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Agenda items 2 and 5

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of
the High Commissioner and the Secretary-General**

Human rights bodies and mechanisms

Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

Report of the Secretary-General*, **

Summary

The present report is submitted pursuant to resolution 12/2 of the Human Rights Council. The Secretary-General highlights activities, policy developments and good practices within the United Nations system and beyond to address intimidation and reprisals against those seeking to cooperate or having cooperated with the United Nations, its representatives and mechanisms in the field of human rights. The report contains information on alleged acts of intimidation and reprisal, including in follow-up to cases included in the previous report (A/HRC/42/30) and prior to that. Owing to the word limit, more information on selected cases is set out in annex I. Information on follow-up to cases included in previous reports is provided in annex II. The report concludes with a summary of trends and recommendations to address and prevent acts of intimidation and reprisal.

* The present report was submitted after the deadline so as to include the most recent information.

** The annexes to the present report are circulated as received, in the language of submission only.



18. In February 2020, the High Commissioner for Human Rights noted that “In Cambodia, we continue to receive reports of acts of intimidation against civil society and human rights organizations, which impede their capacity to monitor and report – including to this Council.”¹³

19. On 4 August 2020, the Government responded to the note verbale sent in connection with the present report, noting that the statement in the Special Rapporteur’s report is misleading and non-transparent based on information and opinions of one party that do not reflect the actual situation, and that it was made without cooperation with the police to verify information and facts. The Government stated that the presence of local police outside of forums or meetings or gatherings with local people was owing to the duty of the police to observe and prevent any insecurity that may occur at those sites and is not meant to threaten, intimidate or disrupt. The Ministry of Interior stated that activities of civil society at the local level are undertaken normally without any restrictions and are not closely monitored by local authorities as before. The Directorate General of Prisons clarified that the agency responsible has already addressed the alleged denial of confidential interviews of detainees with the Special Rapporteur and OHCHR in Cambodia.

7. Cameroon

20. It was reported to OHCHR that **Ms. Esther Omam Njomo**, her relatives and co-workers faced threats and attacks as acts of reprisals following her 13 May 2019 testimony before the Security Council in an Arria Formula meeting in New York on the humanitarian situation in Cameroon.¹⁴ Ms. Omam Njomo is affiliated with Reach Out Cameroon and South West/North West Women Task Force (SNWOT), which advocates for the protection of women and children in the North-West and South-West regions. In addition to the threats through texts and voicemail received by Ms. Omam Njomo, her co-workers were reportedly harassed and threatened on social media. Further, in September 2019, a group of unidentified men, believed to be low-ranking members of a faction of non-state armed groups in the region, allegedly tried to break into her house while she was inside with her children. In October 2019, unidentified armed men associated with non-state armed groups in the region reportedly abducted two of her children for a few hours and released them afterwards.

21. On 29 May 2019, special procedures mandate holders expressed concern about a defamation campaign against the civil society organization Organic Farming for Gorillas Cameroon (OFFGO) who had published information about abuses and disputes linked to land and business operations in Cameroon (CMR 3/2019), in particular by the Baba Ahmadou Group (see also OTH 22/2019). They had raised concern about the May 2016 expulsion from the country of **Mr. Jan Joris Capelle**, a Belgian national, and co-founder with **Mr. Prince Vincent Awazi** of OFFGO. They also addressed death threats against Mr. Awazi, the traditional chief of Tudig village (Mbengwi district) and death threats and threats of abduction against **Mr. Elvis Brown Luma Mukuna**, the lawyer of OFFGO.

22. It was reported to OHCHR that, following the May 2019 action by special procedures mandate holders on their case, Mr. Luma Mukuma and Mr. Awazi faced serious security risks and had to go into hiding for periods of time. In one of the incidents, on 21 March 2020 Mr. Luma Mukuma was reportedly subject to an attempted kidnapping in Bamenda and on 27 March 2020, he and his brother in-law were attacked by unidentified armed men. On 18 September 2019, special procedures mandate holders sent a follow-up communication addressing a violent attack on OFFGO’s offices (CMR 5/2019). They noted that on 19 June 2019, a grenade attack reportedly took place in Tudig village by unidentified armed actors in a military truck allegedly targeting OFFGO’s offices and its staff.

¹³ OHCHR, “High Commissioner updates the Human Rights Council on human rights concerns, and progress, across the world” (27 February 2020), <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25621&LangID=E>.

¹⁴ <http://webtv.un.org/search/arria-formula-meeting-of-the-un-security-council/6036271424001/?term=2019-05-13&sort=date>.

23. It was further reported to OHCHR that on 17 February 2020, Mr. Capelle applied for a visa to travel to Cameroon and, on the same evening, Mr. Awazi reportedly received text messages and a call the next day threatening to kill him if he continued to associate with Mr. Capelle. In an additional incident on 26 February 2020, Mr. Capelle arrived at Yaoundé international airport, but the same day was forcibly returned to Belgium without an explanation of the expulsion or charges brought against him, or the opportunity to speak to a lawyer or appeal the decision.

