protection measures, and has followed up on their implementation and developments in the situation of the alleged victims.

#### **Human Rights Committee**

30. The Human Rights Committee took preventive action on one case of reprisal in the past 12 months.

#### Committee on Economic, Social and Cultural Rights

31. The bureau of the Committee on Economic, Social and Cultural Rights continued to be apprised of reprisals, but did not receive any allegations of cases in 2020/21.

#### Committee against Torture

- 32. On 7 December 2020, the rapporteur for follow-up to concluding observations of the Committee against Torture sent a reminder to a Permanent Mission to the United Nations Office at Geneva requesting information on protecting human rights defenders against reprisals for cooperation with the Committee in the context of its consideration of the State party's initial report. In its concluding observations, the Committee had recommended that the State party ensure that members of civil society and non-governmental organizations that had cooperated with the Committee in the context of its consideration of the State party's initial report were protected from any reprisals or harassment, including charges of breaching the Information and Communications Technology Act, in keeping with the pledge given by the Minister of Law, Justice and Parliamentary Affairs.<sup>7</sup>
- 33. The Committee continues to make use of its follow-up procedure to concluding observations to monitor the implementation of recommendations relating to general situations and individual cases of harassment and reprisals, including against members of civil society and non-governmental human rights organizations that have cooperated with it.

<sup>&</sup>lt;sup>5</sup> A/HRC/45/36.

<sup>&</sup>lt;sup>6</sup> Ibid., para. 9.

<sup>&</sup>lt;sup>7</sup> See CAT/C/BGD/CO/1, para. 31 (d).

#### Committee on the Elimination of Discrimination against Women

34. In November 2020, the Committee on the Elimination of Discrimination against Women called for the immediate and unconditional release of a women's rights activist who had been on a hunger strike since 26 October to protest against her prolonged detention, as well as of all other women human rights defenders in detention. The activist had been involved in promoting women's rights in her country, including through campaigns to allow women to drive and to end male guardianship laws. She had met members of the Committee in February 2018 to share her observations on the state of women's rights in the country. Three months after the meeting, she was arrested and has since been detained on national security grounds, reportedly partly as a result of her engagement with the Committee.

#### **Petitions**

- 35. In 2020, the Petitions and Urgent Actions Section received fewer allegations of reprisals, in particular those concerning individual cases, than had been registered in previous years. The decrease in reporting could be related to the coronavirus disease (COVID-19) pandemic, which limited opportunities for access to human rights mechanisms.
- 36. Of the eight treaty bodies with individual complaints procedures, four the Committee against Torture, the Committee on Enforced Disappearances, the Committee on the Rights of Persons with Disabilities and the Human Rights Committee addressed and responded to allegations of reprisals. The treaty bodies are apprised of the registration and processing of allegations received, and of the sharing of relevant information with other parts of the Office of the United Nations High Commissioner for Human Rights (OHCHR) (such as inputs for the annual report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights). New members of the treaty bodies benefited from an online induction session and received specific guidance on how to standardize and harmonize responses to cases of reprisals reported.
- 37. Several allegations of reprisals received regarded a perceived deterioration in a detention regime in retaliation for a previously submitted complaint of ill-treatment when in detention or prison. In other instances, the authors of the communication feared that the newly submitted complaint would prompt retaliation against the family members of the presumed victim. In one case, the alleged reprisals concerned countermeasures by the national authorities against an entity that had contributed input as a stakeholder to the universal periodic review.
- 38. With regard to individual complaints procedures, the committees continued to issue requests for interim and protection measures in response to the allegations of reprisals received. In accordance with past practice, the States parties were alerted by means of allegation letters by the committee rapporteurs or focal points on reprisals. The observations in response often indicated, however, that the States parties disputed the allegations, without offering any substantive information about the outcome of internal investigations. In that regard, the treaty bodies suggested that advocacy be strengthened with the States parties in order to prompt greater efforts to substantively investigate alleged reprisals, while offering protection measures to their authors, as necessary.

## V. Recent developments

#### A. Digital shift and COVID-19

39. Given that the restrictions imposed by the COVID-19 pandemic prevented the holding of in-person meetings from mid-March to the end of 2020, no State party reviews were held during that period, with the exception of the online review of Iraq by the Committee on Enforced Disappearances under its additional information procedure. The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was equally unable to undertake any in situ visits during the same period. As a result, fewer allegations of reprisals for cooperation with the treaty bodies were reported to the United Nations Secretariat and the treaty body focal points on reprisals.

