



## ENDING INTIMIDATION AND REPRISALS AGAINST THOSE WHO COOPERATE WITH THE UN IN THE FIELD OF HUMAN RIGHTS

Submission to the UN Secretary-General on recent developments, cases and recommendations.

APRIL 2025

## ABOUT THE INTERNATIONAL SERVICE FOR HUMAN RIGHTS

The International Service for Human Rights (ISHR) is an independent non-governmental organisation dedicated to the promotion and protection of human rights. We do this by supporting human rights defenders, strengthening human rights protection systems, and leading and participating in coalitions for human rights change.

## CREDITS

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# INTRODUCTION

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ISHR is pleased to make the following submission to the Secretary-General to inform his upcoming report on **Cooperation with the United Nations, its Mechanisms and Representatives in the field of human rights**.

This submission addresses developments in United Nations (UN) and regional human rights bodies regarding the prevention of and response to intimidation and reprisals during the reporting period (1 May 2024 – 30 April 2025). It also provides details of cases of intimidation and reprisals that ISHR was made aware of during the period and our understanding of how these cases have been addressed both by the mechanisms and relevant States.

ISHR works to bring cases of alleged intimidation and reprisals to the attention of relevant UN officials, including the Secretary-General, the Assistant Secretary-General in her capacity as senior official, the President of the Human Rights Council, as well as members of Treaty Bodies, and Special Procedure mandate holders, to press for effective preventative measures and responses to alleged cases of reprisals.

Several of the individual cases of intimidation and reprisals described below have taken place in a context of systematic harassment, threats and attacks against human rights defenders. These come in many forms, including through the use and abuse of laws to criminalise the work of human rights defenders, together with the initiation of arbitrary legal proceedings intended to hinder such work. Preventing and addressing cases of intimidation and reprisals is closely associated with States' obligations to ensure a safe and enabling environment for human rights defenders and other civil society actors to carry out all aspects of their work.

## LEGAL OBLIGATION OF STATES AND THE UN TO ADDRESS REPRISALS

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International law provides for a right to unhindered access to and communication with international bodies on matters of human rights and fundamental freedoms. This right is derived from the human rights to freedom of expression, association, assembly and movement contained in international human rights instruments and in customary international law.<sup>1</sup>

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<sup>1</sup> In 2012, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association called on States to ensure that these rights 'are enjoyed by everyone and any registered or unregistered entities' and that no one is subject to 'harassment, persecution, intimidation or reprisals' for exercising them.

The right to unhindered access to and communication with international bodies is also explicitly recognised in the Declaration on Human Rights Defenders<sup>2</sup> and is codified in certain UN human rights treaties.<sup>3</sup>

Enjoyment of this right implies that those accessing or attempting to access or communicate with these bodies should not face any form of intimidation or reprisal for doing so. The Declaration on Human Rights Defenders recognises the right of human rights defenders to protection from reprisals for their communication or cooperation, or attempted communication or cooperation, with the UN's human rights bodies.<sup>4</sup>

The right to be free from reprisals that threaten an individual's life or physical liberty is also an aspect of the protection afforded by other international human rights, such as freedom from arbitrary arrest, detention or deprivation of liberty; torture; cruel, inhuman and degrading treatment; and arbitrary deprivation of life. ISHR further notes that international human rights jurisprudence establishes that States that confiscate passports, issue travel bans or prevent human rights defenders or representatives of NGOs from attending international meetings may contravene the right to freedom of movement under Article 12 of the International Covenant on Civil and Political Rights.<sup>5</sup>

States have the primary duty to uphold the co-related rights to unhindered access to the UN and to be protected from intimidation and reprisals in connection with any cooperation or attempted cooperation. As subjects of international law, UN bodies such as the Human Rights Council and the ECOSOC Committee on NGOs may also be bound by these obligations.<sup>6</sup>

In 2024, a coalition of 18 international and regional human rights organisations released the Declaration +25, a landmark document complementing the 1998 UN Declaration on Human Rights Defenders taking into account relevant regional and international jurisprudential developments of the last 25 years. The Declaration +25 specifically refers to reprisals in Article 19 on the Role and Responsibility of International and Regional Bodies and Mechanisms, in which it states that International and regional bodies, mechanisms and processes, including multilateral processes, should, in consultation with human rights defenders, adopt and implement laws, policies and practices, and take all necessary measures, to recognize and enable the exercise of the right to defend human rights, particularly the right to communicate and cooperate with international and regional bodies, mechanisms and processes, including by: Preventing, investigating, and promoting accountability for all acts of intimidation or reprisal associated with the exercise or attempted exercise of the right to defend human rights or to access, communicate or cooperate with international or regional bodies, mechanisms and processes; and (e) Sanctioning any State or non-State actor responsible for any act of intimidation or reprisal and promoting non-recurrence.

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<sup>2</sup> UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms, Annex to UN Doc A/RES/53/144, 8 March 1999, Articles 5(c) and 9(4).

<sup>3</sup> See: Optional Protocol to the Convention on the Prevention of Torture, Article 15; Optional Protocol to the Convention on the Elimination of all Forms of Discrimination Against Women, Article 11; Optional Protocol to the international Covenant on Economic, Social and Cultural Rights, Article 13; and Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure, Article 4.

<sup>4</sup> Declaration on Human Rights Defenders, Articles 2(1), 9(1) and 12(2).

<sup>5</sup> Human Rights Committee, 'Concluding Observations: Morocco', UN Doc CCPR/CO/82/MAR, 1 December 2004, §18.

<sup>6</sup> Interpretation of the Agreement of 25 March 1951 between the WHO and Egypt (Advisory Opinion) [1980] ICJ Rep 73, pp 89–90. See also Reparations for injuries suffered in the service of the UN (Advisory Opinion) [1949] ICJ Rep 174, p 179.

# DEVELOPMENTS WITHIN HUMAN RIGHTS SYSTEMS

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## Senior official on reprisals

As the senior official on the issue of reprisals, the Assistant Secretary-General for Human Rights, Ilze Brands Kehris, leads the UN's efforts to put a stop to all intimidation and reprisals against those cooperating with the UN on human rights.

ISHR acknowledges on-going efforts to provide clarity on the functioning of this mandate and how defenders can best engage with it, including consultations in Bangkok in February 2018, Bishkek in May 2018, and Nairobi in May 2019. However, ISHR reiterates that a clearer, accessible, public-facing policy on how the senior official addresses cases of reprisals is necessary to ensure that victims can effectively access the protection the senior official can provide. In this regard, the [Fact Sheet No 1](#) produced by the Focal Point on Reprisals of the African Commission on Human and Peoples' Rights provides a useful example.<sup>7</sup>

ISHR acknowledges that the senior official is complementary to existing UN mechanisms to address reprisals and encourages coordination and collaboration amongst mechanisms. We continue to emphasise that the establishment of the senior official does not in any way diminish the obligation of other UN bodies and mechanisms to develop and implement policies and take necessary steps to prevent, investigate and remedy cases of reprisals.

We understand that the senior official primarily fulfils her mandate through private representations, addressing cases of reprisals bilaterally with the relevant State, although she may also make public statements and representations. ISHR notes that her predecessor, Andrew Gilmour, spoke publicly in very few instances. He addressed cases of reprisals in Egypt and Bahrain while presenting the Secretary-General's Reprisals Report to the Human Rights Council in September 2017.<sup>8</sup> In a May 2018 opinion piece, the ASG also addressed cases of reprisals against human rights defenders in Asia, including against mandate holders.<sup>9</sup> He addressed cases of reprisals against two NGOs (**Alkarama and the International Dalit Solidarity Network (IDSN)**) in his remarks to the 39th session of the Human Rights Council.<sup>10</sup> He also raised IDSN and Alkarama, at a side event at the General Assembly's Third Committee in October 2018,<sup>11</sup> where he also raised the case of the **head of B'tselem** who was attacked

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<sup>7</sup> Fact Sheet # 1 on Reprisal in Africa, African Commission on Human and Peoples' Rights, 2019, available at: <https://www.achpr.org/public/Document/file/English/Fact%20Sheet%20N°1%20on%20Reprisals%20in%20Africa.pdf>

<sup>8</sup> A copy of the statement can be found here: [https://extranet.ohchr.org/sites/hrc/HRCSessions/HRCDocuments/16/OTH/OTH\\_272\\_56\\_416d12d8\\_bfb7\\_4c28\\_9244\\_5bd5036fff5f.docx](https://extranet.ohchr.org/sites/hrc/HRCSessions/HRCDocuments/16/OTH/OTH_272_56_416d12d8_bfb7_4c28_9244_5bd5036fff5f.docx). The ASG mentioned those cases again, without referring to specific names, at the Cairo Institute of International Studies Third Regional Forum of the Arab Human Rights Movement, 4 November 2018, Tunis, <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23863&LangID=E>.

<sup>9</sup> <https://www.theguardian.com/commentisfree/2018/may/18/imprisoned-threatened-silenced-human-rights-workers-across-asia-are-in-danger>

<sup>10</sup> Human Rights Council, 39th Session, Oral presentation by the Assistant Secretary-General for Human Rights of the report of the Secretary-General on cooperation with the UN, its representatives and mechanisms in the field of human rights, Agenda Item 5, Geneva, 19 September 2018 [https://extranet.ohchr.org/sites/hrc/HRCSessions/HRCDocuments/26/OTH/OTH\\_564\\_65\\_4b594b4a\\_d4a2\\_4936\\_910c\\_9b453ab34d37.docx](https://extranet.ohchr.org/sites/hrc/HRCSessions/HRCDocuments/26/OTH/OTH_564_65_4b594b4a_d4a2_4936_910c_9b453ab34d37.docx).

<sup>11</sup> <https://www.ohchr.org/Documents/Issues/Reprisals/ReprisalsEvent24Oct2018.docx>.



and threatened after briefing the UN Security Council, as well as threats of reprisals in Myanmar and South Sudan in the context of Security Council visits. The senior official also specifically mentioned the case of the **head of B'tselem** in a statement at the Cairo Institute of International Studies Third Regional Forum of the Arab Human Rights Movement, in Tunis in November 2018.<sup>12</sup> He mentioned the case of Egyptian defender, **Ibrahim Metwally**, in his closing remarks during his interactive dialogue with the Human Rights Council in September 2019.<sup>13</sup>

**The current senior official, Ilze Brands Kehris, does not appear to have raised any specific cases publicly. ISHR reiterates that in relevant circumstances, public statements can play a key role in deterrence, denunciation, prevention and protection.**

## Human Rights Council

The Human Rights Council is legally obliged to take action if it possesses information about a credible risk or allegation of reprisals and to protect individuals who communicate, cooperate or seek to engage with the Human Rights Council, its independent experts or the Universal Periodic Review process.<sup>14</sup> The Human Rights Council's President and Bureau have the responsibility to protect the Human Rights Council's processes and defend its integrity, particularly as it relates to the right of civil society to participate fully and safely in its work.<sup>15</sup> Attacks against those that cooperate with the Human Rights Council, or its mechanisms, constitute an attack not only on those individuals but on the institution itself.

While the President and Bureau of the Human Rights Council maintain their rhetorical commitment to addressing reprisals, visible action to prevent and if necessary, respond and ensure accountability for cases of reprisals remains weak. However, the minutes of the Human Rights Council Bureau from 15 July 2022 mentioned allegations of reprisals against **Anexa Brendalee Alfred Cunningham**, a member of the Human Rights Council's Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), who was prevented from boarding her confirmed flight to return home to Nicaragua following her participation in the 15th session of the EMRIP. These minutes clearly name an organisation, mention the name of the person facing the reprisals as well as the country responsible for these reprisals. The bureau also expressed its concerns over these reprisals and 'called on the Government of Nicaragua to cooperate with the President of the Human Rights Council to urgently clarify the situation and to give its assurances that Alfred Cunningham will not be subjected to any act of intimidation or reprisal, including impeding her return to Nicaragua, for discharging her mandate'. It is important that the Bureau continues discussing cases of intimidation and reprisals and reporting on these discussions publicly in the minutes.

Prior to Alfred Cunningham's case, the last time a country was named in bureau minutes regarding reprisals was Bahrain in 2016. In March 2021, the bureau minutes state that the Bureau took note of information provided concerning instances where possible intimidating

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<sup>12</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23863&LangID=E>; <https://www.ohchr.org/Documents/Issues/Reprisals/ReprisalsEvent24Oct2018.docx>.

<sup>13</sup> <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25027&LangID=E>

<sup>14</sup> See further Memorandum of Advice from Freshfields Bruckhaus Deringer, Sir Nicolas Bratza and Professor Egbert Myjer of October 2014: available at <http://www.ishr.ch/news/human-rights-council-time-act-legal-obligation-end-reprisals>.

<sup>15</sup> See further Memorandum of Advice from Freshfields Bruckhaus Deringer, Sir Nicolas Bratza and Professor Egbert Myjer of October 2014: available at <http://www.ishr.ch/news/human-rights-council-time-act-legal-obligation-end-reprisals>.

language had been directed towards non-government organisations during virtual informal consultations. No country nor organisation was named.

