



Switzerland  
Via email

26 August 2021

Ambassador Linda Thomas-Greenfield  
U.S. Mission to the United Nations  
799 United Nations Plaza  
New York, NY 10017  
United States of America

Your Excellency,

I am writing to correct misinformation apparently provided by the U.N. Secretariat to the U.S. Delegation regarding my case. The statement provided by your spokesperson to Fox News almost exactly copy-pastes a false statement made to me by the current Deputy High Commissioner for Human Rights in June 2020, when she sought to intimidate me into silence about the U.N. Human Rights Office's dangerous policy of providing advance information to the Chinese delegation about specific human rights defenders planning to attend meetings of U.N. human rights mechanisms.

I will, for your ease of reference, respond to your spokesperson's statement line by line, in order to address the multiple falsities as clearly as possible.

***"Until 2015, the U.N. Office of the High Commissioner for Human Rights (OHCHR) allowed U.N. Member States to request information regarding their nationals who might be attending U.N. meetings."***

This statement is incorrect on two grounds:

1. This has never been a general policy. The information was refused to the Turkish delegation in September 2012, for example, while being granted to Beijing. This was an exceptional "favor" (the Chinese delegate's word), just for Beijing. The Chinese delegation and the U.N. Human Rights Office were both fully aware that this was not standard practice, but an exception to standard practice. See Annex 1.
2. Beijing requested and was given information about nationals and residents of other countries, including the U.S. I provided a list of eight U.S. nationals and residents impacted by the policy to your Geneva delegation in October 2019. For example, in September 2012, the name of He Geng was handed over without her knowledge or consent, at a time when her husband, Gao Zhisheng, was in secret, arbitrary detention. See Annex 2.

Interestingly, this is, to my knowledge, the first time the U.N. has acknowledged that the secret policy applied also to other U.N. meetings than the Human Rights Council. This is likely because I uncovered and reported evidence that it also applied to treaty bodies in 2020. That report of wrongdoing remains, of course, without response.

***"As we understand it, this practice was not formally codified by OHCHR"***

While this statement is true, the reason for the lack of codification is that the policy directly breached the explicit, written rule set by member states. In Human Rights Council Resolution 5/1, the Council decided that, unless its new rules of procedure specified an exception, the practices of the former Commission on Human Rights would apply (Rule of Procedure 7(a)). Those practices include the following:

"Whenever any Government participating in the work of the Commission requests the secretariat to verify or confirm the accreditation of any particular NGO representative(s), immediate action is taken in this regard and the results of the verification are publicly reported by the secretariat to the plenary of the Commission or brought to the attention of the Expanded Bureau of the Commission."<sup>1</sup>

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<sup>1</sup> Main rules and practices followed by the Commission on Human Rights in the organization of its work and the conduct of business (Note by the Secretariat, doc.E/CN.4/2001/CRP.1), in Compilation of recent documents in relation to the enhancement of the working methods of the Commission on Human Rights (1999 – 2005), at <http://www.ohchr.org/Documents/HRBodies/HRCouncil/CompilationDocuments1999-2005.pdf>, p.28, para 42.

The rule is clear. Any member state seeking such information must make the request in front of other member states so that they may object if necessary, and so that human rights activists are aware of the request. This is an issue for member states, and not UN staff, to decide.

***"and confirmation of attendance by NGOs or human rights defenders was only disclosed if the information was already in the public domain,"***

This statement is false. As just one example, the information that Dolkun Isa, a German citizen, had applied for accreditation to the Human Rights Council was not in the public domain in March 2013 when his name was handed to China. He very kindly testified to that in court. See Annex 3.

Similarly, none of the U.S. citizens and residents had made their plans public prior to their names being handed over. This was simply not checked - the policy was to hand over names within hours of the request. I would suggest that, if the U.N. claims the information was public, it provide a link or reference to where it was public and evidence that this was at any stage verified prior to transmission of names.

***"We understand this practice ceased when new rules were put into place in 2015,"***

There was no change to the rules governing participation of human rights activists in the Human Rights Council or in the work of treaty bodies in 2015. These rules are public.