- 40. Despite the numerous challenges, however, the treaty bodies continued to discharge their mandates online and intersessionally. They considered and adopted decisions and views on individual communications, interim measures and urgent actions, and adopted lists of issues and lists of issues prior to reporting in preparation for State party reviews. The Committee on Enforced Disappearances reviewed a State party online under its additional information procedure. The treaty bodies drafted general comments and advice on the impact of the COVID-19 pandemic on human rights, continued to work on the implementation of concluding observations and views or decisions, and engaged with national preventive mechanisms. Fewer opportunities to interact with the treaty bodies, especially in-person, seem to have correlated to fewer reported incidents. The treaty bodies nonetheless carried out follow-up work on previous cases of reprisals reported during their online meetings or intersessional work.
- 41. The treaty bodies faced a number of technical, logistical and financial challenges during their online meetings and intersessional exchanges: the limited availability of simultaneous interpretation services provided by the United Nations Office at Geneva for online meetings (two hours rather than six); accessibility for persons with disabilities; the different time zones for participants in online meetings; the additional costs incurred by experts to connect online; connectivity issues; and the time required to participate fully and to engage online. Concerns were also raised about digital security and its implications for reprisals, and about those actually able to participate in treaty body meetings held online (certain digital platforms, such as Zoom, were not authorized for use in 2020 by the United Nations owing to security concerns).
- 42. Some representatives of civil society reported an increase in consultations and engagement with the treaty bodies when their meetings moved online or intersessionally, while others felt marginalized due to a perceived lack of opportunities for direct engagement with treaty body experts.

#### B. Report of the co-facilitators of the 2020 treaty body review

- 43. In their report to the General Assembly, the co-facilitators of the 2020 treaty body review, appointed by the President of the Assembly at its seventy-fourth session, placed renewed emphasis on the importance of working to combat reprisals or threats against persons cooperating with or giving information to the treaty bodies (A/75/601, annex).
- 44. The co-facilitators noted the general support for efforts by the treaty bodies to achieve an aligned approach and common guidelines for engagement with civil society and national human rights institutions, which would facilitate greater transparency and clarify the modalities for stakeholder interactions with the treaty body system as a whole. In that regard, digitalization and new technology platforms could be useful. Furthermore, it had been stated that harmonized efforts should include the issue of reprisals as defined in the San José Guidelines and their coordinated and coherent implementation by all treaty bodies.
- 45. In the report, the co-facilitators also noted that one of the most frequently mentioned improvements to the accessibility and transparency of the treaty bodies was greater investment in and the use of technologies. Suggestions included systematic webcasting of all treaty body sessions and the use of virtual collaboration tools for broader civil society consultations, as well as the improvement of channels of communication, such as the websites of the treaty bodies, which allowed representatives of civil society and national human rights institutions with limited resources to engage virtually with committees. It would also lead to a greater degree of witness protection by allowing witnesses and human rights defenders fearing reprisals to give testimony without revealing their location or from a relatively safe place.
- 46. The co-facilitators added that OHCHR should take measures to enhance the visibility and accessibility of the treaty body system, such as by facilitating digital interaction with stakeholders with online tools. On the basis of a general agreement that no individual or organization should suffer reprisals, the treaty bodies and OHCHR should take all measures to address reprisals consistently.

#### Reporting to the General Assembly and the Economic and Social Council

47. In a cross-regional statement delivered during the seventy-fifth session of the General Assembly, 75 Member States highlighted the need for more frequent reporting on reprisals by treaty body Chairs when presenting the reports of their committees to the General Assembly and the Economic and Social Council, to increase awareness and accountability.<sup>8</sup> The States expressed their alarm about the high number of countries cited in the report of the Secretary-General on reprisals, the vast majority of which have been cited before. The increase in the number of countries cited for a pattern of intimidation and reprisals was equally alarming. The States welcomed the steps towards enhanced dialogue on the issue of reprisals at the Assembly, and stressed that more needed to be done to protect the right of everyone to communicate with the United Nations. They echoed previous calls for States to step up efforts to address reprisals, including by referring to specific cases during future dialogues at the United Nations.