We welcome the fact that the HRC Presidency and the Bureau mentioned the case of Anexa Brendalee Alfred Cunningham. The Presidency and Bureau should follow this example and take a more proactive role in investigating and following-up on cases of intimidation and reprisals. The practice on the discussion of reprisals in the minutes of the Human Rights Council Bureau meetings, and documentation of those discussions in the Bureau meeting minutes has been inconsistent across Presidencies, despite cases having been systematically brought to the President's attention for action.

We strongly urge the Bureau to resume the practice of discussing reprisals and intimidation during meetings, documenting those discussions in Bureau meeting minutes, and reporting on those discussions publicly at the next session. The Presidency and Bureau should maintain a publicly accessible register of cases of alleged acts of intimidation and reprisals on the extranet, including allegation letters if victims give consent, and documentation.

We recommend that the HRC President and Bureau adopt a two-step approach, similar to that of UN Special Procedures communications, depending on the urgency of the case: Urgent Appeals are sent to States privately and then published after 48 hours in the public communication database; and Letters of allegations are sent to States privately and then published after 60 days in the public communication database. The HRC Presidency should provide short oral updates on cases of alleged intimidation or reprisal, including actions taken, at the start of the Item 5 general debate of each Human Rights Council session and provide States concerned with the opportunity to respond.

At its 36th session, the Human Rights Council adopted resolution 36/21<sup>16</sup> on reprisals. Notably, the resolution asks the senior official to present the annual report of the Secretary-General on reprisals to the Council and for it to serve as the basis of an interactive dialogue with a view to ensuring adequate attention to the report and to sharing good practices, challenges and lessons learned. In practice, the Council's discussion of cases in the reprisals report and follow-up to those cases has not been very systematic. The interactive dialogue could theoretically ensure adequate attention to the report and to sharing good practices, challenges and lessons learned and for States to raise cases and push other States to ensure the safety of the human rights defenders involved.

At the first such dialogue in September 2018, only one State, Germany, raised a specific case of reprisals during the dialogue, citing the case of Egyptian lawyer **Ibrahim Metwally**, detained since October 2017 by the Egyptian authorities. Furthermore, half of the States cited in the report intervened during the dialogue to deny the allegations against them.<sup>17</sup>

During the second such dialogue in September 2019, **Germany** cited again the case of **Ibrahim Metwally**. **Costa Rica** was the only other country to raise a specific situation of reprisals: it expressed particular concern about acts of intimidation and reprisals in Nicaragua. **The Maldives** and **The Bahamas** addressed cases in their own countries. The Maldives shared that an amendment to the Human Rights Commission Act was being considered in parliament, which would guarantee that the National Human Rights Commission of the Maldives can communicate with international organisations. The Bahamas addressed the case of **Alicia Wallace**, a woman human rights defender who suffered attacks and threats related to her

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<sup>16</sup> Human Rights Council, 'Cooperation with the UN, its representatives and mechanisms in the field of human rights', A/HRC/RES/36/21, 29 September 2017, <http://undocs.org/A/HRC/RES/36/21>.

<sup>17</sup> <https://www.ishr.ch/news/hrc39-l-states-largely-decline-cite-specific-cases-during-councils-first-discussion-reprisals>



engagement with the Committee on the Elimination of Discrimination Against Women (CEDAW).

In September 2020, at HRC 45, the **Benelux** countries named specific cases from Egypt (**Mohamed El-Baqer, Ramy Kamel Saied Salib, and Ibrahim Metwally Hegazy**), Burundi (**Niyongere, Bashirahishize, Nshimirimana, Nigarura**), and Laos (**Od Sayavong**).<sup>18</sup> Germany raised cases from Egypt (**Mohamed El-Baqer, Ibrahim Metwally Hegazy**) and the UK raised cases from Egypt (**Mohamed El-Baqer and Ibrahim Metwally Hegazy**), and China (**Li Yuhuan, Chen Jiangfang, Xu Yan, and Qin Yongming**).<sup>19</sup>

In September 2021, at HRC 48, the **UK** and **Germany** both raised the case of **NGO Fundaredes** from Venezuela; and the **Benelux** countries raised the following case: Belarus: **Sergey Drozdovskiy**; Laos: **Chue Youa Vang**; Iran: **Manouchehr Bakhtiari, Vahid and Habib Afkari**; Turkmenistan: **Nurgeldi Halykov**; Nicaragua: **Vilma Nuñez de Escorcía, Anibal Toruño, Marcos Carmona** and **Jonathan López**.

In September 2022, at HRC 51, eight States raised individual cases of reprisals. The case of the **Human Rights Center Viasna** in Belarus was publicly raised by the **Benelux countries** (Belgium, the Netherlands and Luxembourg), **Liechtenstein** and **Germany**.<sup>20</sup> **Germany** and **Liechtenstein** raised the case of **Ibrahim Metwally Hegazy** from Egypt, while the **Benelux countries** also raised the cases of **Armel Niyongere, Dieudonné Bashirahishize, Vital Nshimirimana** and **Lambert Nigarura** from Burundi and **Jiang Tianyong** from China. **Germany** additionally raised the cases of **Mohamed El Baqer** from Egypt and **Li Qiaochu, Li Yuhuan, Guo Feixiong** and **Tang Jitian** from China. Meanwhile, **Namibia's** statement included the reprisals against **Palestinian Human Rights Organisations** by Israel.<sup>21</sup> **Denmark** specifically drew attention to the case of **Abdulahdi Al-Khawaja** in Bahrain and **Armenia** included in their statement the case of **Ahmad Mammadli** in Azerbaijan.<sup>22</sup>

In September 2023, 13 States publicly raised specific cases and situations of reprisals and intimidation at the HRC 54:

- **Luxembourg**, on behalf of the the **Benelux countries**, publicly addressed the situations of the Bangladeshi organisation **Odhikar** and its members **Adilur Rahman Khan** and **Nasiruddin Elan, Abdulhadi Al-Khawaja** in Bahrain, and **Félix Alejandro Maradiaga, Aníbal Toruño** and **Vilma Núñez de Escorcía** of the Nicaraguan group **Comisión Permanente de Derechos Humanos**. They also included in their statement mentions of Belarussian **NGO Viasna** and **Ibrahim Metwally Hegazy** in Egypt, **Jiang Tianyong** in China and **Armel Niyongere, Lambert Nigarura, Dieudonné Bashirahishize** and **Vital Nshimirimana** from Burundi.<sup>23</sup>

18 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/37/SP/31587\\_44\\_d6cb787b\\_0ed3\\_4908\\_b36b\\_b601a049739b.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/37/SP/31587_44_d6cb787b_0ed3_4908_b36b_b601a049739b.docx)

19 <https://www.gov.uk/government/speeches/un-human-rights-council-45-interactive-dialogue-with-assistant-secretary-general-ilze-brands-kehris-on-the-secretary-generals-report-on-reprisals>

20 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/47647\\_56\\_52391f7d\\_a788\\_41c4\\_b24a\\_ad7b4cc993d1.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/47647_56_52391f7d_a788_41c4_b24a_ad7b4cc993d1.docx); [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48207\\_56\\_b58c5023\\_577d\\_4de3\\_a3ca\\_657bcd8eff88.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48207_56_b58c5023_577d_4de3_a3ca_657bcd8eff88.docx) and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48627\\_56\\_4abe9cd3\\_f1e2\\_4446\\_b9fe\\_7ca50a15a44f.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48627_56_4abe9cd3_f1e2_4446_b9fe_7ca50a15a44f.docx)

21 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48548\\_56\\_a26077e7\\_5deb\\_4c5c\\_89c4\\_2e488b85da21.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48548_56_a26077e7_5deb_4c5c_89c4_2e488b85da21.docx)

22 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/49841\\_56\\_0429513e\\_30fc\\_4e7a\\_9bf4\\_00688d12afb7.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/49841_56_0429513e_30fc_4e7a_9bf4_00688d12afb7.docx)

23 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221\\_60\\_6fbbd112\\_bb44\\_4040\\_8505\\_79e66c2446c5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221_60_6fbbd112_bb44_4040_8505_79e66c2446c5.docx)

- **Germany** also raised the case of **Viasna**, as well as those of Chinese defenders **Gui Minhai, Ilham Tohti, Li Qiaochu, Li Yuhan, Yu Wensheng** and his wife **Xu Yan**, and of Egyptian activists **Alaa Abd el-Fattah** and **Alaa El-Din El-Adly**.
- **The United States** cited the targeting of **civil society organisations under Hong Kong's sweeping 'National Security Law'** and also included in their statement the harassment of the **legal team defending the jailed pro-democracy media mogul Jimmy Lai**.<sup>24</sup>
- **Pakistan** cited the cases of Kashmiri activists **Khurram Parvez** and **Irfan Mehraj**.<sup>25</sup>
- **Liechtenstein**<sup>26</sup> and **Czechia**<sup>27</sup> also raised the case of **Viasna** before denouncing **legislative measures to criminalise assistance to and cooperation with international bodies in Belarus and Russia**. The **Russian measures** were also mentioned by the representative **Lithuania**, speaking on behalf of **Poland** and **Ukraine**.<sup>28</sup>
- **Denmark** cited the case of **Abdulahdi Al-Khawaja** detained in Bahrain.<sup>29</sup> The **United Kingdom** also cited the case of **Sebastien Lai**, the son of Jimmy Lai from Hong Kong as well as the cases of **Anexa Alfred Cunningham** from Nicaragua.<sup>30</sup>
- **The UK** also addressed the situation of the **NGO Viasna** and trade unionist **Alexander Yaroshuk** from Belarus and the lawyers **Armel Niyongere, Lambert Nigarura, Dieudonné Bashirahishize** and **Vital Nshimirimana** from Burundi.
- The representative of **Botswana** called out acts of reprisals committed against official UN mandate holders, which are not included in the Secretary-General's annual report.

In September 2024, specific cases and situations of reprisals and intimidation were raised during the 57th session of the HRC:

- **The Benelux** countries brought up the cases of **Abdulahdi Al-Khawaja, Félix Alejandro Maradiaga, Kadar Abdi Ibrahim, Li Qiaochu, Pham Doan Trang**, and the **NGO Human Rights Centre Viasna**.<sup>31</sup>
- **Denmark** mentioned the case of **Abdulahdi Al-Khawaja** and highlighted the situation of all political prisoners in Bahrain's **Jau prison**.<sup>32</sup>

24 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58311\\_60\\_9c064953\\_c972\\_4ccd\\_9b6a\\_d6179da89ee5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58311_60_9c064953_c972_4ccd_9b6a_d6179da89ee5.docx)

25 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58917\\_60\\_099ce283\\_648f\\_44d5\\_b8cf\\_13d5c7ccd20e.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58917_60_099ce283_648f_44d5_b8cf_13d5c7ccd20e.docx)

26 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/60447\\_60\\_9f801212\\_b5e3\\_46b6\\_aa7c\\_9d07406a5d7c.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/60447_60_9f801212_b5e3_46b6_aa7c_9d07406a5d7c.docx)

27 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/59546\\_60\\_9e993a89\\_768c\\_4645\\_8804\\_af603f9ae875.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/59546_60_9e993a89_768c_4645_8804_af603f9ae875.docx)

28 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58413\\_60\\_56f44fd8\\_3947\\_42ea\\_9853\\_17b193a63a5d.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58413_60_56f44fd8_3947_42ea_9853_17b193a63a5d.docx)

29 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/60446\\_60\\_88a6b5ef\\_f7c8\\_4160\\_8160\\_c05c2b6750c1.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/60446_60_88a6b5ef_f7c8_4160_8160_c05c2b6750c1.docx)

30 <https://www.gov.uk/government/news/un-hrc54-uk-statement-on-reprisals>

31 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_419995e3-5a84-436d-acd6-ad459c94c214.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_419995e3-5a84-436d-acd6-ad459c94c214.docx)

32 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_419995e3-5a84-436d-acd6-ad459c94c214.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_419995e3-5a84-436d-acd6-ad459c94c214.docx)

- **Liechtenstein** raised the cases of **Cao Shunli, Ibrahim Metwally Hegazy, Loujain Al-Hathloul** and the **situation in Hong Kong**.<sup>33</sup>
- **Germany** expressed concerns over the cases of **Chow Hang Tung** and her two colleagues, **Dang Dinh Bach, Xu Yan, and Yu Wensheng**.<sup>34</sup>
- **Czechia** highlighted the case of the **Human Rights House Foundation**, while the **United Kingdom** raised the cases of **Jimmy Lai, Sebastian Lai, Pham Doan Trang, the NGO Human Rights Centre Viasna, and the NGO Man and Law**.<sup>35</sup> **Canada, Australia and New Zealand (CAN)** also referred to the case of **Jimmy Lai**.

Beyond the interactive dialogue, which only takes place annually at the September session of the Council, some States have brought up cases at other sessions under item 5, or item 2 of the Council's agenda.