In October 2016, I was refused whistleblower status explicitly on the basis that this policy remained in place, and thus that, because of a presumption of infallibility of U.N. managers, it could not constitute misconduct. In February 2017, when a third party leaked documents in my case online, the U.N. put out a press release in which it admitted the policy continued. See Annex 4. This was no mere error; the alleged "correctness" of the presentation of the ongoing policy was reiterated to me by the then High Commissioner in an internal memo over a month later. See Annex 5. Following public criticism, the U.N. spokespersons then adopted a strategy of openly lying and claiming that no such policy had ever existed. The U.N. position in ongoing court cases is that this remains policy. My cross-examination on the issue in 2019 related entirely to a claim by U.N. lawyers, echoing a 2013 claim when I first discovered the policy, that the list of participants in the Human Rights Council is somehow public weeks or months in advance, and thus that the Chinese delegation's request for a "favor" cannot be resisted. See Annex 6 for a transcript of my cross-examination.<sup>2</sup> Even the demand that I be investigated, dated 4 January 2021, admits the truth of my reports, and does not request an investigation into me for lying. I am accused merely of telling the truth in public when confidential reports, including to the U.S. from late 2013, were unsuccessful because diplomatic delegations have, in all cases, simply asked the U.N. for its latest position and repeated that to me and to their Foreign Ministers despite unambiguous, written evidence of its falsity. The diplomatic convention of never meeting U.N. staff cannot apply when staff blow the whistle on precisely the managers to whom diplomats are speaking.

***"and we have no reason to believe that is not the case."***

The clear inconsistencies in the U.N.'s public and internal positions outlined above must throw doubt on whether this latest position is true. When the Deputy High Commissioner orally made the statement to me that was repeated to you, I pointed out that the new claim the policy changed in 2015 directly contradicted the UN's court position, and invited her to "correct" the court position if she claimed this new statement to be true. She declined to do so. As you are aware, U.N. staff face no consequences for lying in public or to member states as long as they do so with permission, but there could be consequences for lying to the U.N. Tribunals.

The U.N. has simply ignored all written requests from the victims of this policy and from me to know whether it continues. A diplomatic delegation would not have motivation or legal standing to sue the U.N. for lying to it, but a judge may well admit a case from a victim or whistleblower.

As you know, when the Dutch Foreign Minister repeated the U.N. position to the Dutch parliament in September 2018, I exercised my legal rights to ensure correction of false information. I later won a court case against the Foreign Minister, requiring further public correction by the Dutch Ambassador to the U.N. That is the only time any court has ever examined the evidence. The U.N.'s internal court determined it does not have jurisdiction to do so. The only possible method to find out the truth is to now insist on the external, independent investigation I have been requesting since 2013.

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<sup>2</sup> You may listen to the tape to verify accuracy here: <https://unintegrity.org/whistleblowing/>

There is, in addition, one part of the Deputy High Commissioner's statement to me that was not repeated in your spokesperson's statement to Fox News. I do not know whether it was repeated to the U.S. delegation when you reached out to the U.N. That statement is as follows:

*"at all times, the decision as to whether or not to confirm names of well-known activists shortly before the Human Rights Council sessions was and would remain a matter within the discretion of the Human Rights Council Branch of OHCHR."*

The position of the U.N. Human Rights Office therefore remains that it is within the entire discretion of the Chief of the Human Rights Council Branch, who instituted this policy in 2006, kept it secret from member states until I reported it in 2013, and openly lied to member states in response to my reports, falsely claiming that it had never happened, to decide whether or not to keep doing this "favor" for the Chinese delegation. The names on the Chinese delegation's list have on every occasion I have seen them included at least one U.S. citizen or resident. It cannot be acceptable that the U.N. Human Rights Office continues to claim an absolute right to transmit their names to the Chinese government without their knowledge or consent, and without informing the U.S. delegation.