24. In May 2020, OHCHR received allegations of continued reprisals against **Mr. Nfor Hanson Nchanji** and his close relatives, following his participation in the 10th session of the Forum on Minority Issues in Geneva from 30 November to 1 December 2017. Harassment and vilification of Mr. Hanson Nchanji reportedly began in December 2017 and continued into the reporting period, including online attacks by some pro-government social media users portraying him as a terrorist. One post called him “a traitor to the republic of Cameroon” and stated: “You went to the UN to sell us but God punished you.” On 2 December 2017, when Mr. Hanson Nchanji returned to Cameroon after the Forum, a close relative had reportedly received a letter with death threats. In March 2019, Mr. Hanson Nchanji’s family home was allegedly burned down by soldiers and his close relatives relocated. The incidents were reported to OHCHR at the time but could not be publicly reported due to protection concerns. Mr. Hanson Nchanji, a human rights journalist investigating and reporting on the Anglophone crisis and at the time of the Forum the Editor-In-Chief of the Douala-based Equinoxe Television and founder of the on-line Cameroon News Agency, is currently in exile.

8. China

25. Multiple United Nations actors identified alleged intimidation and reprisals. It was reported to OHCHR that from June 2019 to April 2020 there were new incidents involving 15 individuals who engaged, or attempted to engage, with the UN human rights mechanisms, including through attending trainings. Reprisals reportedly included arrest, detention, ill-treatment while in detention, forcible disappearance into “residential surveillance at a designated location,” travel bans and confiscation of passports, seizure of property, interrogation and surveillance. Names and further details have been withheld due to fears of further reprisals. In December 2019, the Assistant Secretary-General for Human Rights addressed patterns of intimidation and reprisals with the Government in writing.

26. In its opinion adopted in May 2019, where it found arbitrary the detention of two individuals who were allegedly victims of reprisals (see Annex II),¹⁵ the Working Group on Arbitrary Detention stated its concern “that the presence of multiple cases found in violation of the international norms on detention indicates a systemic problem with arbitrary detention” (A/HRC/WGAD/2019/20, para. 92).”

27. On 17 August 2020, the Government responded in detail to the note verbale sent in connection to the present report and stated that judicial authorities deal with cases in accordance with the law and protect the rights of each and every criminal suspect or defendant. There is no so-called retaliation. The Government expressed its strong dissatisfaction with and firm opposition to the use of unconfirmed information and distortion of the efforts to crack down on illegal and criminal activities in accordance with the law. The Government urged OHCHR to stop interfering in countries’ internal affairs and judicial sovereignty.

9. Colombia

28. In July 2019, a Security Council delegation visited the Cauca Department and met community leaders who expressed concerns about the killing of social leaders. The Security

¹⁵ Opinion No. 20/2019 adopted by the Working Group on Arbitrary Detention at its eighty-fourth session, concerning Mr. Zhen Jianghua and Qin Yongmin (China), 24 April–3 May 2019.



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Agenda items 2 and 5

Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Human rights bodies and mechanisms

Cooperation with the United Nations, its representatives and mechanisms in the field of human rights*, **

Report of the Secretary-General

Summary

In the present report, the Secretary-General highlights activities, policy developments and good practices within the United Nations system and beyond to address intimidation and reprisals against those seeking to cooperate or having cooperated with the United Nations, its representatives and mechanisms in the field of human rights, observations on, and recommendations for addressing and preventing, intimidation and reprisals, and information on allegations of intimidation and reprisal received during the reporting period of 1 May 2020 to 30 April 2021, including follow-up to cases included in previous reports.

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2019, 2018 and 2017 reports of the Secretary-General¹⁰¹ on allegations of the disbarment of three of the lawyers and suspension of one by the Court of Appeal at the request from the Public Prosecutor following their cooperation with the Committee against Torture during the consideration of a special report on Burundi in July 2016 ([CAT/C/BDI/CO/2/Add.1](#), paras. 33 and 34).

13. The lawyers had been previously accused of participating in an insurrectional movement and attempted coup d'état and have been living in exile due to fears of being targeted. According to information received by OHCHR, on 2 February 2021, the Supreme Court's verdict of 23 June 2020 was made public. Mr. Niyongere, Mr. Bashirahishize, and Mr. Nshimirimana were part of a group of twelve individuals sentenced in absentia to life imprisonment for participating in a revolutionary/insurrectional movement and for attempted coup d'état. The judgement, following a trial where the defendants were absent and had no legal representation, also ordered the defendants to pay financial compensation, which included the seizure of financial assets of their families.¹⁰² To date, the lawyers have not obtained a copy of the judgement, making it difficult to challenge it. Moreover, the claimants' attempt to appeal the judgement from abroad has been dismissed.

5. Cameroon

14. The case of civil society organization **Organic Farming for Gorillas Cameroon (OFFGO)** was included in the 2020 report of the Secretary-General¹⁰³ on allegations of reprisals following a communication by special procedures (CMR 3/2019).¹⁰⁴ Allegations included the expulsion from the country of **Mr. Jan Joris Capelle**, a Belgian national and co-founder of the organization, threats against traditional chief, **Mr. Prince Vincent Awazi**, and death threats and attacks against **Mr. Elvis Brown Luma Mukuna**, the organization's lawyer, and his relatives (CMR 5/2019).