- In June 2019, the **Benelux** countries made a statement referencing the following specific cases: **Dora Mesa and Juan Antonio Madrazo Luna** from Cuba, **Rizal Rozhan and Numan Afifi** from Malaysia, and **Yahya Al Assiri** from Saudi Arabia.<sup>36</sup>
- At the resumed 43rd session in June 2020, the **Benelux** countries raised cases from Saudi Arabia (**Samar Badawi and Loujain Al-Hathloul**), Bahrain (**Sayed Ahmed Al-Wadaei, Nabeel Rajab and Ebtesam Abdulhusain Ali-Alsaegh**), Yemen (**Huda Al-Sarari**), Burundi (**Armel Niyongere, Dieudonné Bashirahishize, Vital Nshimirimana, and Lambert Nigarura**), Venezuela (**Medical personnel, human rights defenders and members of students' movements** in Venezuela who cooperated with OHCHR during its first visit to the country in March 2019), and China (**Chen Jianfang**).<sup>37</sup>
- In March 2021 at the 46th session, the **Benelux** countries followed up on a number of previously raised cases from Cuba (**Dora Mesa, Juan Antonio Madrazo Luna**), Saudi Arabia (**Samar Badawi**), Bahrain (**Sayed Ahmed Al-Wadaei, Nabeel Rajab, Ebtesam Abdulhusain Ali-Alsaegh**), China (**Chen Jianfang**), and Egypt (**Mohamed El-Baqer, Ramy Kamel Saied Salib**).<sup>38</sup>
- In March 2022 at the 49th session of the HRC, the Governments of **Belgium, Luxembourg and The Netherlands** made an intervention asking the President of the Human Rights Council to follow up on nine unresolved cases of reprisals: Laos human rights defender **Od Sayavong**, Chinese women human rights defenders **Chen Jianfang, Ebtesam Abdulhusain Ali-Alsaegh**, a woman human rights defender from Bahrain, **Sayed Ahmed Al-Wadaei, Abdulhadi Al-Khawaja and Abduljalil Al-Singace**, also from Bahrain, and the civil society organisation **Organic Farming for**

33 <https://www.llv.li/serviceportal2/diplomatische-vertretungen/genf/uno/2024/hrc57-9.9.-9.10.2024-/li-statement-hrc57-item-5-id-on-sg-report-on-reprisals-27-september-2024.pdf>

34 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_1d208d31-9bd3-4deb-b6eb-7d5f358033c5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_1d208d31-9bd3-4deb-b6eb-7d5f358033c5.docx)

35 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_26a5cd34-081b-40aa-b0e5-22ce4a28ea2c.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_26a5cd34-081b-40aa-b0e5-22ce4a28ea2c.docx)

36 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/30/SP/21703\\_40\\_825b7a74\\_fcf7\\_4dcf\\_beeb\\_826d022caa28.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/30/SP/21703_40_825b7a74_fcf7_4dcf_beeb_826d022caa28.docx)

37 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/33/SP/25086\\_42\\_ada6cfc0\\_57c2\\_4858\\_bf2c\\_Off15922185d.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/33/SP/25086_42_ada6cfc0_57c2_4858_bf2c_Off15922185d.docx)

38 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/41/SP/33790\\_46\\_d6ac7508\\_cb6e\\_4fdf\\_a561\\_b41164e20fa7.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/41/SP/33790_46_d6ac7508_cb6e_4fdf_a561_b41164e20fa7.docx)

**Gorillas Cameroon (OFFGO)**, as well as **Jan Joris Capelle**, **Prince Vincent Awazi** and **Elvis Brown Luma Mukuna**, from Cameroon.<sup>39</sup>

- Also, in March 2022 at HRC 49, **the USA** raised the cases of presidential candidates **Felix Maradiaga** and **Christiana Chamorro** and **five others** in Nicaragua, who were convicted for their activism and criticism of the regime.<sup>40</sup> In Maradiaga's case, his remarks before the UN Security Council were used against him and he was sentenced to 13 years in prison.
- In March 2023, at the 52nd session of the HRC, the **Benelux** countries made a statement referencing the following specific cases: **Ibrahim Metwally Hegazy** from Egypt, **Jiang Tianyong** from China, **The Human Rights Center Viasna** in Belarus, **five NGOs** from Venezuela: **El Comité de Familiares de Víctimas del Caracazo (COFAVIC)**; **El Observatorio Venezolano de Conflictividad Social (OVCS)**; **El Centro de Justicia y Paz (CEPAZ)**; **Control Ciudadano** (and its director **Rocío San Miguel**); and **Espacio Público** (and its director **Carlos Correa**), **Armél Niyongere**, **Dieudonné Bashirahishize**, **Lambert Nigarura** and **Vital Nshimirimana** from Burundi as well as **Jan Capelle** and **Elvis Brown** from Cameroon.
- Also in March 2023 at the 52nd session of the HRC, **Luxembourg** raised the case of **Anexa Alfred Cunningham** during the General Debate on Item 3.
- In March 2024 at the 55th session of the HRC, the **Benelux countries** raised the following cases: **Abdulahdi Al-Khawaja** (Bahrain), **Viasna** (Belarus), **Li Qiaochu** (China), **Kadar Abdi Ibrahim** (Djibouti), **Felix Maradiaga** (Nicaragua).<sup>41</sup>
- In March 2025 at the 58th session of the HRC, the **Benelux countries** raised the cases of **Chow Hang-Tung**, **Claudia González Orellana**, **Kadar Abdi Ibrahim**, **Manouchehr Bakhtiyari**, **Pham Doan Trang**, and the **NGO Human Rights Centre Viasna**.<sup>42</sup>

In November 2020, **The Netherlands** raised a case from Andorra (**Vanessa Mendoza**) in the context of the UPR.<sup>43</sup>

On March 14, 2024, **nine European Human Rights Ambassadors** released a [joint statement](#) honouring **Cao Shunli's** legacy and calling on all States to stop engaging in acts of reprisals and to allow for safe and unhindered access to, and communication with, the UN.

At its 42nd session, the Human Rights Council adopted resolution 42/28 on reprisals in which it reaffirmed that reprisals can never be justified. Council members rejected attempts to weaken the text including deleting the references to the roles of the Assistant Secretary-General and the Human Rights Council Presidents. The resolution listed key trends such as the patterns of reprisals, increasing self-censorship, the use of national security arguments and counter-terrorism strategies by States as justification for blocking access to the UN, acknowledged the specific risks to individuals in vulnerable situations or belonging to marginalised groups, and called on the UN to implement gender-responsive policies to end reprisals. The Council called

39 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/56/SP/42084\\_54\\_c4438cea\\_01c2\\_4984\\_add1\\_ec341989cdbf.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/56/SP/42084_54_c4438cea_01c2_4984_add1_ec341989cdbf.docx)

40 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/56/SP/43026\\_54\\_65658beb\\_c445\\_416b\\_b25b\\_f64cce2686e.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/56/SP/43026_54_65658beb_c445_416b_b25b_f64cce2686e.docx)

41 <https://www.netherlandsandyou.nl/web/pr-un-geneva/w/benelux-reprisals>

42 <https://www.netherlandsandyou.nl/web/pr-un-geneva/w/hrc58-benelux-reprisals>

43 <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F46%2F11&Language=E&DeviceType=Desktop>

on States to combat impunity and to report back to it on how they are preventing reprisals, both online and offline.

At its 49th session, the Human Rights Council adopted resolution 48/17 on reprisals by consensus, in which it invites the Secretary-General to submit his annual reprisals report to the General Assembly. ISHR hopes will ensure greater attention to the issue and contribute to a more coherent system-wide response across the UN.

At HRC 54 in September 2023, States adopted another resolution by consensus. The resolution encourages, inter alia, all UN entities to strengthen efforts to prevent and address acts of intimidation or reprisal, including through adopting dedicated protocols or guidelines, and ensuring that dedicated civil society focal points are adequately resourced to proactively promote an enabling space where civil society actors can safely contribute, at the country and global levels, to United Nations meetings, networks, processes and arrangements, and calls upon all States and relevant stakeholders to contribute to these efforts.

## UN General Assembly, Third Committee

The report on reprisals was introduced for the first time at the General Assembly in October 2022. During the second presentation of the report at the General Assembly on 12 October 2023, specific cases and situations of intimidation and reprisal were raised for the first time. The cases of **Anexa Alfred Cunningham** and **Jimmy Lai** and the **situation in Hong Kong** were cited by the **United States**. In October 2024, the **Benelux countries** mentioned the cases of **Abdulhadi Al-Khawaja**, **Félix Alejandro Maradiaga**, **Kadar Abdi Ibrahim**, **Li Qiaochu**, **Pham Doan Trang** and the **NGO Human Rights Centre Viasna**. It is hoped the dialogue will be further strengthened in future years and become a space in which a greater number of States call for accountability and constructively address cases in their own countries.

Additionally, during the 74th session of the General Assembly, a cross-regional group of countries made a joint statement in the Third Committee called on all States and the UN to prevent, respond to, and ensure accountability for cases of intimidation and reprisals against those who engage or seek to engage with the UN. Seventy-one countries highlighted that the UN must ensure that civil society organisations and human rights defenders who wish to engage with the UN are able to do so without fear of reprisal or intimidation.<sup>44</sup>

During the 75th session of the General Assembly, a follow-up joint statement at the Third Committee was delivered on behalf of seventy-five countries.<sup>45</sup> This welcome move led by the Permanent Mission of the United Kingdom to the UN is in line with the call made in resolution 42/28 at the Human Rights Council for the General Assembly to remain seized of all work in this area.

During the 76th session of the General Assembly, the UK delivered another joint statement at the Third Committee on behalf of 80 countries.

<sup>44</sup> The statement was made by the United Kingdom on behalf of Afghanistan, Albania, Andorra, Australia, Austria, the Bahamas, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, the Dominican Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Iceland, Ireland, Italy, Japan, Jordan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malta, the Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, the Netherlands, New Zealand, North Macedonia, Norway, Panama, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Samoa, San Marino, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tunisia, Turkey, Tuvalu, Ukraine, the United States, Uruguay and Vanuatu.

<sup>45</sup> <https://www.gov.uk/government/speeches/every-reprisal-diminishes-our-ability-to-deliver-for-the-people-we-serve>



During the 77th session of the General Assembly, Ireland delivered another Joint Statement at the Third Committee, again on behalf of 80 countries.

During the 78th and 79th sessions of the General Assembly, Ireland together with Uruguay delivered another Joint Statement at the Third Committee, again on behalf of 80 countries.

## Treaty Bodies

With the endorsement of the Guidelines against Intimidation or Reprisals (the 'San José Guidelines') in July 2015, the Treaty Body Chairpersons sent a strong signal that the intimidation of individuals and groups cooperating with the Treaty Bodies is unacceptable.

The San José Guidelines emphasise the responsibility of States 'to avoid acts constituting intimidation or reprisals and to prevent, protect against, investigate and ensure accountability and to provide effective remedies to victims of such acts or omissions'. They further acknowledge that the Treaty Bodies have to take action, including reactive measures when allegations of intimidation or reprisals are received as well as preventative measures to protect individuals or groups at risk.

The San José Guidelines envisage the appointment within each treaty body of a rapporteur or focal point on intimidation or reprisals to coordinate proactive implementation of the policy, which includes receiving and assessing allegations, and determining the appropriate course of action.

To date, nine Treaty Bodies out of ten have adopted the San José Guidelines or a policy on reprisals. The Committee on Economic Social and Cultural Rights (CESCR) is the only treaty body that has not formally endorsed or adopted the San Jose Guidelines.

During their annual meeting in June 2018, the Chairs expressed concern at the reported increase of acts of intimidation and reprisals against those who were cooperating, had cooperated, or sought to cooperate with the treaty bodies, in particular human rights defenders. The Chairs further recommended that the practices of the treaty bodies in implementing the San José Guidelines, including the role of focal points and rapporteurs be further aligned, including by sharing good practices in that regard. The Chairs also encouraged focal points and rapporteurs in the various treaty bodies to work together between sessions as needed and recommended that treaty bodies make information about reprisals available on their websites. Finally, for their 31st annual meeting, the Chairs requested the Secretariat to prepare a paper on the role of focal points and rapporteurs with respect to reprisals against those who were cooperating, had cooperated or sought to cooperate with the treaty bodies, including good practices in that regard.<sup>46</sup>

In response to the call by the Chairs of the treaty bodies to identify good practices and the roles of focal points and rapporteurs with respect to addressing reprisals, OHCHR and the International Service for Human Rights (ISHR) jointly organised a workshop in Geneva on 12 and 13 December 2018, together with Amnesty International and the NGO Network on UN Treaty Bodies<sup>47</sup>. The objective of the workshop was to facilitate a discussion between focal points and rapporteurs on reprisals and other members of treaty bodies to help develop a

<sup>46</sup> [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=a/73/140](https://www.un.org/en/ga/search/view_doc.asp?symbol=a/73/140) at page 16.