It is vital that human rights activists have confidence that they will not be deliberately exposed to danger by the U.N. Human Rights Office if they apply to participate in U.N. human rights mechanisms, but that confidence must be based in truth, and not a strategy of disinformation and defamation of any whistleblower who dares to speak out. The U.N. has spent millions of dollars, primarily U.S. taxpayer funds, on covering up this dangerous policy. An independent, external investigation would cost a mere fraction of what has already been spent on the cover-up and resolve the public inconsistencies in the U.N.'s story and, hopefully, result in a change of policy to finally ensure respect of the rule set by member states. While some rare colleagues did provide me evidence of the policy continuing, all have said that my treatment means they are too scared to provide evidence to member states or, if that fails, the public. I call on you to insist that the U.N. allow a credible, transparent, external investigation to ensure the safety of the families of human rights activists brave enough to speak out.

I reiterate my request to meet with you or one of your colleagues to discuss this issue. I hope it is now evident that merely repeating each contradictory statement of the U.N. is insufficient to ensure protection of human rights activists, including U.S. citizens.

I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Reilly". To the left of the signature is a simple line drawing of a pen nib pointing to the right.

Emma Reilly

**Annex 1 - Chinese delegation request for a "favor"**

Re: Chinese mission - request

[REDACTED]

Mon 18/06/2012 11:45

To: [REDACTED]

Cc: [REDACTED]

[REDACTED]

Dear [REDACTED]

I have added the status after each name, only one has been accredited - twice!!!

Best

[REDACTED]

[REDACTED]

Dear [REDACTED]

Please see below the list of names the Chinese delegation asked us to give the status on.

When you are a bit freer today-tomorrow, could you let me know if accreditation requests were received for these individuals and badges collected.

[REDACTED]

[REDACTED]

**NGO Liaison Officer**

Civil Society Section

Office of the United Nations High Commissioner for Human Rights

[REDACTED]

[REDACTED]

Web: [www.ohchr.org](http://www.ohchr.org)

**Street Address:** Palais Wilson, 52 rue des Pâquis, Geneva

**Mailing Address:** Palais des Nations, CH-1211 Geneva 10, Switzerland

----- Forwarded by [REDACTED] OHCHR on 18/06/2012 10:48 -----

From: "杨传辉" <yang\_chuanhui@mfa.gov.cn>

To: [REDACTED]

18/06/2012 10:16

[REDACTED]

Annex 1 - Chinese delegation request for a "favor"

Dear [REDACTED],

I am [REDACTED] of the Chinese mission. How are you recently? You still remember last time you requested me to provide you some contact information of Chinese NGOs so that you can send them the Chinese version of NGO handbook? I have reported this back to the capital. They told me that they will send us a list. You can also send some handbooks to my mission, we will facilitate circulating them to the NGOs. The address of my mission is: Chemin de Surville 11, 1213 Petit-Lancy.

Except for that, I also need you to do me a favor. Could you please check whether the persons I list below have got accreditation for the 20th session of the Human Rights Council?

1、 [REDACTED]  
Not accredited so far

2、 Dolkun ISA  
Accredited with [REDACTED]

3、 [REDACTED]  
Not accredited so far

4、 [REDACTED]  
Not accredited so far

5、 [REDACTED]  
Not accredited so far

6、 [REDACTED]  
Not accredited so far

7、 [REDACTED]  
Not accredited so far

8、 [REDACTED]  
Not accredited so far

9、 [REDACTED]  
Not accredited so far

10、 [REDACTED]  
Not accredited so far

11、 [REDACTED]  
Not accredited so far

If you have any information, please contact me through email or at [REDACTED]. See you next week!

Kind regards,

Re: NGO accreditation

[REDACTED]

Fri 07/09/2012 16:41

To: 璦陈 <chencan721@[REDACTED]>

Cc: REILLY Emma <ereilly@ohchr.org>;

Categories: Folder: Emma Reilly (Archive)\~INBOX

📎 1 attachments (83 bytes)

@;

Dear Can,

As per your request, kindly be advised that Dolkun Isa and He Geng were accredited by [REDACTED] for the 21st session of the Human Rights Council.