15. According to information received by OHCHR, on 26 June 2020, men in military outfits raided OFFGO's offices located in Tudig's Chiefdom Palace, destroying equipment and confiscating documents. As of May 2021, the motive of the raid remains unknown and confiscated documents have not been returned. The case of Mr. Brown Luma Mukuma was documented in the report of the Special Rapporteur on the situation of human rights defenders in 2021 to the Human Rights Council on death threats and killings of human rights defenders ([A/HRC/46/35](#), para. 76), which noted continued threats and physical attacks against his relatives, including as a warning against him to stop his human rights activities.

16. Further, Mr. Brown Luma Mukuma and Mr. Capelle received numerous death threats via telephone between October and December 2020 following their public submission to the Special Rapporteur.¹⁰⁵ A group of individuals in civilian clothes reportedly monitored Mr. Brown Luma Mukuma's house during the holidays in December 2020. These and other incidents have regularly been reported to the National Commission on Human Rights of Cameroon.

6. China

17. The case of human rights lawyer **Ms. Li Yuhan**, who had engaged with UN human rights mechanisms and whose detention was considered arbitrary by the Working Group on Arbitrary Detention,¹⁰⁶ was included in the 2020 and 2019 reports of the Secretary-General.¹⁰⁷

¹⁰¹ [A/HRC/45/36](#), Annex II, para. 10; [A/HRC/42/30](#), Annex II, paras. 13–14; [A/HRC/39/41](#), Annex II, paras. 12–13; [A/HRC/36/31](#), para. 24, Annex I, paras. 11–15.

¹⁰² <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26879&LangID=E>.

¹⁰³ [A/HRC/45/36](#), para. 53, Annex I paras. 21–23.

¹⁰⁴ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34800>.

¹⁰⁵ https://www.ohchr.org/Documents/Issues/Defenders/CFI_killings/submissions/civil-societies/cso-offgo-eng-y.doc.

¹⁰⁶ Opinion No. 62/2018 adopted by the Working Group on Arbitrary Detention at its eighty-second session, concerning Wang Quanzhang, Jiang Tianyong and Li Yuhan (China), 20–24 August 2018.

¹⁰⁷ [A/HRC/45/36](#), Annex II, para. 14; [A/HRC/42/30](#), para. 45 and Annex I, paras. 13, 15.

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Agenda items 2 and 5

Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Human rights bodies and mechanisms

Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

Report of the Secretary-General* **

Summary

In the present report, the Secretary-General highlights activities, policy developments and good practices within the United Nations system and beyond to address intimidation and reprisals against those seeking to cooperate or having cooperated with the United Nations, its representatives and mechanisms in the field of human rights. The report includes observations on and recommendations for addressing and preventing intimidation and reprisals and information on allegations of intimidation and reprisal received during the reporting period of 1 May 2021 to 30 April 2022, including follow-up information on cases included in previous reports.

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6. Cameroon

28. The case of civil society organization **Organic Farming for Gorillas Cameroon (OFFGO)** was included in the 2020 and 2021 reports of the Secretary-General¹⁶² on allegations of reprisals following a communication by special procedures mandate holders (CMR 3/2019).¹⁶³ Reprisals have allegedly included the expulsion from the country of Mr. Jan Joris Capelle, a Belgian national and co-founder of the organization, threats against traditional chief, Mr. Prince Vincent Awazi, and death threats and attacks against Mr. Elvis Brown Luma Mukuna, the organization's lawyer, and his relatives (CMR 5/2019). Incidents have regularly been reported to the National Commission on Human Rights of Cameroon. In her 2021 thematic report, the Special Rapporteur on the situation of human rights defenders noted the continued threats and physical attacks against Mr. Luma Mukuna and his relatives (A/HRC/46/35, para. 76).

29. On 20 April 2022, special procedures mandate holders addressed allegations of continued threats against Mr. Capelle and Mr. Luma Mukuna and a kidnapping attempt by six unidentified armed individuals against Mr. Luma Mukuna on 6 November 2021 (CMR 4/2022). In January and February 2022, following the killing of a prominent lawyer and head of the law firm where Mr. Luma Mukuna works, he reportedly received threats in person and on his phone, including death threats. Unidentified individuals reportedly told him that "he will be next" and urged him to "stop working with Mr. Capelle" and "interacting with the United Nations". According to information received by OHCHR, the recent death threats and kidnapping attempt and the alleged lack of investigation by relevant authorities, coupled with the history of violence against Mr. Capelle, Mr. Luma Mukuna and Mr. Awazi, inflict fear and serious concern about the risk of further reprisals against them for their ongoing engagement with the United Nations.