<sup>47</sup> [https://www.ohchr.org/Documents/HRBodies/TB/AnnualMeeting/31Meeting/HRI\\_MC\\_2019\\_CRP\\_2.docx](https://www.ohchr.org/Documents/HRBodies/TB/AnnualMeeting/31Meeting/HRI_MC_2019_CRP_2.docx)



common understanding of the scope and impact of the issue and to identify good practices and proposals to align the roles and approaches of the treaty body rapporteurs and focal points on reprisals. The outcome of the workshop includes a compilation of good practices in handling reprisals and a set of recommendations by participants. The recommendations touch on a range of issues including: the role of the rapporteurs or focal points on reprisals, preventative and further measures (for State party reviews, monitoring visit and inquiries, individual complaints, awareness-raising), coordination with other mandates, mechanisms or procedures, as well as monitoring the implementation and dissemination of the San José Guidelines.<sup>48</sup>

In April 2019, the Secretariat developed a shared internal repository of information and a common webpage on reprisals against those cooperating with the treaty bodies. The common webpage sets out information on the role of the rapporteurs and focal point and on how to submit information on reprisals.<sup>49</sup>

There is still significant divergence between treaty bodies in both the accessibility of information about reprisals and in the response to reprisals.

Treaty body	Policy or guidelines on reprisals	Rapporteur or focal point on reprisals appointed	Functions of the rapporteur or focal point on reprisals defined in a specific document	Letters of allegation, and responses from States, publicly posted on the Committee's web page	Endorsed or adopted the Guidelines against Intimidation or Reprisals (San José Guidelines)
Committee on the Elimination of Racial Discrimination	Yes	Yes	Yes <sup>50</sup>	Yes <sup>51</sup>	Yes August 2014
Human Rights Committee	No	Yes	No	No	Yes <sup>52</sup> June 2016
Committee on Economic, Social and Cultural Rights	No	Yes <sup>53</sup>	No	No	No <sup>54</sup>

<sup>48</sup> <https://undocs.org/HRI/MC/2019/2>.

<sup>49</sup> <https://www.ohchr.org/EN/HRBodies/Pages/Reprisal.aspx>.

<sup>50</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FRLE%2F9029&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FRLE%2F9029&Lang=en)

<sup>51</sup> Not systematically, but on a case-by-case basis, keeping the principle to do no harm in mind.

<sup>52</sup> <https://www.ungeneva.org/en/news-media/press/taxonomy/term/175/47582/human-rightscommittee-discusses-methods-work>.

<sup>53</sup> The Bureau of the Committee acts as the focal point

<sup>54</sup> E/C.12/2016/2.

Treaty body	Policy or guidelines on reprisals	Rapporteur or focal point on reprisals appointed	Functions of the rapporteur or focal point on reprisals defined in a specific document	Letters of allegation, and responses from States, publicly posted on the Committee's web page	Endorsed or adopted the Guidelines against Intimidation or Reprisals (San José Guidelines)
Committee on the Elimination of Discrimination against Women	Yes	Yes	Yes	No	Yes July 2018
Committee against Torture	Yes	Yes	Yes <sup>55</sup>	Yes	Yes <sup>56</sup> September 2015
Committee on the Rights of the Child	No <sup>57</sup>	Yes	No	No	Yes May 2016
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	Yes	Yes	Yes <sup>58</sup>	Yes	Yes April 2016
Committee on the Rights of Persons with Disabilities	Yes	Yes	Yes	None reported to date	Yes September 2015
Committee on Enforced Disappearances	Yes	Yes	Yes	No Disclosed in annual reports	Yes September 2015
Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Yes <sup>59</sup>	Yes	Yes	Allegations of reprisals disclosed when visit reports are made public	Yes <sup>60</sup> November 2015

<sup>55</sup> CAT/C/55/2.

<sup>56</sup> Adopted a statement on reprisals in 2013, in which the Committee indicated that, in handling allegations of reprisals, the Committee would follow the San José Guidelines (CAT/C/55/2, para. 2).

<sup>57</sup> Endorsed the San José Guidelines.

<sup>58</sup> [www.ohchr.org/EN/HRBodies/CMW/Pages/Reprisals.aspx](http://www.ohchr.org/EN/HRBodies/CMW/Pages/Reprisals.aspx)

<sup>59</sup> CAT/OP/6/Rev.1

<sup>60</sup> Endorsed the San José Guidelines at its twenty-seventh session

In a welcome development, an annual overview of the status of implementation by the treaty bodies of the San José Guidelines and mapping of the practices of treaty bodies on intimidation and reprisals is included as an input to the annual meeting of treaty body chairs.<sup>61</sup>

In 2022, the Secretariat reported that fewer reprisals have been reported. The transition from largely in-person to almost fully virtual engagement has not been a smooth one for the treaty bodies. During the pandemic, fewer allegations of reprisals or intimidation experienced by those submitting information to, or cooperating with, the treaty bodies were reported to the Secretariat and the treaty body rapporteurs or focal points on reprisals. The overarching obstacles that have contributed to the decline in reporting include lack of clarity and awareness of how to participate through online channels, lack of access to virtual channels by victims, their relatives and lawyers and civil society actors and lack of trust in online channels, in particular with regard to reporting on sensitive issues, or engaging with the treaty bodies thereon, from high-risk environments.<sup>62</sup>

In 2023, the rapporteurs and focal points on reprisals participated in the inaugural meeting to discuss challenges in preventing and addressing acts of intimidation and reprisal against those who cooperate with the treaty bodies and to identify the issues that need further action by the treaty bodies' Chairs, experts and focal points and rapporteurs on reprisals. The Director of the Human Rights Council and Treaty Mechanisms Division highlighted four key recommendations, namely, that the rapporteurs and focal points on reprisals should work together to align their approaches, including through meetings as appropriate, that good practices in the implementation of the San José Guidelines should be identified and replicated among the treaty bodies, that focal points and rapporteurs in the various treaty bodies are encouraged to work together inter-sessionally and that the treaty bodies should make information about reprisals available on their web pages. Experts raised challenges in responding to allegations of reprisals, such as lack of cooperation of States parties and a perceived culture of denial when reprisals were addressed.<sup>63</sup>

In 2024, the treaty bodies reported that there seemed to be a slight decrease in allegations reported to the focal points, working-level Secretariat focal points and rapporteurs and treaty body experts compared with the previous reporting period, though also reported that it is difficult to ascertain whether this is reflective of reality, due to self-censorship or due to the preventive actions and responses to allegations that the treaty bodies are taking that are effective in the prevention of cases.<sup>64</sup>

The Chairs expressed concern about the capacity of the Chairs to provide protection to human rights defenders and cautioned against limiting work on reprisals to engaging only with States parties. The Chair of the thirty-fifth meeting stressed that the concluding observations of the treaty bodies highlighted the importance of supporting civil society interlocutors and that it was always important to look at every case and the context in which reprisals occurred. Following the discussions on engagement with stakeholders, during their thirty-fifth annual meeting, the Chairs agreed to develop common guidelines in this regard and to strengthen their cooperation to prevent and address acts of intimidation and reprisals for cooperation with the human rights treaty bodies, in line with the San José Guidelines.<sup>65</sup>

At their 36th annual meeting in 2024, the Chairs recommended that, in order to align the working methods on **inquiry procedures** for the benefit of all stakeholders, the treaty bodies will develop and use common guidelines on inquiry and visit procedures, in accordance with

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<sup>61</sup> [HRI/MC/2020/2/Rev.1](#)

<sup>62</sup> <http://undocs.org/HRI/MC/2022/4>

<sup>63</sup> HRI/MC/2023/2

<sup>64</sup> HRI/MC/2024/2, para 17.

<sup>65</sup> HRI/MC/2024/2, paras 12-13.

the respective human rights treaties and taking as guidance the commonalities between Committees' practices, as outlined in the background paper for the thirty-fourth meeting of treaty body Chairs ([HRI/MC/2022/CRP.3](#)) and mandate the focal points on working methods of the treaty bodies to develop the guidelines ([OHCHR working paper, guiding questions 2.14.1 and 2.14.2](#)), which cover the following areas:...(d): A common protocol in relation to reprisals in the context of inquiries and country visits;

The Chairs also called for regular exchanges between the treaty bodies' Rapporteurs and focal points on reprisals. They suggested increasing references to reprisals for cooperation with the United Nations in concluding observations, in particular in follow-up recommendations, as well as in the context of individual communications and to strengthen coordination between the treaty bodies and OHCHR regional and country offices through the OHCHR reprisals team.

They encouraged the Committee on Economic, Social and Cultural Rights to endorse the San José Guidelines.

The Practices of the human rights treaty bodies on intimidation and reprisals and issues for further action by the Chairs - Note by the Secretariat ([HRI/MC/2024/2](#)), April 2024 included a number of recommendations:

- As recommended in previous reports, the treaty bodies could further improve awareness-raising and the provision of public information on reprisals, including by posting references to cases and communications, when public, on a web page dedicated to allegations of reprisals, as some treaty bodies already do; by emphasizing, at the opening of each session or at meetings with States parties, that treaty bodies have an approach of zero tolerance towards reprisals and intimidation; and by including a section dedicated to intimidation and reprisals in their annual or biennial reports, in cases where one does not yet exist.
- There is room for improvement, and there are inconsistencies, regarding the provision of public information on reprisals by the treaty bodies in relation to their cooperation with victims of violations (as in the context of individual petitions) or civil society (NGOs, civil society organizations and national human rights institutions). Treaty bodies could ensure that guidance and information are readily available on their websites, in order to facilitate the submission of individual complaints or the participation of civil society organizations and national human rights institutions, and are updated to include reference to: (a) the San José Guidelines; (b) a zero-tolerance approach to reprisals; and (c) clear reporting channels, such as a public email address, to raise concerns. The guidelines of the Committee on the Elimination of Racial Discrimination on cooperation with NGOs and the paper of the Committee on the Elimination of Discrimination against Women on cooperation with national human rights institutions are good examples.
- Holding induction sessions for new experts with specific discussions about reprisals, and how the treaty bodies can respond to them, is a good practice and should be continued and strengthened in the future. Other improvements could include making more strategic and consistent use of press releases or end-of-session media advisories on concluding observations adopted on the reports of States parties and addressing individual cases through formal communications or meetings with the permanent representatives of the States parties concerned.

- In that regard, induction sessions for new treaty body experts were held on 6-7 February 2024 and 23-24 January 2025, which included sessions on prevention of and addressing of reprisals.
- On 20th March 2025, during the informal meeting of TB experts and Rapporteurs on the implementation of the San José guidelines, the experts were briefed about the new OHCHR policy on protection of civil society actors
- The treaty bodies should continue to align their working methods to prevent and address intimidation and reprisals, including with regard to the role of focal points and rapporteurs, specific policies or guidelines on reprisals and the disclosure of allegations of reprisals and responses received from States with the consent of those concerned. The Chairs could introduce a practice of regular exchanges on good practices regarding intimidation and reprisals, including intersessionally, with the focal points and rapporteurs on reprisals, in the form of coordination meetings held virtually. The Chairs should be regularly informed of any developments regarding reprisals.
- More regular communication among the focal points or rapporteurs on reprisals and the holding of annual meetings of such focal points or rapporteurs, together with the focal points in the Secretariat, held virtually, could also be envisaged.
- Coordination among the treaty body focal points and rapporteurs on reprisals should be strengthened, including by reaching out to the Office of the Assistant Secretary-General for Human Rights for a coordinated and strategic response to individual allegations and cases.
- Coordination and communication could be strengthened among human rights mechanisms, in particular between the rapporteurs and focal points of the treaty bodies and the special procedures of the Human Rights Council, such as the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.
- Other measures could include increased coordination with United Nations field presences on addressing reprisals. The treaty bodies could undertake further efforts to prevent acts of intimidation or reprisals by coordinating with the United Nations field presences in, or desk officers for, States of concern, including before the review of reports submitted by those States in the context of the periodic reporting cycle. They could also seek cooperation and assistance in connection with follow-up to individual cases from United Nations field presences, when acts of intimidation or reprisals have been committed and/or are publicly reported, such as in the report of the Secretary-General. Protective measures could be strengthened, including by holding confidential meetings with NGOs and human rights defenders and by providing secure online and offline channels for receiving information.

## Special Procedures and UN experts

In their annual report, Special Procedures mandate holders reported that they continued to take up cases concerning acts of intimidation and reprisal, in relation not only to their work, but also to the wider United Nations system in the field of human rights. They also reported that they implemented their internal guidelines on reprisals and intimidation in a coherent and systematic manner.