Best regards,

[REDACTED]

**NGO Liaison Officer**

Civil Society Section

Office of the United Nations High Commissioner for Human Rights

[REDACTED]

[REDACTED]

Web: [www.ohchr.org](http://www.ohchr.org)

**Street Address:** Palais Wilson, 52 rue des Pâquis, Geneva

**Mailing Address:** Palais des Nations, CH-1211 Geneva 10, Switzerland

From: 璦陈 <chencan721@hotmail.com>

[REDACTED]

Date: 07/09/2012 09:57

Subject: NGO accreditation

Dear [REDACTED]

How is everything going? Are you still responsible for NGO liaison during this session?

Following the usual practice, could you kindly help me to check whether the persons on the attached list are requesting the accreditation of the 21st session of the HRC? My delegation has some security concern on these persons.

Thanks for your kindly assistance in advance.

CHEN Can  
Chinese Mission to the UNOG

**Witness Statement of Mr. Dolkun Isa**

I Dolkun Isa make the following statement which is the truth, the whole truth and nothing but the truth:

1. My name is Dolkun Isa, I (am the president of the World Uyghur Congress and) was part of the delegation which attended the 22<sup>nd</sup> session of the Human Rights Council in Geneva in 2013 on behalf of the Society for Threatened Peoples.
2. My attention has been drawn to a press release from the United Nations Office of the High Commissioner for Human Rights dated 2 February 2017 which talks about the treatment of delegates names who were attending the 2013 Human Rights Council. I understand that the NGO referred to in the Press Release is the World Uyghur Congress.
3. I can confirm that our NGO did not release the names of individuals who would be attending the 2013 Human Rights Council ahead of the event. The OHCHR press release refers to a press release from our NGO from 27 December 2012. I can provide a link to that press release,<sup>1</sup> it did not mention the names of the participants who would take part in the announced event and did not mention participation in the Human Rights Council. We did not release the names of the individuals from our NGO who would be attending ahead of the start of the Council session.
4. At no point before or during the Human Rights Council were we informed by OHCHR that the Chinese Government had been informed that we would be attending the Council session. Nor were we informed of any allegations of terrorism made by the Chinese Government about us.
5. I can confirm that four individuals from our NGO attended the Council session. None of these were resident in China but three of the four attendees have direct family members

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<sup>1</sup> <https://www.uyghurcongress.org/en/conference-announcement-chinas-new-leadership-challenges-for-human-rights-democracy-and-freedom-in-east-turkestan-tibet-and-inner-mongolia-in-geneva-11-13-march-2013/>

**Annex 3 - Confirmation by victim of policy that his attendance was not public knowledge**

who still reside in China. One has approximately 30 family members in detention in China.

I have my parents and brothers and sisters who resided in China in 2013.

6. From time to time my parents have been pressured by Chinese police when I do meetings. They are monitored 24 hours and have been asked by the authorities to call me and tell me not to do political advocacy. For the last two years I have been unable to get any information about my family in China. I am aware that my mother, who was 78 years old at the time, was detained by the Chinese authorities in 2017 and died in custody. Some international media reported that she had been detained for a period of around one year. I am unable to get any information regarding my father who is 90 years old and do not know if he is still alive.
7. The Chinese Government have a record of attempting to obstruct any political activities I engage in if they find out about them in advance. For instance, in 2009 I attended a conference in South Korea and was detained as a result of an intervention by the Chinese Government. I was detained for a period of three days and then deported to Germany. In 2017 when I attended the Italian Senate I was detained by about 20 police officers who took me to the police station and detained me.

Signed: Dolkun Isa



Dated: May 22, 2019



## UN rights office categorically rejects claims it endangered NGOs

GENEVA (2 February 2017) – The Office of the UN High Commissioner for Human Rights strongly rejects the totally unsupported allegation by the Global Accountability Project (GAP) and the Inner City Press blog that it endangered four Chinese human rights defenders who attended the Human Rights Council in Geneva in March 2013.

Wrong. GAP stands for Government Accountability Project

The UN Human Rights Office also objects to the totally unsupported attempt by GAP to link the detention and subsequent tragic death in custody of Chinese activist Cao Shunli to the actions of the Office.

No investigation had been conducted. OHCHR had no basis for this statement.

This is simply untrue. GAP cited Ms Cao's case as supporting evidence of why this policy is dangerous.