### VI. Issues for further action by the Chairs

48. The action points outlined below reflect the recommendations made previously by the Chairs and those contained in the note prepared by the Secretariat for their 32nd meeting (HRI/MC/2020/2/Rev.1).

#### A. Follow-up

49. The Chairs may wish to have more regular exchanges on reprisals, and the rapporteur or focal points may wish to meet more frequently – even online, given the COVID-19 pandemic – to follow up on allegations of reprisals.

#### B. Awareness-raising

50. Improvements in awareness-raising and public information may include posting references to cases and communications, when public, on a web page dedicated to allegations of reprisals (as some committees already do); emphasizing, at the opening of each session or at meetings with States parties, a zero-tolerance approach to reprisals and intimidation; and the inclusion of a section dedicated to intimidation and reprisals in annual or biennial reports. Induction sessions for new experts with specific references to reprisals and how the treaty bodies can respond to them are considered a good practice and should be continued and strengthened in the future.

#### C. Alignment of working methods and coordination among treaty bodies

- 51. Treaty bodies should continue to align their working methods when addressing cases of reprisal, including with regard to the role of focal points and rapporteurs, specific policyies or guidelines on reprisals and the disclosure of allegations of reprisals and responses received from States. The Chairs could introduce more regular exchanges on acts of intimidation or reprisals, including intersessionally, with the focal points and rapporteurs on reprisals, in the form of regular online coordination meetings or through the use of an email list for focal points and rapporteurs. The Chairs should be regularly informed of any developments regarding reprisals. More regular communications with the focal points on reprisals at the Secretariat level could also be envisaged.
- 52. Coordination among the treaty body focal points and rapporteurs should be strengthened, including when reaching out to the Office of the Assistant Secretary-General for a coordinated and strategic response to individual allegations and cases.
- 53. Coordination and communication could be strengthened with other human rights mechanisms, in particular among rapporteurs and focal points of the treaty bodies and the special procedures of the Human Rights Council, such as the Special Rapporteur on human

<sup>8</sup> Available from www.gov.uk/government/speeches/every-reprisal-diminishes-our-ability-to-deliver-for-the-people-we-serve.

rights defenders. Other improvements in coordination could include increasing internal coordination, officially endorsing and publicizing the San José Guidelines, using press releases more strategically and consistently addressing individual cases through formal communications or meetings with the permanent representatives of the States parties concerned.

54. Other measures could include increased coordination with United Nations field presences on reprisals prevention. The treaty bodies could make further efforts to prevent acts of intimidation or reprisals by coordinating with field presence or desk officers for States of concern, including by communicating with the field before the review of a State party's periodic report, when acts of intimidation or reprisals have been committed and/or are publicly reported, for instance in the report of the Secretary-General. Protective measures could be strengthened, including by holding confidential meetings with non-governmental organizations and human rights defenders, including outside United Nations premises.

# D. Reporting to the General Assembly and the Economic and Social Council

55. Treaty bodies should include information on acts of intimidation or reprisals, and on actions taken and outcomes thereof in their annual or biennial reports in a more consistent manner, thereby increasing the visibility of the issue before the political organs of the United Nations, as provided for in the San José guidelines.

# Annex

# Treaty bodies and rapporteurs

Treaty body	Rapporteur	Email
Human Rights Committee	Bamariam Koita	ccpr@ohchr.org
Committee on Economic, Social and Cultural Rights	Bureau of the Committee	cescr@ohchr.org
Committee against Torture (arts. 13, 19, 20 and 22 of the Convention)	Ana Racu	cat@ohchr.org
Committee on the Elimination of Racial Discrimination	Silvio Albuquerque	cerd@ohchr.org
Committee on the Elimination of Discrimination against Women	Dalia Leinarte Leticia Bonifaz Alfonzo (alternate rapporteur)	cedaw@ohchr.org
Subcommittee on Prevention of Torture	Nora Sveaass	opcat@ohchr.org
Committee on the Rights of the Child	Gehad Madi	crc@ohchr.org
Committee on the Rights of Migrant Workers and Members of Their Families	Myriam Poussi (Burkina) Pablo Cesar Garcia Saenz (Guatemala)	cmw@ohchr.org
Committee on the Rights of Persons with Disabilities	Robert Martin Rosemary Kayess	crpd@ohchr.org
Committee on Enforced Disappearances	Milica Kolakovic-Bojovic	ced@ohchr.or