In 2023, mandate holders continued to use communications, public statements, press releases, reports and meetings with various stakeholders to express their serious concern regarding all such acts. The issue of intimidation and reprisal was raised, as appropriate, with the President of the Human Rights Council and/or the Chair of the Third Committee of the General Assembly. Mandate holders held a dedicated discussion during their annual meeting and revised the enhanced response to reprisals adopted in 2015. Siorcha MacLeod, the focal point of the Coordination Committee on the issue, led the discussion, which allowed for an assessment of the actions taken by special procedures and the United Nations to address the issue, as well as the identification of trends and possible follow up actions by the Committee. Mandate holders acknowledged the growing use of online platforms and new technologies for intimidation and reprisal. They also underscored the significance of reacting to such cases through various tools at their disposal and reporting on incidents in the annual report of the Secretary-General.<sup>66</sup>

The 2023 report of the Secretary-General on reprisals includes new allegations from 10 communications concerning 9 States and 1 non-State actor, and follow-up information on cases and legislation concerning 12 States). The mandate holders noted concerns about reprisals due to cooperation with the United Nations in eight reports and one oral statement to the Human Rights Council, and in three reports to the General Assembly. They also included references to the issue in two public statements following country visits and in five press releases addressing restrictive legislation, actions at a United Nations conference and two individual cases concerning four countries.

**In 2024, mandate holders continued their efforts building on previous discussions and actions. They issued nine communications concerning eight States and provided follow-up information on cases from previous reports. Mandate holders also reported incidents of reprisals in their submissions to the Human Rights Council and General Assembly, through oral statements, end-of-mission reports, and press releases. During their annual meeting, they revised the enhanced response to reprisals adopted in 2015 and explored ways to strengthen engagement with States that have a track record of such actions. The Coordination Committee, under the leadership of its focal point, proposed closer collaboration with the President of the Human Rights Council and other relevant actors to reinforce responses to reprisals. Additionally, mandate holders emphasized the importance of leveraging United Nations field presences and country teams to mitigate risks on the ground.**

**The 2024 report of the Secretary-General on reprisals included information on allegations from seven communications concerning seven States, as well as updates on five previously reported cases.**

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<sup>66</sup> A/HRC/55/69, para 70.



## Attacks against mandate holders

ISHR continues to be very concerned about attacks of a personal nature against Special Procedure mandate holders, as well as members of Expert Mechanisms and Commissions of Inquiries<sup>67</sup> by several UN member States. ISHR views these attacks as reprisals against mandate holders for their work to investigate and report on allegations of human rights violations and abuses. It is wholly unacceptable that these individuals have been targeted simply for trying to fulfil the mandates given to them by the Human Rights Council. Beyond the impact on these individuals themselves, these acts of intimidation and reprisal constitute an attack on the Human Rights Council and the UN human rights system more broadly. We are particularly concerned at the proliferation of attacks, which speaks to a 'copycat' phenomenon regarding States' tactics to effectively discredit, disparage, defame, threaten, and otherwise undermine these experts, ultimately hampering their abilities to fulfil their mandates. Furthermore, prominent UN experts being attacked without consequence may deter civil society from engaging with the mechanisms and is likely to increase fear in those seeking the protection of the UN.

In March 2021, media reports emerged that a senior Saudi Arabian official issued what was perceived to be a death threat against then Special Rapporteur on Extrajudicial Executions, Agnès Callamard, after her investigation into the murder of journalist **Jamal Khashoggi**.<sup>68</sup>

In July 2022, **Anexa Alfred Cunningham**, a Miskitu indigenous woman, lawyer and expert in Indigenous Law and Policy, and a citizen of Nicaragua travelled to Geneva to carry out her first official mission to the fifteenth session of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), two months after being appointed to EMRIP. On Cunningham's way back to Nicaragua, the government of Daniel Ortega and Rosario Murillo denied her entry and did not allow her to board the plane. On 15 July 2022, the President of the HRC, Federico Villegas, had contacted the Permanent Representative of Nicaragua and had requested clarification of the situation as well as the cooperation of the Government in rectifying the matter numerous times, without being able to receive any response or explanation. It clearly indicates an act of reprisal for her participation in the EMRIP session and seriously jeopardised Alfred Cunningham's safe return to Nicaragua. Unfortunately, it is not an isolated incident and is part of a series of actions the Nicaraguan government has taken to repress and punish dissident voices.

On 16 May 2024, the Coordination Committee of Special Procedures issued a statement denouncing unacceptable acts of intimidation, threats as well as personal attacks against special procedures mandate holders for carrying out their mandates to protect and promote human rights, according to a committee of experts that coordinates and facilitates their work.<sup>69</sup>

**The United Nations Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese**, is currently facing accusations of financial misconduct, including improper payments for official work and travel allegedly received from pro-Hamas advocacy organisations. These claims of non-compliance with the provisions of the UN Code of Conduct of the Special Procedures have been raised by Israel and the NGO UN Watch.<sup>70</sup>

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<sup>67</sup> See also <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22421&LangID=E>.

<sup>68</sup> <https://www.theguardian.com/world/2021/mar/23/top-saudi-official-issued-death-threat-against-uns-khashoggi-investigator>

<sup>69</sup> <https://www.ohchr.org/en/press-releases/2024/05/attacks-against-un-human-rights-experts-must-cease-coordination-committee>

<sup>70</sup> <https://unwatch.org/uns-francesca-albanese-accused-of-financial-misconduct-by-human-rights-watchdog/>

On 28 March 2025, the President of the Human Rights Council received a letter from the Chairs of the Coordination Committee of Special Procedures regarding these allegations. Recalling the crucial importance of avoiding real or perceived conflicts of interest, the Coordination Committee conclusions did not identify any violations of the Code of Conduct by the Special Rapporteur. The Committee has expressed being 'deeply concerned by the intimidation and personal attacks faced by the Special Rapporteur, which have escalated in severity and scope recently', condemning 'in the strongest terms the coordinated campaign against the Special Rapporteur and the negative consequences on her families and those working with her as well as the attempt to undermine her work and reputation.'<sup>71</sup> On 31 March 2025, the President of the Human Rights Council acknowledged the personal attacks faced by the Special Rapporteur and their negative impact on her family and colleagues.<sup>72</sup> In April 2025, her mandate was renewed for three years. This pattern of criticism and allegations is raising serious concern among legal and human rights organisations,<sup>73</sup> who have also warned of the chilling effect such campaigns can have on the independence and integrity of UN Special Procedures, as well as how the framing of these accusations are part of a broader effort to discredit and constrain her ability to carry out her mandate effectively. This situation raises serious concerns over the protection of UN human rights experts from harmful acts of reprisals and retaliation while working to address serious human rights violations.

## UN Committee on NGOs

The UN's Committee on NGOs, which recommends NGOs to the Economic and Social Council (ECOSOC) for consultative status, has come under fierce criticism for failing in its core task of giving civil society a voice at the UN and for deviating from the guiding principles in ECOSOC resolution 1996/31 in its handling of applications for consultative status.<sup>74</sup>

ISHR has reported consistently that some Member States on the Committee have continuously deferred applications by posing questions on issues that applicants are not required to provide information on, or through repetitive questioning.<sup>75</sup> Human rights organisations and humanitarian organisations face a disproportionately high likelihood of being deferred compared to other kinds of NGO applicants. The continued deferral of applications for consultative status has, in some cases, amounted to de facto rejection, especially for organizations working on human rights.<sup>76</sup>

The **International Dalit Solidarity Network (IDSN)** has held the record of the longest deferred NGO in the history of the NGO Committee, the most egregious example of reprisals by the Committee against an NGO seeking to cooperate with the UN. Starting 2008 when the application was first considered, received over 100 questions including repeated and

71 <https://hrcmeetings.ohchr.org/PresidencyBureau/BureauRegionalGroupsCorrespondence/Correspondence/Letter%20from%20the%202023-2024%20and%202024-2025%20Chairs%20of%20the%20Coordination%20Committee%20to%20the%20HRC%20President%20concerning%20allegations%20raised%20in%202024%20against%20the%20Special%20Rapporteur%20on%20the%20situation%20of%20human%20rights%20in%20the%20Palestinian%20territories%20occupied%20since%201967.pdf>

72 <https://unwatch.org/wp-content/uploads/2025/04/Bureau-meeting-minutes-1-April-2025.pdf>

73 <https://eldh.eu/wp-content/uploads/2024/10/ELDH-against-the-defamation-of-Francesca-Albanese.pdf>

74 <https://www.ishr.ch/news/ngo-committee-accusations-terrorism-remain-unretracted>; <https://www.ishr.ch/news/un-ngos-relationship-must-evolve-take-full-advantage-civil-society-expertise>; <https://www.swissinfo.ch/eng/politics/ngos-face-uphill-battle-to-gain-access-to-the-un/48318440>;

75 <https://ishr.ch/latest-updates/committee-on-ngos-politicised-committee-defers-almost-two-thirds-of-ngos-seeking-un-accreditation/>

76 <https://docs.un.org/en/A/HRC/57/60>

arbitrary questioning over the course of 15 years. In December 2022, IDSN was finally granted consultative status when ECOSOC voted to grant consultative status to IDSN and eight other NGOs.<sup>77</sup>

In its most recent regular session in 2025, the Committee approved only 148 of the 536 NGO applications for consultative status. Member States working within multilateral institutions are legally obligated to ensure the full and effective participation of civil society. The Declaration on Human Rights Defenders affirms ‘the right, individually and in association with others, to unhindered access and communication with international bodies.’<sup>78</sup> The Committee on NGOs must ensure apolitical, fair and transparent consideration of all NGO applications for consultative status.

ECOSOC and the Committee on NGOs are legally obliged to exercise their functions consistent with international human rights standards that include the rights to due process, non-discrimination, and the fundamental freedoms of expression, association and assembly. These standards apply in the interpretation and application of ECOSOC Resolution 1996/31, in respect of the Committee on NGOs when developing and applying its own procedures and practices and making recommendations in relation to NGO consultative status.

On 20 June 2019, the Coordination Committee of the Special Procedures sent a letter to the Committee on NGOs,<sup>79</sup> in which it submitted the following proposals and recommendations to ECOSOC and the Committee for their consideration.

The Coordinating Committee recommended that ECOSOC:

- Strengthen its oversight and coordination role with the Committee by:
  - Reviewing and rejecting its recommendations to defer applications in cases where there are no objectively good reasons for the continued deferral, and
  - Directly intervening in support of NGOs whose applications have been deferred for several years.
- Ensure that the Committee fairly, transparently, and expeditiously assesses applications for consultative status in an apolitical and non-discriminatory manner by, for example, clearly reasserting and explaining the objective criteria it must use to assess applications and by requiring it to justify its decisions, preferably in writing, with regard to deferrals extending beyond three years and all denials of consultative status.
- Consider expanding the membership of the Committee and promoting membership rotation to increase participation, inclusiveness, and diversity.
- Study the possibility of establishing a new accreditation system and process, such as a tripartite model similar to the model adopted at the International Labour Organization or an independent expert body.
- Consider instituting a mechanism to expedite applications for consultative status to civil society organisations that have been cooperating with UN bodies and mechanisms for the past five years.

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<sup>77</sup> <https://ishr.ch/latest-updates/un-finally-grants-access-to-dalit-rights-organisation-blocked-for-a-record-15-years/>

<sup>78</sup> General Assembly resolution 53/144 (1998) <http://www.ohchr.org/Documents/Issues/Defenders/Declaration/declaration.pdf>

<sup>79</sup> [https://www.ohchr.org/Documents/HRBodies/SP/CC\\_Chair\\_letter\\_to\\_NGO\\_Committee\\_20062019.pdf](https://www.ohchr.org/Documents/HRBodies/SP/CC_Chair_letter_to_NGO_Committee_20062019.pdf)

- Establish accountability and grievance mechanisms, including an expeditious process to reconsider any erroneous or arbitrary decisions deferring or denying applications for consultative status by the Committee.
- Impose a limit on the number of times an application can be deferred, after which ECOSOC can then decide whether an application for consultative status should be approved or denied.

The Coordinating Committee recommended that the Committee on NGOs:

- Institute safeguards against arbitrary delays, deferrals or denials of consultative status by, among other things:
  - Developing clear, transparent, and publicly available objective eligibility criteria for obtaining consultative status on which applications are to be assessed based on the principles and criteria contained in Resolution 1996/31,
  - Ensuring that all applications for consultative status are considered in a fair, transparent, non-discriminatory, and timely manner in accordance with Resolution 1996/31 and that its criteria are uniformly applied with a view towards upholding the rights to freedoms of expression and association, and preventing perpetual deferral of applications for status with repetitive and/or irrelevant questioning and requests for documentation by, for example, allowing the Chair to engage the Committee an in depth review of long differed applications and to require States to justify the relevance of their questions or requests for additional documents;
- Continue enhancing the use of information technology, including by allowing NGOs to participate in the Committee's Q&A sessions via videoconferencing, to foster and increase the participation of, among others, NGOs from developing countries.
- Ensure that all NGOs are provided with the right to respond to objections to their applications and allegations lodged against them during the application process before it takes a decision on suspensions and withdrawals as expressly required by paragraph 15 of Resolution 1996/31.