7. China

30. During the reporting period, special procedure mandate holders addressed and followed up on the arrest, subsequent enforced disappearance and detention of human rights defenders, including in relation to alleged victims of reprisals for cooperation with the United Nations (CHN 2/2022¹⁶⁴) and expressed concern at the continued use of residential surveillance in a designated location.¹⁶⁵ They also addressed arrests and detention of human rights defenders and pro-democracy activists under the 2020 Law of the People's Republic of China on Safeguarding National Security in Hong Kong ("National Security Law"), (CHN 10/2021).¹⁶⁶

31. The case of the **human rights defender network Civil Human Rights Front** was included in the 2021 Secretary-General report on reprisals,¹⁶⁷ on allegations that it was placed under police investigation, inter alia, for having sent a joint letter to the United Nations High Commissioner for Human Rights, further to which the head of the network **Mr. Figo Hu-Wun Chan** received a formal letter of inquiry about the purpose of the letter. The Government's reply of 20 August 2021, included in the 2021 Secretary-General report, noted in relation to the Civil Human Rights Front that the organization had allegedly violated the registration requirements under section 5 of the Societies Ordinance and that Mr. Figo Hu Wun Chan had been sentenced to 18 months' imprisonment after he had pleaded guilty to "inciting others to knowingly take part in an unauthorized assembly" on 1

¹⁶² A/HRC/45/36, para. 53, Annex I paras. 21–23 and A/HRC/48/28, Annex II paras. 14–16.

¹⁶³ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34800>.

¹⁶⁴ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36931>.

¹⁶⁵ A/HRC/48/57, para. 71.

¹⁶⁶ <https://www.ohchr.org/en/press-releases/2021/11/hong-kong-arrests-under-security-law-are-serious-concern-un-experts-call>.

¹⁶⁷ A/HRC/48/28, para. 56, Annex I, para. 26.



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November 2021 and April 2023. The Government also provided information on the status of various criminal proceedings.

5. Burundi

23. On 7 October 2022, the Human Rights Council adopted resolution 51/28 calling upon the Government to refrain from acts of intimidation or reprisal against human rights defenders, including those who are cooperating with international human rights mechanisms and the Human Rights Council (A/HRC/RES/51/28, OP 7).

24. The cases of human rights lawyers **Mssrs. Armel Niyongere, Dieudonné Bashirahishize, Vital Nshimirimana and Lambert Nigarura** have been included since 2017 in the reports of the Secretary-General³³ on allegations of the disbarment of three of the lawyers and suspension of one following their cooperation with the Committee against Torture during the consideration of a special report on Burundi in July 2016.³⁴

25. Mssrs. Niyongere, Bashirahishize and Nshimirimana were among individuals previously accused of participating in an insurrectional movement and attempted coup d'état. They were sentenced in absentia to life imprisonment and ordered to pay financial compensation (A/HRC/51/44, para. 83), which reportedly involved the seizure of financial assets and properties of their families. According to information received by OHCHR, as of 30 April 2023 the three lawyers have not been able to obtain a copy of the Supreme Court's judgement issued in February 2021, impeding their efforts to challenge it. Mssrs. Niyongere, Bashirahishize and Nshimirimana remain in exile due to fear of further reprisals.

6. Cameroon

26. The case of civil society organization **Organic Farming for Gorillas Cameroon (OFFGO)** has been included since 2020 in the Secretary-General reports³⁵ on allegations of reprisals following a communication by special procedures mandate holders (CMR 3/2019). Special procedures mandate holders³⁶ have addressed, on several occasions allegations, alleged reprisals against OFFGO members, including the expulsion from the country of **Mr. Jan Joris Capelle**, a Belgian national and co-founder of the organization, threats against **Mr. (Prince) Vincent Awazi**, a traditional chief; and death threats and attacks against **Mr. Elvis Brown Luma Mukuna**, the lawyer of OFFGO, and his relatives. In her 2021 report,³⁷ the Special Rapporteur on the situation of human rights defenders addressed the case of Mr. Luma Mukuna and his relatives.

27. On 10 October 2022, the Government responded³⁸ to mandate-holders (CMR 4/2022), providing information related to the inquiries by the General Prosecutor of the North-West region on the situation of Mr. Luma Mukuna and the legal proceedings involving Mr. Capelle. In her 2023 report to the Human Rights Council, the Special Rapporteur on the situation of human rights defenders³⁹ noted OFFGO's case, highlighting the important support of the diplomatic community in the country. According to information received by the OHCHR, on 12 July 2022, Mr. Capelle received two summons to appear before the Court of Mbengwi on 5 and 22 October 2022. However, when he submitted his visa application on 18 August 2022 to the embassy of Cameroon in Belgium, the request was denied. Due to the

³³ A/HRC/36/31, Annex I, paras. 11–15; A/HRC/39/41, Annex II, paras. 12–13; A/HRC/42/30, Annex II, paras. 13–14; A/HRC/45/36, Annex II, para. 10; A/HRC/48/28, Annex II, para. 13; A/HRC/51/47, Annex II paras. 26–27.

³⁴ CAT/C/BDI/CO/2/Add.1, paras. 33 and 34. See also INT_CAT_RLE_BDI_24877_F and INT_CAT_RLE_BDI_24878_F.

³⁵ A/HRC/45/36, Annex I para. 53, Annex II paras. 21–23; A/HRC/48/28, Annex II paras. 14–16; A/HRC/51/47, Annex II paras. 28 and 29.

³⁶ CMR 4/2022, CMR 5/2019.

³⁷ A/HRC/46/35, para. 76.

³⁸ See government reply at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37222>.

