UNITED NATIONS HIGH COMMISSIONER
FOR HUMAN RIGHTS

HUMAN RIGHTS DAY: INDEPENDENT EXPERTS REMIND STATES OF OBLIGATION TO UPHOLD FUNDAMENTAL FREEDOMS

10 December 2003

The following statement was issued today by --- Independent Experts of the Commission on Human Rights:

"On the occasion of the United Nations Human Rights Day, the undersigned Independent Experts of the United Nations Commission on Human Rights strongly condemn all acts of intimidation and reprisal against individuals and groups who seek to cooperate, or have cooperated with the United Nations or representatives of its human rights bodies.

In this respect, we wish to highlight that, according to Commission on Human Rights resolution 1994/70, activities protected include the provision of testimony or information to the United Nations or its human rights bodies, the availing of United Nations human rights procedures, the submission of information to them, and the provision of legal assistance for this purpose. We also wish to underline that relatives of victims of human rights violations shall also be protected under this resolution.

We are extremely concerned to note that over the years, and most particularly in the recent months, there have been several instances where witnesses who have either sought to meet, or met with experts, or shared information on human rights abuses with them have, for this very reason, been killed, tortured, arrested, detained, threatened, dismissed or otherwise harassed.

We recall that it is standard procedure for the experts to request assurances from Governments that no persons, official or private, who have been in contact with them will be subjected to threats, harassment, punishment or judicial proceedings, and that they will be protected from any intimidation or reprisals by private persons or groups, and we note with particular concern that cases of intimidation and reprisal have often occurred although experts received such assurances from the Governments concerned.

We take this opportunity to emphasize the fundamental role of witnesses - be they victims of human rights violations or their lawyers, human rights defenders, health professionals, media workers reporting on violations, trade unionists, and representatives of other groups facing particular risks, such as indigenous groups, racial, ethnic or religious minorities - in our work and more generally in the

promotion and protection of human rights.

We urge States to refrain from violating the rights of witnesses who cooperate or seek to cooperate with the United Nations and representatives of its human rights bodies, in particular their rights to life, to be free from torture, to personal freedom and security, and to freedom of expression and to impart information and ideas. We also call on States to protect witnesses from threats, intimidation and reprisals from private individuals or groups."

The Independent Experts are:

- Abdelfattah Amor, Special Rapporteur on freedom of religion or belief
- Theo van Boven, Special Rapporteur on torture
- Leandro Despouy, Special Rapporteur on the independence of judges and lawyers
- Doudou Diène, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance
- Yakin Ertürk, Special Rapporteur on violence against women
- Paul Hunt, Special Rapporteur on the right to health
- Asma Jahangir, Special Rapporteur on extrajudicial, summary or arbitrary executions
- Hina Jilani, Special Representative of the Secretary-General on human rights defenders
- Ambeyi Ligabo, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
- Anne-Marie Lizin, Independent Expert on human rights and extreme poverty
- Fatma Zohra Ouhachi-Vesely, Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights
- Juan Miguel Petit, Special Rapporteur on the sale of children, child prostitution and child pornography
- Paulo Sergio Pinheiro, Special Rapporteur on the situation of human rights in Myanmar
- Gabriela Rodríguez Pizarro, Special Rapporteur on human rights of migrants
- Rodolfo Stavenhagen, Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people
- Leïla Zerroügui, Chairperson-Rapporteur of the Working Group on arbitrary detention

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