## UN Security Council

On 21 February 2020, Belgium, the Dominican Republic, Estonia, Germany, and the United Kingdom convened an unprecedented 'Arria Formula'<sup>1</sup> informal meeting of the Security Council to address reprisals against women human rights defenders and women peacebuilders who engage with the Security Council. States overwhelmingly reaffirmed their responsibility to protect civil society briefers from intimidation and reprisals related to their engagement with the Security Council. However, many recognised that States are failing to uphold these responsibilities, as civil society briefers — especially women human rights defenders (WHRDs) and peacebuilders — all too often face acts of intimidation and reprisals related to their engagement with the Security Council.

A number of the recommendations made in ISHR's policy brief on reprisals and the Security Council were reflected in the recommendations made by States during the interactive dialogue. These included calls for comprehensive risk assessments for those briefing the Security

Council; a reprisals 'docking point', or creation of a focal point within the Security Council Affairs Division for briefers; support for defenders and peacebuilders prior to arrival, during their visits, and after they return; and contingency plans should threats materialise.<sup>80</sup> Member States of the Security Council should build on this first informal meeting and commit to further, concrete steps to combat reprisals against WHRDs and women peacebuilders who engage with the Council.

Also, in line with recommendations made by ISHR in its policy brief, OHCHR reportedly developed guidance and capacity building to better mitigate against reprisals associated with Security Council cooperation, by civil society briefers.

In January 2022, the Security Council held an open debate on Protecting Women's Participation. This was the first time the Security Council held a formal meeting on reprisals and their effects on women's participation. Kaavya Asoka, of the NGO Working Group on Women, Peace and Security shared several civil society recommendations, including that OHCHR be provided with the necessary financial support to carry out its work on reprisals, including better monitoring and reporting and critically, providing support to civil society at risk and proactively following up on individual cases. The burden must be shifted away from individuals who have faced attacks, to the system with the capacity to protect them.<sup>81</sup>

The 2022 Secretary-General's report on women, peace and security follows up on the Secretary-General's directives to the United Nations and the five goals for the decade (2020 to 2030) laid out in the reports of the Secretary-General on women and peace and security from 2019 and 2020, paying special attention to the goal of turning the unconditional defence of women's rights into one of the most visible markers of the work of the United Nations on peace and security, and in particular the protection of women human rights defenders.

The report noted that across the globe, women human rights defenders have increasingly been targeted with attacks that silence their advocacy and prevent them from participating in public life. The ascendancy of extremist political actors and the resurgence of military coups and unconstitutional changes of Government have made the work of human rights defenders more dangerous. In most conflict-affected countries, men hold power, women are structurally or directly excluded, and women's rights and freedoms are deliberately targeted, even though women are at the forefront of protests against authoritarian leaders and are firm in their refusal to accept political settlements that do not guarantee their rights. Women expect concrete actions towards their inclusion and reject tokenistic meetings with women's groups or the insertion of language in deals without their direct participation. To protect women's rights activists and their organisations, the Security Council has called for specific measures. In 2022, it held its first-ever formal meeting focusing on reprisals against women participating in peace and security processes.

This 2022 report documented that since 2018, more than a third of the women briefers invited to address the Security Council assisted by the NGO Working Group on Women, Peace and Security have been subjected to reprisals and intimidation. When UN-Women surveyed the women civil society representatives who briefed the Council between January 2021 and May 2022, 9 out of 32 respondents reported reprisals. Furthermore, not all survey respondents had undertaken a risk assessment and protection planning ahead of the meeting, and many of these were conducted by civil society instead of the United Nations or the inviting Security Council member. The SG welcomed the development of guidance material to mitigate reprisals against

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80 <https://www.ishr.ch/news/reprisals-new-isshr-policy-brief-reprisals-and-security-council>

81 <https://www.womenpeacesecurity.org/resource/statement-unsc-wps-open-debate-january-2022/>

civil society briefers by OHCHR and the formation of an informal group of Member States on the issue. Between September 2021 and July 2022, every elected Council member signed a commitment to prioritise women and peace and security during their rotating presidency. Their commitments included giving greater visibility to the agenda in their programmes of work when they hold the presidency, promoting the participation of women in Council meetings and taking specific measures to prevent reprisals against them, requiring United Nations briefers to include gender analysis in their statements, paying special attention to the recommendations of the Informal Expert Group or of women from civil society, and holding joint media stakeouts on these issues. During this period, there were four open debates on women and peace and security, and several country-specific meetings devoted to gender issues.

In terms of conclusions and recommendations, the SG requested all relevant entities and departments to strengthen their responses to cases when individuals are at risk or have experienced reprisals. He also urged Member States and regional organisations to use all forums, including the Security Council, to report regularly on steps to improve the enabling environment for women human rights defenders, provide both material and political support to their work and their organisations, and prevent and respond to specific threats or reprisals against them. Finally, he encouraged the members of the Security Council to consider mandating that peacekeeping operations, special political missions and monitoring mechanisms linked to sanctions committees monitor and respond to risks, attacks, and reprisals against all human rights defenders and peacebuilders.

The 2023 report of the SG on Women, Peace and Security reported that the Security Council used stronger language on protecting women who defend human rights from reprisals, as well as more attention being paid by Council members to preventing reprisals against women briefers from civil society who are invited to provide briefings, or to addressing such reprisals, when they occur. UN-Women launched a survey to collect information about reprisals against these civil society briefers to improve the reporting and documentation of such cases. In 2022, the survey was sent to 56 women who briefed the Council that year, 24 of whom responded, with 7 who self-reported having been targeted as a consequence to their briefing. Three cases reported through the survey are included in the report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, two of them having been included anonymously owing to the fear of further reprisals (A/HRC/54/61, para. 13).<sup>82</sup>

The 2023 report of the SG on Women, Peace and Security also mentions that between May 2021 and April 2022, the Office of the United Nations High Commissioner for Human Rights (OHCHR) documented incidents of reprisal and intimidation against 172 women, girls, women human rights defenders and civil society organisations working in the field of human rights, who were targeted for their cooperation with the United Nations.

The 2024 report of the SG on Women, Peace and Security mentions that several Member States, regional organizations such as the European Union, and the United Nations are taking stronger measures to respond to attacks and reprisals against women human rights defenders. In a survey sent by UN-Women to the 45 women from civil society who briefed the Security Council in 2023, five of the 23 who responded reported having been targeted as a consequence of their briefing. Furthermore, the report noted that 2025 will mark the twenty-fifth anniversary of the adoption of Security Council resolution 1325 (2000). In that regard, the SG recommended that pledges made at the 25th anniversary include: adopting and fully implementing a zero-tolerance approach to any form of intimidation or reprisal against

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<sup>82</sup> <https://undocs.org/S/2023/725>



women for their political participation, human rights and humanitarian work, peacebuilding activities or cooperation with United Nations mechanisms, including the Security Council, while safeguarding their right to participation and the independence of their views. Such an approach could entail, for example, reviewing legislation and policies to provide stronger protection to women human rights defenders at risk, including by protecting their work in the digital space, and taking gender-based persecution into consideration in asylum-granting processes.

## NATIONAL LAWS FOR THE RECOGNITION AND PROTECTION OF HUMAN RIGHTS DEFENDERS

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The legal recognition and protection of defenders is crucial to ensuring that they can work in a safe, supportive environment, free from attacks, reprisals and unreasonable restrictions.

In 2016, ISHR developed in consultation with over 500 defenders from every region a Model Law for the Recognition and Protection of Human Rights Defenders, which was then settled and adopted by 28 of the world's leading human rights experts and jurists.<sup>83</sup> The Model Law provides authoritative guidance to States on how to implement the UN Declaration on Human Rights Defenders at the national level and specifically contains provisions relating to the protection of defenders from reprisals.

In March 2019, ISHR made a Submission to the 2019 UN Secretary-General's report on 'Cooperation with the United Nations, its representatives and mechanisms in the field of human rights' outlining Good practices in the legal and policy framework at the national level to ensure the right to participation at the international level.<sup>84</sup> The submission puts forward arguments for a legislative response by individual States and provides a brief review of the extent to which the national human rights defender laws and policies have addressed the right to unhindered access to and communication with international bodies, and the obligation to prevent and ensure protection from intimidation and reprisals.

The information below reflects developments since the 2019 submission, up to and including April 2022.

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<sup>83</sup> <https://www.ishr.ch/news/model-law>.

<sup>84</sup> <https://www.ishr.ch/ishr-submission-sg-report-reprisals-good-practices-legal-and-policy-framework-national-level>

## Relevant sections in national laws and policies on defenders

While the vast majority of States do not have specific laws or policies on human rights defenders, several States have adopted such laws and policies in recent years, including national laws in the Democratic Republic of the Congo (DRC), Liberia, Ecuador, Guatemala, Mongolia, Niger and Peru, as well as provincial laws in the DRC and Mexico. Before them, Brazil, Burkina Faso, Colombia, Côte d'Ivoire, Honduras, Mexico (including State-level laws) and Mali had done so as well.

Other countries are developing or have proposed such laws and policies (or reforms), including Benin, the Central African Republic, Costa Rica, Colombia, DRC, Guinea, Madagascar, Mexico, Nepal, Paraguay, Perú, the Philippines, Sierra Leone, Senegal, Togo, Uganda and Zambia.

The efficacy of these laws and policies has been discussed before high national courts in Brazil and Colombia.<sup>85</sup>

While much valuable work is being done to evaluate how well defenders are protected by these laws and policies,<sup>86</sup> little has been said on the need for them to provide specifically for the right of unhindered access to and communication with international bodies and the State's obligation to protect against intimidation or reprisals.

This section examines the extent to which States that have devised, or are devising, laws or policies for defenders, have provided for the relevant rights and obligations in those laws or policies. The aim is to point to some of the characteristics of this evolving legislative landscape, some good practices, as well as gaps remaining to ensure full realisation of these rights.<sup>87</sup>

At the outset it is useful to note that several of the older laws and policies on the protection of defenders do not recognise rights or create obligations but rather create protection mechanisms. As such, they do not address the rights and obligations related to engagement with international human rights bodies and mechanisms.<sup>88</sup>

**Regarding the right to communicate with NGOs, governmental and intergovernmental organisations,** as reflected in Section 8 of the Model Law:

- Analogous wording is used in article 8 of the **Liberian** policy<sup>89</sup>;
- the 2025 draft law of the **DRC** recognises this right in article 4(6);<sup>90</sup>

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<sup>85</sup> <https://colombiareports.com/colombia-massively-violating-rights-of-human-rights-defenders-court/>

<sup>86</sup> 2017 FOCUS report, public policies for the protection of Human Rights Defenders, Protection International (2017); Americas: The Situation of State Protection Mechanisms for Human Rights Defenders, Amnesty International, October 2018.

<sup>87</sup> Ending Reprisals: The role of national laws and policies in protecting those who cooperate with the United Nations, International Service for Human Rights, 2013, at page 23.

<sup>88</sup> These include the Mexican [Law for the Protection of Human Rights Defenders and Journalists](#), approved in 2012; the Brazilian Protection Programme for HRDs (PPDDH in Portuguese), [established in 2007](#) and [updated in 2019](#); and the [Colombian National Protection Unit](#) (UNP in Spanish), created in 2011.

<sup>89</sup> [Republic of Liberia. National Policy to Protect Human Rights Defenders](#) (HRDS). February 2022

<sup>90</sup> Avant-projet de Loi N° ... du ... portant protection des défenseur(e)s des droits humains en République du Congo

- in the bill being considered in the **Philippines**,<sup>91</sup> section 10 incorporates the Model Law language;
- in the **Burkinabe** law, only the right to be affiliated with non-governmental organisations is mentioned in Article 6;<sup>92</sup>
- the **Ivorian** law states that defenders have the right to communicate with persons, associations, governmental organisations, NGOs or international organisations that pursue the same goals (Article 3);<sup>93</sup>
- the **Honduran** law speaks of the right to communicate with NGOs and intergovernmental organisations (Article 4[5]);<sup>94</sup>
- the law in **Mali** (Article 3[3])<sup>95</sup> and law in **Niger** (Article 4)<sup>96</sup> both state that defenders have the right to communicate with persons or organisations, including governmental, non-governmental or intergovernmental, pursuing the same goals;
- a current draft law in **Mexico** which seeks to improve the 2012 law recognises the right to freely communicate with NGOs, governmental and intergovernmental organisations, including subsidiary bodies, mechanisms or experts with a human rights mandate, as well as diplomatic representations; this law also recognises the right to unhindered access and communication with regional and international human rights bodies (Article 7[VI, VII]);<sup>97</sup>
- Only one of the regional edicts from the **DRC (South Kivu)** recognises this right in Article 4d).<sup>98</sup>

**Regarding the right to access, communicate with and cooperate with international and regional human rights bodies and mechanisms**, as reflected in Section 9 of the Model Law:

- analogous wording is used in article 8 of the **Liberian** policy;<sup>99</sup>
- the 2025 draft law of the **DRC** recognises this right in article 5(4);<sup>100</sup>
- the draft law being developed by civil society in Uganda (Part II [2.1.a.viii])<sup>101</sup> and the bill being considered in the Philippines (section 10)<sup>102</sup> incorporate the Model Law language;

91 [House Bill No. 77 Human Rights Defenders Protection Act](#) This is a consolidated draft from bills that were presented to the House of Representatives (HoR). Identical bills were passed on third and final reading in the HoR during the 17th and 18th Congresses but were not acted upon by the Senate. This refiling (from 4 July 2022) seeks HoR, Senate and presidential approval.