³⁹ A/HRC/52/29 para. 107.

situation, the Court in Mbengwi postponed the case to February and March 2023. As of 30 April, Mr. Capelle had not been able to obtain a visa to travel to Cameroon to honour the court summons. Mr. Capelle and Mr. Luma Mukuna and his relatives continued to receive threatening messages and calls during the period. On 1 February 2023, Mr. Luma Mukuna reportedly received a call from an unidentified individual with death threats and a warning that his house was under surveillance and that there were instructions to kidnap a close relative. Mr. Luma Mukuna reported the incident to the police on the same day. Due to the ongoing security risks, Mr. Luma Mukuna and his family have temporarily relocated to a safer location.

7. China

28. The case of the human rights defender network **Civil Human Rights Front** was included in the 2021 and 2022 Secretary-General reports on reprisals,⁴⁰ on allegations that it was placed under police investigation, inter alia, for having sent a joint letter to the United Nations High Commissioner for Human Rights, further to which the head of the network, **Mr. Figo Hu-Wun Chan**, received a formal letter of inquiry about the purpose of the letter. The Government's reply of 20 August 2021, included in the 2021 Secretary-General report, noted that the organization had allegedly violated the registration requirements and that Mr. Figo Hu Wun Chan had been sentenced to 18 months' imprisonment after he had pleaded guilty to "inciting others to knowingly take part in an unauthorized assembly" on 1 October 2019. Civil Human Rights Front publicly announced its disbandment in August 2021. According to information received by OHCHR, Mr. Figo Hu Wun Chan was released from prison in October 2022 after having served his full sentence.

29. The case of **Mr. Shen Youlian**, human rights defender in Guizhou province, was included in the 2021 and 2022 report of the Secretary-General⁴¹ on allegations that he had been administratively detained for 10 days following his posting of an open online letter to the High Commissioner. According to information received by OHCHR, on 10 December 2022, Mr. Shen Youlian was reportedly forced by Guiyang State security officials to leave his town for three days, and hence he was allegedly prevented from publicly observing Human Rights Day. Reportedly, he was also closely monitored by police on 3 March 2023, during the time the National People's congress was in session.

30. The case of a human rights defender against gender-based violence and for labour rights, **Ms. Li Qiaochu**, was included in the 2021 and 2022 report of the Secretary-General⁴² on allegations that her detention was a reprisal for meeting online with two experts from the Working Group on Enforced or Involuntary Disappearances in September 2020.⁴³ On 28 February 2022, Ms. Li Qiaochu was indicted for "inciting subversion of state authority." According to information received by OHCHR, Ms. Li Qiaochu met her lawyer for the first time on 17 March 2022. She has been reportedly held at the Linyi Detention center in Shandong province for over two years awaiting to stand trial. Reportedly, she has been held in a crowded cell with 15 other people. Reportedly, she continued to experience side effects from improper drug medication and her repeated applications for family visits have been rejected.

31. The case of human rights lawyer **Ms. Li Yuhuan**, who had engaged with UN human rights mechanisms and whose detention was considered arbitrary by the Working Group on Arbitrary Detention,⁴⁴ was included in the reports of the Secretary-General since 2019.⁴⁵ According to information received by OHCHR, Ms. Li Yuhuan was tried for the charges of "picking quarrels and provoking trouble" and "fraud" in October 2021 and remains in pre-trial detention at the Shenzang No. 1 Detention Center, awaiting sentencing since 9 October

⁴⁰ A/HRC/48/28, para. 56, Annex I, para. 23; A/HRC/51/47, Annex II, para. 31.

⁴¹ A/HRC/48/28, para. 57, Annex I, para. 25; A/HRC/51/47, Annex II, paras. 34 and 35.

⁴² A/HRC/48/28, para. 58, Annex I, para. 26; A/HRC/51/47, Annex II, paras. 36–38.

⁴³ See also CHN 4/2021.

⁴⁴ A/HRC/WGAD/2018/62, paras. 59, 62, 77–78.

⁴⁵ A/HRC/42/30, para. 45 and Annex I, paras. 13, 15, A/HRC/45/36, Annex II, para. 14; A/HRC/48/28, para. 59, Annex II, para. 17; A/HRC/51/47, Annex II, para. 39.



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**Annual report of the United Nations High Commissioner
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the High Commissioner and the Secretary-General**

Human rights bodies and mechanisms

Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

Report of the Secretary-General^{*} ^{}**

Summary

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upon the Government to refrain from acts of intimidation or reprisal against human rights defenders, including those cooperating with international human rights mechanisms and the Human Rights Council ([A/HRC/RES/54/20](#), OP 7).

7. Cameroon

48. The case of civil society organization Organic Farming for Gorillas Cameroon (OFFGO) has been included since 2020 in the Secretary-General's reports⁴⁵ on allegations of reprisals following a communication by special procedures mandate holders.⁴⁶ Alleged reprisals against OFFGO members have included the expulsion of **Mr. Jan Joris Capelle**, a Belgian national and co-founder of the organization, from Cameroon in 2019; threats against **Mr. (Prince) Vincent Awazi**, a traditional chief; and death threats, surveillance and attacks against **Mr. Elvis Brown Luma Mukuna**, the lawyer of OFFGO, and his relatives. Mandate holders⁴⁷ have addressed the allegations, to which the Government has responded.⁴⁸

49. According to information received by OHCHR, on 23 June 2023, the Examining Magistrate at the High Court of Momo (Mbengwi) issued a "no case ruling" in the preliminary inquiry into Mr. Capelle's case and consequently closed the case.⁴⁹ **Mr. Elvis Brown**, legal counsel of Mr. Capelle, received the Service Order with the no case ruling dated 30 June on 8 September, which did not allow for an appeal within the 48 hours following the date of service of the ruling, as established by law.