We deplore the efforts by organizations such as UN Watch to take the spurious allegations by GAP a step further. UN Watch tweeted: "Top @UNHumanRights official informed #China of dissident planning to testify @UN. She was detained & died in prison." This is an outright lie and a deliberate defamation.

The UN Human Rights Office has publicly condemned the fact that harassment, intimidation and reprisals against NGO delegates attending the Human Rights Council appear to have been increasing in recent years – by a number of different States. Specific examples are now routinely and publicly referred to by the President of the Human Rights Council.

Many people attend side events, but do not take the floor in the main meeting.

The cited press release named nobody. See witness statement of Dolkun Isa.

See emails - OHCHR did not check where they lived before handing over their names.

The facts surrounding the Chinese human rights defenders' attendance at the Human Rights Council 2013 March session are as follows:

Representatives of the NGO in question attended the February-March 2013 meeting in Geneva – a regular public event that is televised and webcast. All four of them were residents of Europe or the United States and made public their plans to attend the Human Rights Council session, at several points beginning with a press release on 27 December 2012, when the NGO in question announced it would be co-hosting a public side event at the UN headquarters in Geneva during the Human Rights Council meeting. As is apparent on its website, the NGO is extremely open about its presence at many such events – including ones at venues much less secure than the UN premises in Geneva. Dating back at least to 2010, the same delegates have been regularly attending meetings of the Human Rights Council, which occur three times a year.

The Chinese authorities targeted their families still in China. Security of UN premises is irrelevant.

The admission it continues, in the present tense - China asks, the Office "confirms" (provides), China sends a note about individuals it "knows are coming" (because OHCHR told them).

Chinese authorities, and others, regularly ask the UN Human Rights Office, several days or weeks prior to Human Rights Council meetings, whether particular NGO delegates are attending the forthcoming session. The Office never confirms this information until the accreditation process is formally under way, and until it is sure that there is no obvious security risk.

This is designed to confuse - all it means is the Office does not tell China who is coming until the people ask to come.

Nearer to the start of the sessions, the Office frequently receives an official letter, a *note verbale*, from the Government of China alleging that the NGO in question is a terrorist organization, and listing specific allegations against the individual delegates it knows are coming and requesting they be denied accreditation. At this point, the

Annex 4 - OHCHR press release admitting policy ongoing in 2017

This is the actual security check - are Chinese delegates safe from the human rights advocates?

Office alerts UN Security, which looks into the allegations. Upon UN Security's decision that there is no evidence to back up the allegations, the individuals are given the all-clear to enter the UN premises and attend the events they wish to attend. The individuals in question have never been denied entry by the UN on the basis of such allegations.

False - the NGO was informed post-facto a total of three times in 15 years. Not the individuals.

Additional precautionary measures triggered by the allegations include a warning by the UN to the concerned individuals that such allegations have been made against them, and specific additional vigilance by UN security to ensure no harm comes to the concerned NGO while they are on UN premises.

Her name was Ms Cao, not Ms Shunli. And she did in fact inform the person who drafted the UPR report on China about her intention to attend.

In reality, the Chief of the Human Rights Council Branch intervened to ensure the Deputy High Commissioner did not raise the case with the Chinese ambassador.

The inference that the UN Human Rights Office was in some way linked to the detention and tragic death of Cao Shunli six months later is malicious and defamatory, and is not supported by any evidence. Ms. Shunli, who was resident in China itself, was detained en route to an NGO event in Geneva. Neither Ms. Shunli nor the Chinese authorities approached the UN Human Rights Office about her plans to attend the event and the Office had no knowledge of those plans. There was no communication whatsoever between the Office and the Chinese authorities prior to her detention.

After she was detained, the Office closely followed the matter and drew the attention of the President of the Human Rights Council to Ms. Shunli's case. Subsequently, the President raised her detention directly with the Chinese Ambassador in Geneva as a possible example of reprisal by a State against someone cooperating with the UN or its various human rights mechanisms – a practice which the UN Human Rights Office has frequently and publicly denounced.