92 [Loi N° 039-2017/AN, Portant Protection des Défenseurs des Droits Humains au Burkina Faso](#), 2017

93 [Loi No 2014-388 portant promotion et protection des défenseurs des droits de l'Homme](#), 2014

94 [Law for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials](#), 2015.

95 [Loi No2018-003/Du 12 Janvier 2018 Relative aux Défenseurs des Droits de l'Homme](#), 2018.

96 [Loi N°2016-\\_\\_\\_\\_\\_/ du portant droits et responsabilités des défenseurs des droits humains en République Du Niger](#) [Loi n° 2022-27 du 20 juin 2022 fixant les droits et devoirs des défenseurs des droits de l'Homme au Niger](#)

97 Initiative of a general law to respect, protect, guarantee and promote the rights of human rights defenders and journalists, 2019

98 [Edict N°001-2016](#) of 10 February 2016 on the protection of human rights defenders and journalists in the South Kivu province

99 [Republic of Liberia. National Policy to Protect Human Rights Defenders](#) (HRDS). February 2022

100 [Avant-projet de Loi N° ... du ... portant protection des défenseur\(e\)s des droits humains en République du Congo](#)

101 [The human rights defenders' bill](#) 2018.

102 [Senate Bill No. 1699. An act to promote and protect the rights of human rights defenders](#), 2018

- Article 7 of the **Ivorian** law says that human rights defenders have the right to address competent international institutions and organisations without any restrictions to receive and examine communications related to human rights, while conforming to applicable international procedures and instruments;<sup>103</sup>
- The law in **Mali** similarly states that in conformity with applicable procedures and international instruments, defenders have the right to communicate without restriction to international bodies competent to submit, receive and examine communications regarding human rights (Article 7);<sup>104</sup>
- The recently adopted **Mongolian** law on HRDs recognises in article 6.1.4 the right of defenders to communicate and cooperate with national, international and regional human rights bodies and networks in charge of human rights protection; furthermore, in article 6.1.10 it recognises the right to refer a complaint about violations of human rights and freedoms perpetrated by state organisations and legal entities, to the competent international human rights body;<sup>105</sup>
- Finally, the draft law being developed by civil society in **Sierra Leone** sets out (Part II, Section 2[VI]) that human rights defenders have the right to submit without restriction communications relating to human rights to international bodies competent to receive and consider such matters in accordance with the applicable international procedures and instruments in.<sup>106</sup>

**Regarding freedom from intimidation and reprisals,** as set out in Section 15 of the Model Law:

- the **Liberian** policy uses this wording in articles 7 and 8;<sup>107</sup>
- the 2025 draft law of the **DRC** recognises this right in article 7;<sup>108</sup>
- the bill being considered in **the Philippines** incorporates the Model Law language in section 17;<sup>109</sup>
- Articles 5 and 6 of the law in **Mali** provide that defenders cannot be sued, arrested, detained for opinions and reports issued within the scope of their activities and cannot have their homes searched (except if caught in the act of committing an offence) without the Public Prosecutor's authorisation and the relevant ministry having been informed;<sup>110</sup>
- The **Mongolian** law contains a provision stating that State organisations, officials and legal entities have an obligation to refrain from interfering in any way with human rights defenders without a ground specified in law (Article 9.1.5).<sup>111</sup>
- Both regional edicts from the **DRC** partially protect this right. The **South Kivu** edict states in Article 14 that the provincial government must take all necessary measures to ensure that HRDs are protected against all forms of threats and reprisals.<sup>112</sup> The **North Kivu** edict states in article 5 that HRDs shall not be subjected to any form

103 [Loi No 2014-388 portant promotion et protection des défenseurs des droits de l'Homme](#), 2014

104 Loi No 2018-003/Du 12 Janvier 2018 Relative aux Défenseurs des Droits de l'Homme, 2018.

105 [Law of Mongolia on the legal status of human rights defenders](#)

106 [The Human Rights Defenders Bill 2017](#).

107 Republic of Liberia. National Policy to Protect Human Rights Defenders (HRDS). February 2022

108 Avant-projet de Loi N° ... du ... portant protection des défenseur(e)s des droits humains en République du Congo

109 [Senate Bill No. 1699. An act to promote and protect the rights of human rights defenders](#), 2018

110 Loi No 2018-003/Du 12 Janvier 2018 Relative aux Défenseurs des Droits de l'Homme, 2018.

111 Law of Mongolia on the legal status of human rights defenders Draft Law on the Legal Status of Human Rights Defenders.

112 [Edict N°001-2016](#) of 10 February 2016 on the protection of human rights defenders and journalists in the South Kivu province

of stigmatisation, harassment, intimidation, judicial prosecution or others as a consequence of his work.<sup>113</sup>

**Regarding the obligation to prevent and to ensure protection against intimidation or reprisals**, as set out in Section 26 of the Model Law:

- the **Liberian** policy uses this wording in article 1;<sup>114</sup>
- the 2025 draft law of the **DRC** recognises this in Article 12;<sup>115</sup>,
- the bill being considered in **the Philippines** incorporates the relevant language from the Model Law in section 24,<sup>116</sup> as does the draft being developed by civil society in **Sierra Leone** (Part IV, Section 11);<sup>117</sup>
- the **Burkinabe** law sets out that the government must protect human rights defenders against a range of acts of violence, intimidation and harassment (Articles 12, 13);<sup>118</sup>
- the **Ivorian** law merely addresses the protection of women human rights defenders from harassment, violence and/or against all forms of discrimination, as well as the obligation of the State to ensure the protection of HRDs and their families in in case of risk arising from their activities (Articles 9, 17);<sup>119</sup>
- the law in **Mali** has several obligations that relate to the one in the model law. The State has the obligation to: promote and protect the rights of defenders in its territory and to take legislative and regulatory measures to give effect to those rights (Articles 11 and 12) and to protect them, their families and their collaborators from risk arising from their activities (Article 15);<sup>120</sup>
- the draft law being developed by civil society in **Niger** contains a range of provisions spelling out the protection obligations of the state, including: the general obligation to promote and protect the rights of HRDs on its territory (Articles 18, 22), to protect those HRDs who refuse to divulge their sources (article 20), to protect them and their families when at risk arising from their activities (article 21), and from non-State actors (article 23);<sup>121</sup>
- the **Mongolian** law imposes common obligations on the State, its officials and other legal entities, which include: avoid violating the rights of HRDs, refrain from interfering with their rights without a legal justification, implement regulations to protect HRDs, and have the police protect HRDs from any assault on their rights (Articles 9.1 and 9.2).<sup>122</sup>

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<sup>113</sup> [Edict N° 001/2019](#) of 30 November 2019 on the Protection of Human Rights Defenders in the North Kivu Province

<sup>114</sup> Republic of Liberia. National Policy to Protect Human Rights Defenders (HRDS). February 2022

<sup>115</sup> Avant-projet de Loi N° ... du ... portant protection des défenseur(e)s des droits humains en République du Congo

<sup>116</sup> Senate Bill No. 1699. An act to promote and protect the rights of human rights defenders, 2018

<sup>117</sup> The Human Rights Defenders Bill 2017. The Human Rights Defenders Act, 2017.

<sup>118</sup> Including: extrajudicial executions, acts of torture or similar practices, arbitrary arrest and detention, enforced disappearance, death threats, harassment, defamation and forcible confinement, arbitrary restrictions to the freedoms of expression, association or reunion, and arbitrary searches and intrusions into their homes and workplaces. Loi N° 039-2017/AN, Portant Protection des Défenseurs des Droits Humains au Burkina Faso, 2017

<sup>119</sup> Loi No 2014-388 portant promotion et protection des défenseurs des droits de l'Homme, 2014

<sup>120</sup> Loi No 2018-003/Du 12 Janvier 2018 Relative aux Défenseurs des Droits de l'Homme, 2018.

<sup>121</sup> Loi N°2016-\_\_\_\_\_/ du portant droits et responsabilités des défenseurs des droits humains en République Du Niger Avant-Projet De Loi De Protection des Défenseurs des Droits Humains en République du Niger

<sup>122</sup> Law of Mongolia on the legal status of human rights defenders

- The **DRC South Kivu** edict states in Article 14 that local authorities shall protect HRDs against any form of violence, threats, reprisals, discrimination or other actions that they may be subjected to as a consequence of their work.<sup>123</sup> The **North Kivu** edict states in article 10 that local authorities shall ensure the protection of HRDs, and article 6 states that WHRDs shall enjoy special protection against any kind of threat, violence or any other form of abuse.<sup>124</sup>

**Regarding the obligation to make intimidation and reprisals an offence**, as set out in Section 30 of the Model Law,

- the **Liberian** policy indicates in article 1 that: 'Government shall ensure that violations committed against human rights defenders punishable in accordance with the laws',<sup>125</sup>
- the bill being considered in **the Philippines** states that violations to the rights of HRDs enunciated in the law committed or permitted by public officials can be sanctioned with prison and fines (Section 36), while any violation to other provisions of the act would be sanction with applicable criminal and administrative sanctions (Section 37);
- Articles 19-28 of the **Burkinabe** law establish criminal sanctions for different violations to the rights of HRDs;<sup>126</sup>
- the law in **Mali** states that violations against defenders shall be sanctioned in accordance with applicable laws (article 17);<sup>127</sup>
- the law in **Mongolia** states that people who breach the law may be subject to administrative, civil or criminal liability, depending on what each specific law regulates (Article 13);<sup>128</sup>
- Part V(10) of the draft law being developed by civil society in **Uganda** makes it an offence to intimidate a human rights defender;<sup>129</sup> and the draft law in **Sierra Leone** states that violations against defenders shall be sanctioned in accordance with applicable laws (Part IV, Section 11, XIX).<sup>130</sup>
- The **DRC South Kivu** edict states in Article 15 that violations against HRDs shall be sanctioned in conformity with the Congolese Penal code.<sup>131</sup> The **North Kivu** edict states in article 13 that any person that violates the rights of HRDs recognised in the edict or whose conduct is likely to hinder the activities of HRDs in the Province, will be punished in accordance with the applicable criminal legislation. If the conduct is not punishable by other legislation, the perpetrator can face prison for up to 2 years and/or a fine from 100,000-1,000,000 Congolese francs.<sup>132</sup>

<sup>123</sup> [Edict N°001-2016](#) of 10 February 2016 on the protection of human rights defenders and journalists in the South Kivu province

<sup>124</sup> [Edict N° 001/2019](#) of 30 November 2019 on the Protection of Human Rights Defenders in the North Kivu Province

<sup>125</sup> Republic of Liberia. National Policy to Protect Human Rights Defenders (HRDS). February 2022

<sup>126</sup> Including: defamation, harassment, arbitrary arrest or detention, kidnapping, death threats, torture, enforced disappearance, and summary or extrajudicial executions.  
Loi N° 039-2017/AN, Portant Protection des Défenseurs des Droits Humains au Burkina Faso, 2017

<sup>127</sup> Loi No 2018-003/Du 12 Janvier 2018 Relative aux Défenseurs des Droits de l'Homme, 2018.

<sup>128</sup> Law of Mongolia on the legal status of human rights defenders

<sup>129</sup> The human rights defenders' bill, 2018.

<sup>130</sup> The human rights defenders bill 2017.

<sup>131</sup> Edict N°001-2016 of 10 February 2016 on the protection of human rights defenders and journalists in the South Kivu province

<sup>132</sup> Edict N° 001/2019 of 30 November 2019 on the Protection of Human Rights Defenders in the North Kivu Province



# REGIONAL AGREEMENTS

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On 25 October 2017, the 'Joint mechanism of the Inter-American Commission and OHCHR Latin America for the protection of HRDs' was launched. The mechanism aims to improve protection of HRDs in the region, including from reprisals for cooperating with the Inter-American System and the UN.<sup>133</sup>

On 21 October 2021, the Meeting of the Parties to the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the Aarhus Convention) adopted a decision establishing a rapid response mechanism for the protection of environmental defenders (the Special Rapporteur on Environmental Defenders under the Aarhus Convention). The mandate of the Special Rapporteur is to: take measures to protect any person who is either: (a) Experiencing persecution, penalization or harassment, or (b) At imminent threat of persecution, penalization or harassment in any way, for seeking to exercise their rights under the Aarhus Convention. Such penalization, persecution or harassment may arise from the acts or omissions of public or private entities or individuals.<sup>134</sup> The first mandate holder, Michel Forst, was appointed on 24 June 2022.