50. On 20 September 2023, Mr. Brown addressed the General Prosecutor of the North-West Region urging the opening of a new investigation into the case and requesting adequate application of the Code of Criminal Procedure by the competent judicial authorities. On 13 December 2023, Mr. Brown was notified of the continuation of the case by the High Court of Momo and, on 6 February 2024, he attended the first hearing before the Examining Magistrate. On 7 February 2024, **Mr. Capelle** received a summons to appear before the Court for the next hearing. On 17 May 2024, Mr. Capelle was granted a visa to travel to Cameroon.

51. Between June and September 2023, Mr. Brown's house in Bamenda has reportedly continued to be under surveillance by unknown individuals in civilian clothes. When approached, they immediately drive away. Mr. Brown has no evidence or information that this is part of the protection measures by the authorities, and competent local police and judicial authorities allegedly denied any connection with this surveillance. As a result, Mr. Brown and his family live in constant fear and distress.

52. On 5 July 2024, the Government responded to the note verbale sent in connection to the present report noting that Mr. Brown and Mr. Capelle had never been intimidated in any way. The Government stated further that Mr. Brown had not been able to demonstrate the surveillance he allegedly been put under due to the legal assistance he had provided to Mr. Capelle neither the implication of the public authorities in the alleged surveillance. The Government noted that, despite the lack of a complaint by Mr. Brown before the competent judicial authorities, the Prosecutor General had initiated ex officio an investigation into the alleged surveillance and intimidation against him.

53. Regarding Mr. Capelle, the Government noted that his removal from Cameroon had been carried out in coordination with the Belgian Embassy in Cameroon, who had contacted him to protect him from threats against his personal safety from the local population with whom he had very tense relations. The Government affirmed its sovereign right to determine eligibility to enter the country noting that it had taken the measure for reasons of security and public order until calm had been restored. It further noted that this was the reason why Mr.

⁴⁵ [A/HRC/45/36](#), Annex I para. 53, Annex II paras. 21–23; [A/HRC/48/28](#), Annex II paras. 14–16; [A/HRC/51/47](#), Annex II paras. 28 and 29; [A/HRC/54/61](#), Annex II paras. 26–27.

⁴⁶ [CMR 3/2019](#).

⁴⁷ [CMR 5/2019](#); [CMR 4/2022](#).

⁴⁸ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34800>
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37222>.

⁴⁹ [A/HRC/54/61](#), Annex II para. 26.

Capelle had been granted a visa on 17 May 2024 so he could assert his right to legal access to justice in Cameroon in a peaceful atmosphere.

8. China

54. The case of **two members of the international legal team supporting Jimmy Lai and his son Sebastian Lai** was included in the 2023 report of the Secretary-General⁵⁰ on allegations that their statements at the Human Rights Council were considered by the Government of Hong Kong Special Administrative Region as intended to interfere with or obstruct the course of justice and could very likely constitute a criminal offence, according to a public statement the Government had made in reaction to their presentation. During the reporting period, the legal team's family members reportedly received threats over email and social media, while the international legal team continued to receive death and rape threats and to suffer repeated attempts by unknown sources to hack their email and bank accounts.

55. The case of a human rights defender against gender-based violence and for labour rights, **Ms. Li Qiaochu**, was included in the 2021, 2022 and 2023 report of the Secretary-General⁵¹ on allegations that her detention was a reprisal for meeting online with two experts from the Working Group on Enforced or Involuntary Disappearances in September 2020.⁵² On 28 February 2022, Ms. Li Qiaochu was indicted for "inciting subversion of state authority." According to information received by OHCHR, Ms. Li Qiaochu was tried on 19 December 2023, for this crime by a court in Linyi, Shandong Province. Reportedly her two lawyers were denied access to the courtroom. On 5 February 2024, the court announced Ms. Li's sentence of three years and eight months in prison. Due to time already served, her sentence is reportedly set to end on 2 August 2024.

56. The case of human rights lawyer **Ms. Li Yuhuan**, who had engaged with UN human rights mechanisms and whose detention was considered arbitrary by the Working Group on Arbitrary Detention,⁵³ has been included in the reports of the Secretary-General since 2019.⁵⁴ Reportedly, Ms. Li Yuhuan was held in pre-trial detention at the Shenyang No. 1 Detention Centre since 9 October 2017 on charges of "picking quarrels and provoking trouble" and "fraud", until her trial in October 2021. On 21 July 2023, special procedures mandate holders addressed her arbitrary detention, related violations of due process guarantees and her reported ill treatment and state of health (CHN 11/2023). On 25 September 2023, the Government replied to mandate holders⁵⁵ According to information received by OHCHR, on 24 March 2024, she was released from prison after having served the full term of her sentence of six and a half years. She is reportedly in poor health and in need of medical care. Reportedly, on 15 April 2024 she travelled to Beijing to seek medical treatment and had to move out of her place of residence due to alleged pressure by police on her host.