GAP and the Inner City Press also refer to a staff member at the UN Human Rights Office in relation to this case, who they assert is a whistle-blower and who they allege suffered reprisals at the hands of the Office. In fact, the staff member has never faced reprisals. The staff member has had her contracts renewed and remains employed by the organization on full pay. She has made allegations against various managers. These have been taken seriously, leading to two separate independent investigations that have been carried out to determine whether or not there is any substance to her allegations. In both instances, the claims made by the staff member were found to be unsubstantiated.

ENDS

For more information and media requests, please contact: Rupert Colville ([+41 22 917 9767](tel:+41229179767) / [rcolville@ohchr.org](mailto:rcolville@ohchr.org)) or Ravina Shamdasani ([+41 22 917 9169](tel:+41229179169) / [rshamdasani@ohchr.org](mailto:rshamdasani@ohchr.org)) or Liz Throssell ([+41 22 917 9466](tel:+41229179466) / [ethrossell@ohchr.org](mailto:ethrossell@ohchr.org))

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**Defamation.**

Neither investigation concerned the policy of handing names to China, the final paragraph is included to try to discredit me and give the impression I am in the habit of making false allegations to discourage reporting. Check the language of the press release - OHCHR musters more anger against me than any dictator.

One investigation was into the Chief of the Human Rights Council Branch taking money from the Moroccan ambassador to pay for his private book launch, the other was into managers retaliating against me by making false statements in my performance evaluation when I reported corrupt recruitment.

Both were found to be substantiated. The UN just declined to take any action against the managers.

The UN continues to refuse to investigate the policy of handing names to China.



MEMORANDUM INTERIEUR • INTEROFFICE MEMORANDUM

A: Emma Reilly  
TO: Human Rights Officer, OHCHR

DATE: 14 March 2017

S/C DE:  
THROUGH:

REFERENCE:

DE: Mr. Zeid Ra'ad Al Hussein  
FROM: High Commissioner for Human Rights

OBJET: **Response to your request for a final administrative decision**  
SUBJECT:

1. I take note of your communication dated 20 February 2017 where you have requested "a final administrative decision" concerning the press release issued by OHCHR on 2 February 2017 and wish to clarify a number of points raised.

**Prince Zeid knew none of these "investigations" ever looked at the policy of handing names to Beijing, but only retaliation against me for reporting it.**

2. I first note that the various allegations contained in your letter dated 20 February 2017 have already been reviewed and/or investigated by the internal mechanisms of the Organization, including the Office of International Oversight Services (OIOS), the Ethics Office, and an independent panel pursuant to ST/SGB/2008/5 on "prohibition of discrimination, harassment, including sexual harassment, and abuse of authority."

**Both OIOS and the harassment panel found my claims were substantiated.**

3. With regard to the press release dated 2 February 2017, it is within the discretion of the Organization to issue a public statement rejecting the unsupported allegations which were raised by the Global Accountability Project (GAP) and Inner City Press blog in the public domain. The Office of the High Commissioner for Human Rights (OHCHR) considered that the allegations were damaging to the Organization and raised serious security issues which the Office was required to address and clarify. You will note that your name was not mentioned in the press release.

**My case before the Ethics Office was ongoing.**

4. There was no change to the accreditation practice for non-governmental organizations (NGOs) in March 2013. From 2006 onwards, requests from delegations were treated in relation to security threat assessments made by the United Nations Office at Geneva (UNOG) Director-General. Government authorities regularly ask the OHCHR whether or not a particular NGO will attend a forthcoming session. The Office never confirms this information until the accreditation process at UNOG is formally under way, to ensure that there is no security risk. The OHCHR always makes efforts to protect all participants at the Human Rights sessions.

**In these paragraphs, OHCHR confirms again that the policy of transmitting names was ongoing in March 2017.**

5. The facts surrounding the Chinese human rights defenders' attendance at the Human Rights Council session in March 2013, as well as the position of the Office with regard to the policy on informing governments of the attendees of Human Rights Council sessions, is accurately expressed in the press release dated 2 February 2017.

**The other claims are refuted by the individuals and the written evidence.**

The human rights defenders' in question attended the February to March 2013 sessions in Geneva, which was a publically broadcasted event. All four individuals were residing in Europe or the United States, and made public their plans to attend the sessions in advance.