57. The case of **Ms. Xu Yan**, who reportedly had been targeted for engaging with UN human rights mechanisms, has been included in the reports of the Secretary-General since 2019,⁵⁶ in relation to her interrogation for her campaign for the release of her detained husband, **Mr. Yu Wensheng**, a human rights lawyer whose detention was considered arbitrary by the Working Group on Arbitrary Detention⁵⁷ (CHN 5/2018).⁵⁸ On 1 March 2022, Mr. Yu Wensheng was reportedly released after completing a four-year sentence. According

⁵⁰ A/HRC/54/61, Annex I paras. 26–32.

⁵¹ A/HRC/48/28, para. 58, Annex I, para. 26; A/HRC/51/47, Annex II, paras. 36–38; A/HRC/54/61, Annex II para. 30. 58, Annex I, para. 26; A/HRC/51/47, Annex II, paras. 36–38; A/HRC/54/61, Annex II para. 30.

⁵² See also CHN 4/2021.

⁵³ A/HRC/WGAD/2018/62, paras. 59, 62, 77–78.

⁵⁴ A/HRC/42/30, para. 45 and Annex I, paras. 13, 15, A/HRC/45/36, Annex II, para. 14; A/HRC/48/28, para. 59, Annex II, para. 17; A/HRC/51/47, Annex II, para. 39; A/HRC/54/61, Annex II, para. 31.

⁵⁵ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37731>.

⁵⁶ A/HRC/4 2/30, para. 45 and Annex I, paras. 13, 17, A/HRC/45/36, Annex II, para. 16; A/HRC/48/28, para. 59, Annex II, para. 19; A/HRC/51/47, Annex II, para. 40; A/HRC/54/61, Annex II, para. 32.

⁵⁷ A/HRC/WGAD/2019/15 paras. 30, 38, 49 and 50.

⁵⁸ See government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33962>.

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Agenda items 2 and 5

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of
the High Commissioner and the Secretary-General****Human rights bodies and mechanisms****Cooperation with the United Nations, its representatives and
mechanisms in the field of human rights****Report of the Secretary-General^{*} ^{**}***Summary*

In the present report, the Secretary-General highlights activities, policy developments and good practices within the United Nations system and beyond to address intimidation of and reprisals against those seeking to cooperate or having cooperated with the United Nations, its representatives and mechanisms in the field of human rights. The report includes observations on and recommendations for addressing and preventing intimidation and reprisals, and information on allegations of intimidation and reprisals received during the period of 1 May 2024 to 30 April 2025, including follow-up information on cases included in previous reports.

^{*} The present report was submitted to the conference services for processing after the deadline for technical reasons beyond the control of the submitting office.

^{**} The annexes to the present document are circulated as received, in the language of submission only.

from abroad. Some of them were subjected to “special criminal proceedings.”²⁵ Notably, on 17 June and 16 July 2024, Mr. Leanid Sudalenka and Ms. Alena Masliukova were sentenced in absentia to terms of imprisonment.

32. On 16 July 2025, the Government responded to the note verbale sent in connection with the present report noting that allegations that the criminal prosecution of the individuals listed in Annex II were prompted by their cooperation with the UN are inappropriate and invalid, and stating that allegations that an atmosphere of fear, repression and intimidation in the country hinders cooperation with the UN are biased and unfounded.

5. Cameroon

33. The cases of **Ms. Maximilienne Ngo Mbe** and **Ms. Alice Nkom** of Central Africa Human Rights Defenders Network (REDHAC) were included in the 2018 and 2019 report of the Secretary-General.²⁶ These individuals suffered physical attacks, intimidation and harassment reportedly in connection to their cooperation with the Human Rights Committee during the review of Cameroon in October 2017. On 26 October 2017, five special procedure mandate holders addressed their situation (CMR 5/2017), and on 11 July 2017 the Government responded affirming that Ms. Ngo Mbe and Ms. Nkom have never been persecuted for their human rights work or cooperation with the UN and requested further detail about the allegations.²⁷

34. During the reporting period, REDHAC actively engaged with the United Nations, particularly in the context of the review by the Committee against Torture and the Human Rights Committee of the 6th periodic reports of Cameroon under their respective Conventions.

35. On 19 September and 11 October 2024, respectively, REDHAC’s joint reports²⁸ submitted for the adoption of the list of issues prior to the review of 6th periodic report of Cameroon under the ICCPR and for the review of the 6th period report under CAT, were made public on the OHCHR website. Prior to that, on 4 and 5 September 2024, REDHAC had co-organised, with the OHCHR Treaty Body Capacity Building Programme and several civil society organizations a workshop in Yaoundé on the drafting of alternative reports in the context of the Lists of Issues Prior to Reporting for the Human Rights Committee, ensuring the participation of a broad range of civil society actors from all regions of the country. During the reporting period, the Human Rights Committee received and considered allegations of reprisals against REDHAC and its leadership reportedly for cooperation with the Committee.