MEMORANDUM INTERIEUR · INTEROFFICE MEMORANDUM

The people whose names were transmitted were not named. See the witness statement from the NGO in question (World Uyghur Congress)

I asked only for investigation of whether her name was transmitted - the UN has always refused.

The panel members testified in court in June 2019 that they had found prohibited conduct against me.

I had actually objected to having no functions. I still do not have functions, more than 4 years later.

This is an outright lie. OHCHR ignored recommendations made by Ethics Officers in 2018 and again in 2021.

6. The NGO in question had announced that it would be co-hosting a public side event at the United Nations headquarters in Geneva through a press release dated 27 December 2012, circulated on the internet on 5 January 2013. The NGO was open about its attendance at various Human Rights Council meetings and sessions.

7. In relation to the detention and tragic death in custody of a particular human rights activist from the People's Republic of China, this specific activist was arrested in Beijing, while in route to participate in an event outside of the United Nations premises. Your attempts to link the tragic death of this human rights activist to the actions of the Office are not only totally unfounded but irresponsible and damaging to OHCHR and to the Organization as a whole, whether raised internally or externally.

8. With regard to the findings of your harassment complaint, I would like to reiterate the statements made in the 30 December 2016 memorandum to you. The investigation determined that there was no harassment, abuse of authority, and/or discrimination against you.

9. It is recalled that section 1.2 of ST/SGB/2008/5 provides that “[d]isagreement on work performance or on other work-related issues is normally not considered harassment and is not dealt with under the provisions of this policy but in the context of performance management.” Any finding by the investigation panel of “adverse actions” in relation to the application of the performance management and development system framework outlined in ST/AI/2010/5 is wholly unrelated to your allegations and claims of harassment, which were found to be unsubstantiated. Accordingly, the statement contained in the 2 February 2017 press release is accurate.

10. Concerning your request to “be transferred at least for the period of consideration of [your] application for protection against retaliation from the UN ethics mechanisms,” I note that your reporting lines have already been changed and that you now report to Mr. Adam Abdelmoula, Director of the Human Rights Council, Treaties and Mechanisms Division.

11. As you allege that you currently have an additional complaint pending with the Ethics Office, please note that OHCHR will take any appropriate action deemed necessary by the Ethics Office.

12. In accordance with Chapter XI of the Staff Regulations and Rules, should you wish to contest any final administrative decision(s), you may access the internal justice mechanisms of the Organization.

13. Please note that staff members may only contest final administrative decisions which impact their terms of appointment and conditions of employment.

14. I trust that the above clarifies your concerns.

cc.: Ms. Kate Gilmore  
Mr. Kyle Ward  
Mr. Laurent Sauveur  
Ms. Maarit Kohonen Sheriff

This is the real UN position - there is no forum in which transmission of names to Beijing can ever be challenged. Prince Zeid and OHCHR senior management therefore simply did not care.

Transcript of cross-examination of Emma Reilly by UN lawyers, 11 June 2019

UN lawyer: Is it correct to say the list of accredited persons is supposed to be a public one?

Emma Reilly: No, that's not correct.

UN lawyer: That's not correct?

Emma Reilly: The list is never published, no.

UN lawyer: The list is never published, ok. So, you are denying all the responses that were given to you by the High Commissioner and the senior management?

Emma Reilly: I'm saying that you can look at the report of the Human Rights Council and you will see that there is no list of names attached.

UN lawyer: OK

Emma Reilly: It's not that I'm denying a response, it's that there is no published list of human.. of specific individuals who attend the session. As I mentioned before, when they are on video, if they choose to take the floor during the session, their name is listed there, and that is considered to be the summary record of the session. There is no document where it lists which specific individuals have attended the session.

UN lawyer: OK, so, ... so there is no public list of public meetings, who attends the public meeting?

Emma Reilly: No.

UN lawyer: So how do they get into the building?

Emma Reilly: There's the accreditation process...

UN lawyer (interrupting): Yes, so I think there is a public document.

Emma Reilly: ... which is a private document, it's not a published document. It's not a public document.

UN lawyer: OK.