36. According to information received by OHCHR, on 6 December 2024, the Ministry of Territorial Administration issued a decree suspending the activities of REDHAC for three months,²⁹ and subsequently issued an order banning the organization.³⁰ On 9 December, the doors of REDHAC’s offices were sealed by the authorities and its lawyers filed an administrative appeal.

37. On 20 and 22 January 2025 respectively, Ms. Nkom was summoned by the relevant authorities in connection with investigations into alleged “attempts to undermine State security”, “financing terrorism” and “breaking the seals” of REDHAC’s office. A week later, Ms. Nkom and Ms. Ngo Mbe were summoned to appear before the Court of First Instance of Douala-Bonanjo in relation to the offence of “breaking of seals.” Under Article 191 of the Penal Code, “breaking of seals” carries potential penalties of 6 months to 2 years of imprisonment and a fine ranging from 50,000 to 500,000 FCFA (around 80 to 870 USD). The hearing, initially scheduled for 7 April 2025, was postponed to 2 June 2025. Reportedly,

²⁵ Articles 468-25 and 468-28, Chapter 49-3 of the Criminal Procedure Code.

²⁶ A/HRC/39/41, para. 31, and Annex I, paras. 7–8; A/HRC/42/30, Annex II, paras 15-16.

²⁷ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34200>.

²⁸ https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FICS%2FCMR%2F59851&Lang=en.

²⁹ <https://x.com/MinatDivcom/status/1865451597515346303>. See ARRETE N°000121/A/MINAT.

³⁰ See ARRETE N°000122/A/MINAT.

the accusations of “rebellion,” “attempting to undermine State security” and “financing of terrorism”, remain under investigation at the Secretariat of State for Defence (SED) and have not yet resulted in formal judicial charges or court proceedings against Alice Nkom or Maximilienne Ngo Mbe.³¹

38. The case of the civil society organization **Organic Farming for Gorillas Cameroon** (OFFGO) has been included since 2020 in the Secretary-General’s reports³² on allegations of reprisals following a communication by special procedure mandate holders (CMR 3/2019). Alleged reprisals against OFFGO members have included the expulsion of **Mr. Jan Joris Cappelle**, a Belgian national and co-founder of the organization, from Cameroon in 2019; threats against **Mr. (Prince) Vincent Awazi**, a traditional chief; and death threats, surveillance and attacks against **Mr. Elvis Brown Luma Mukuna**, the lawyer of OFFGO, and his relatives. Mandate holders have addressed the allegations (CMR 5/2019 and CMR 4/2022), to which the Government has responded.³³ Reportedly, in June 2023, the Examining Magistrate at the High Court of Momo (Mbengwi) issued a “no case ruling” in the preliminary inquiry into Mr. Cappelle’s case and consequently closed the case.³⁴ On 20 September 2023, Mr. Brown addressed the General Prosecutor of the North West Region urging the opening of a new investigation into the case. In December 2023, he was notified by the High Court of Momo of the continuation of the proceedings. In May 2024, Mr. Cappelle was granted a visa to travel to Cameroon to attend hearings before the Court of First Instance of Mbengwi.

39. According to information received by OHCHR, on the evening of 29 May 2024, Mr. Cappelle was reportedly arrested upon arrival at Yaoundé Nsimalen airport on the basis of a 2016 arrest warrant, and was released later that same evening. Reportedly, in July 2024, due to security concerns, the case file was transferred from the Courts in Mbengwi to the High Court of Mezam, in Bamenda, North-West Region. Mr. Cappelle appeared before the Examining Magistrate of the High Court of Mezam on multiple occasions between July 2024 and June 2025, during which he was reportedly under surveillance.

40. According to information received by OHCHR, threats and attacks against Mr. Brown, legal counsel of Mr. Cappelle, continued during the reporting period. These included an attempted break-in at his residence on 15 July 2024, the presence of unknown armed individuals searching for a lawyer near his location on 8 September 2024, and threatening phone calls received on 15 February 2025. Reportedly, during the call he was told he was “a very stubborn lawyer who needs punishment” and that he had been “warned repeatedly.”

6. China

41. The case of **two members of the international legal team supporting Jimmy Lai and his son Sebastian Lai** was included in the 2023 and 2024 report of the Secretary-General³⁵ on allegations that their statements at the Human Rights Council were considered by the Government of Hong Kong Special Administrative Region (HKSAR) as intended to interfere with or obstruct the course of justice and could very likely constitute a

³¹ These charges carry particularly severe penalties under Article 3 and 4 of Cameroon’s 2014 anti-terrorism law, including life imprisonment and the offence of rebellion, under Article 157 of the Penal Code, is punishable by imprisonment penalties from 3 months to 4 years.

³² A/HRC/45/36, Annex I para. 53, Annex II paras. 21–23; A/HRC/48/28, Annex II paras. 14–16; A/HRC/51/47, Annex II paras. 28 and 29; A/HRC/54/61, Annex II paras. 26–27; A/HRC/57/60, Annex II paras. 48–53.

³³ See Government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27212> and <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37222>.

³⁴ A/HRC/54/61, Annex II para. 26.

³⁵ A/HRC/57/60, Annex II, para. 54; A/HRC/54/61, Annex I paras. 26–32.