On 4 March 2018, the Escazú Agreement was adopted, becoming the first binding international agreement to explicitly mention human rights defenders (specifically, those in environmental matters) and the obligation to protect them and ensure a safe and enabling environment for their work.<sup>135</sup> The Agreement entered into force on 22 April 2021.

On 25 April 2024,<sup>136</sup> the 'Committee to Support Implementation and Compliance of the Escazú Agreement' (the Committee) started operations.<sup>137</sup> This Committee can consider allegations of non-compliance with the Agreement from a Party with respect to itself, a Party with respect to another Party or a member of the public with respect to a Party. Non-compliance can arise from reprisals suffered by HRDs. Furthermore, article VII.6(a) of the Rules of Procedure of the Committee states that the Committee may withhold information if it considers that people related to the information may suffer reprisals or prosecution.<sup>138</sup> To date, no communications have been concluded; albeit some have been submitted.

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<sup>133</sup> [La CIDH y Oficinas de Derechos Humanos de la ONU se comprometen a desarrollar mecanismo para personas defensoras de derechos humanos y periodistas Mecanismo de Acciones Conjuntas para Contribuir a la Protección de Personas Defensoras de Derechos Humanos en América](#)

<sup>134</sup> Decision VII/9 on a rapid response mechanism to deal with cases related to article 3 (8) of the Convention, ECE/MP.PP/2021/2/Add.1, available at: <https://unece.org/sites/default/files/2022>

<sup>135</sup> Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean. Article 9.

<sup>136</sup> Members were elected on 21 April 2023. See Decision II/1 of the COP to Escazú (21 April 2023). First session was on 10 August 2023

<sup>137</sup> <https://caac.cepal.org/en/>

<sup>138</sup> Rules relating to the structure and functions of the Committee to Support Implementation and Compliance. annex 1 of decision I/3 of the first meeting of the Conference of the Parties to the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean.

# THE ISSUE OF SELF-CENSORSHIP

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In October 2018, the then ASG noted that he was conscious of gaps in information, including because of the serious risk that human rights defenders, journalists and others face for sharing information, and that the cases the mandate receives may be just the tip of the iceberg. He noted that he was aware many cases go unreported, in addition to those that are not included in the Secretary-General's report on reprisals because consent has not been obtained from the victims or their families. He further noted that he was also aware that his office is likely to receive information from countries where there is a relatively vibrant civil society who have been able to engage with the UN (and then suffered reprisals). This comment was made to explain that the report presents a slightly distorted picture insofar as there is more coverage of those countries than of others which may be even more closed and repressive and where it is impossible for the UN to engage with civil society at all.<sup>139</sup>

In 2019, the SG reported that he was particularly concerned at the body of evidence pointing to growing self-censorship by victims and civil society actors who decide not to engage with the UN, both in the field and at Headquarters, out of fear for their safety or in contexts where human rights work is criminalised or publicly vilified.<sup>140</sup> In his dialogue with the Human Rights Council at the 42nd session in September 2019, the ASG said that self-censorship is the aim of States and others who carry out reprisals and intimidation and that it is only when defenders refuse to self-censor that reprisals are taken. The ASG noted that it is a very difficult issue because it is hard to prove if human rights defenders and organisations are so intimidated that they do not even want to engage with the UN.

On 12 March 2020, ISHR launched a study, '[Intimidation and its Impact on Engagement with the UN Human Rights System: Methodological challenges and opportunities](#)'.<sup>141</sup>

Self-censorship has led to a situation in which there are States not cited in the annual report of the Secretary-General on Reprisals, but where the intimidation has 'worked' to sustain inhibition and it is very difficult or impossible for civil society to engage with the UN at all. In other States still, there may be some reported cases of reprisals, but these don't tell the full story because many more defenders are intimidated from engaging. This phenomenon is deeply concerning in and of itself, but an additional concern is the difficulty inherent in monitoring it, documenting it, and thus seeking accountability for it.

ISHR's study responds to this challenge and proposes methodological approaches to strengthen the future capacity to measure and understand how intimidation tactics – both blunt and subtle – effectively inhibit human rights reporting and action, thus reinforcing impunity for States' abuses. As a starting point, the study finds that in order to maximise or optimise cooperation with the UN's human rights mechanisms and address intimidation, we need to understand who uses these mechanisms, why they use them, and how they react to the wide range of obstacles they face in the course of doing so. In that regard, the study recommends that the UN:

- Develop more impact analysis that assesses the positive outcomes resulting from the use of UN human rights mechanisms and disseminate and popularise any impact

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<sup>139</sup> <https://www.ohchr.org/Documents/Issues/Reprisals/CommentsReprisalsEvent24Oct2018.docx>

<sup>140</sup> A/HRC/42/30

<sup>141</sup> [https://www.ishr.ch/sites/default/files/documents/final\\_ishr\\_intimidation\\_reportweb.pdf](https://www.ishr.ch/sites/default/files/documents/final_ishr_intimidation_reportweb.pdf)

analysis that exists. The system needs to give defenders a basis for making judgments about whether to go to the trouble of engaging.

- Develop and strengthen new tactics for raising awareness about UN mechanisms in more closed and repressed countries. The more repressive the situation, the less information is available to people about the potential of UN mechanisms.
- Acknowledge the structural inequities that make it more difficult for some victims and activists to access UN mechanisms and make an extra effort to compensate for them, by encouraging engagement and offering protection to those who are more isolated or marginalised.

The study's reflections on data-based approaches and limitations point to several initial steps that could strengthen our ability to assess intimidation and its impact on UN cooperation.

- The UN system should systematically track cooperation with its diverse human rights mechanisms, creating a database on cooperation coded by country, year, theme, mechanism approached, type of citizen or organisation cooperating, and other relevant parameters. This data should form the basis of regular quantitative reports on cooperation, which could also track deterioration or improvements from year to year.
- Major human rights data-collecting institutions (including OHCHR) should continue to improve the level of collection and management of data on all human rights abuses, collaborating with NGO and academic data-based efforts that enable quantification and comparative ranking of abuse levels.
- These two data sources will enable the identification of countries where there is high abuse and low cooperation as well as those with high abuse and high cooperation. Best practice research can then extract lessons learned from countries with high levels of abuse and high levels of cooperation that may assist countries where intimidation has been more successful in sustaining inhibition.
- OHCHR and human rights NGOs should encourage deeper survey-based research into intimidation and inhibition and how it is experienced by citizens and activists in targeted countries of concern. Partnerships with academic institutions should be established to promote research. All such research should follow careful context-based protocols for protecting researchers and participants.
- OHCHR and human rights NGOs should take advantage of existing data and measurement tools on freedom, civil liberties and civic space as proxy measurements of levels of intimidation. This data can also help to identify countries where deeper study is needed.

In 2024, the SG reported that self-censorship and the choice not to cooperate with the United Nations, as well as the choice to do so under conditions of anonymity due to fear of reprisals, continued. The choice not to cooperate poses methodological challenges for the documentation of allegations and is likely under identified and underreported. In several new instances, individuals and groups declined to communicate or meet with or submit information to the United Nations and, in other cases, they requested closed-door or confidential spaces to cooperate.

The SG also reported that alleged victims of reprisals requested anonymous reporting in half of the Member States with new cases compared with two thirds the previous year. Nonetheless, the overall number of individuals requesting anonymous reporting was significantly higher. A total of 120 victims, including women and young people, consented to report and have their cases documented and verified by OHCHR, under the condition that their identities and the details of their cases are not included in the report. They represent 75 per cent of the total new victims this year.

## THE ISSUE OF GOVERNMENT ORGANISED NGOS, AKA GONGOS

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Human rights defenders engaging with the UN human rights system face intimidation and reprisals perpetrated not only by representatives of governments, but also by individuals affiliated with, supported by or acting as an extension of governments. In sessions of the Human Rights Council and the Universal Periodic Review, as well as various treaty body reviews, ISHR has noted over time the proliferation of so-called 'GONGOS'—governmental non-governmental organisations - and analysed their role in shaping the environment where reprisals and intimidation occur. Governments' support to GONGOs means that they are often granted consultative status with the UN, while independent NGOs continue to be denied such status, or subject to frivolous or excessive questioning - which can, in some cases, amount to intimidation - in the NGO Committee and its parent organ, the UN ECOSOC. The presence of GONGOs allows them to influence the discourse about human rights in a particular state or region and water down the real issues at stake, by extensive use of speaking slots at the Human Rights Council, and convening side events or exhibitions in UN premises; in a handful of cases, GONGOs have used space allotted for civil society in the Human Rights Council and treaty bodies to undermine the credibility and legitimacy of other, independent civil society voices. GONGO presence has also led to concrete dangers to independent civil society, in the form of verbal intimidation or harassment, or covert monitoring of civil society engagement.

In the treaty bodies, GONGO representatives — who are considered on equal footing with other members of civil society by the UN secretariat — have registered for confidential and closed briefings with Committee members. In all cases, this has created a chilling environment for independent HRD participation, who may opt not to participate, or may self-censor, to mitigate risks of being identified by GONGOs. In at least one case discussed below, GONGO participation in a treaty body review is believed to have led to a direct reprisal from government authorities. More generally, human rights defenders who have travelled to Geneva to participate in HRC or Treaty Body sessions have faced reprisals upon their return to their countries which they believe to be directly linked to information provided to the government by GONGOs.

# DENIAL OF ACCESS TO THE UN

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Both UN Headquarters in New York and the UN Office in Geneva have implemented policies requiring individuals to present identification issued by a UN member or observer State as a condition for accessing UN premises. However, there is a clear inconsistency in how this is applied. Geneva enforces a stricter standard, accepting only passports from member or observer States or national ID cards from European member States, whereas New York permits a broader range of photo identification issued by any UN member or observer States, including driver license. This lack of uniformity may result in unequal access to UN spaces depending on the location.

This practice is reportedly backed by internal regulations or guidance that are not public. This practice also does not appear to be driven by necessary and proportionate security needs of identification and management of entry and exit of UN premises, but by unrelated considerations of national sovereignty and State recognition thereof. This poses significant obstacles to a significant number of individuals who, for a diverse range of reasons, do not possess a passport issued by a UN member or observer State. This includes stateless persons and other individuals in possession of travel documents exclusively. This also includes Taiwanese individuals, who do not hold passports issued by the People's Republic of China, and who are unable to request or obtain, or have been refused by the Chinese authorities, a 'Mainland Travel Permit for Taiwan Residents' (known as taibaozheng).

## UN Women

**Hui-Jung Chi** is a well-known Taiwanese activist. Chi was the Chief Executive Officer of The Garden of Hope Foundation (GOH), from 1992-2020. On 16 September 2020, Chi was blocked from participating in a closed-door virtual meeting held by UN Women's Asia Pacific Regional Office. Chi is the Chief Executive Officer of The Garden of Hope Foundation (GOH), a social welfare foundation in Taiwan that focuses on women's and girls' issues. Chi is the chair and founder of the Asian Network of Women's Shelters (ANWS). She is also a pioneer in advocating for the enactment of laws to prevent gender violence. Moreover, she initiated plans to build shelters for domestic violence survivors and founded the Formosan Daughter Awards to encourage girls to challenge gender stereotypes. GOH has cooperated with the UN previously, including on the margins of the Commission on the Status of Women (CSW). However, their more formal engagement was limited due to the organisation having been blocked from attending official CSW meetings. Its members, including Ms Chi, hold Taiwanese passports and were not able to obtain documentation issued by the People's Republic of China (PRC), as per UN regulations for entry.

On 16 September 2020, Chi was formally invited by email to share her observations on the issue of domestic violence shelters in the COVID-19 pandemic on behalf of the ANWS, at a virtual meeting held by UN Women's Asia and Pacific Regional Office. However, two days before the meeting, a staff person from UN Women spoke to one of Chi's colleagues on the phone and said neither Chi, nor anyone from GOH, was permitted to attend the meeting as Taiwanese

citizens and foreigners who live in Taiwan were prohibited from attending. The UN Women staff person apologised and said they had received instructions from a 'higher-level official' prohibiting the participation of anyone from GOH. GOH was also informed that one of their representatives, a UK national and native English speaker, could not attend. They were told that any other Asian Network of Women's Shelters (ANWS) organisation member from any other country could participate. In the end, a member from Japan agreed to participate on ANWS' behalf.

UN Women's actions to restrict or withdraw the right to participate in its meeting from independent civil society working to protect human rights are deeply worrying. Such a decision is in clear violation of the right of everyone, individually and in association with others, to unhindered access to and communication with international bodies, which forms part of the right to freedom of expression as stipulated in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms ('the Declaration on Human Rights Defenders').

Regrettably, UN Women's actions demonstrate implicit support to documented efforts to restrict and thereby discredit Taiwanese civil society attempting to cooperate with - or simply visit - the UN. In other words, this concerning incident is not isolated but rather forms part of a larger unjust and discriminatory practice endorsed by the UN, in particular through management structures, rules and processes at UN Headquarters and Offices.

**Follow up: Regrettably, Chi's case was never included in the SG report, without explanation. In response to a letter sent to UN Women from Chi and ISHR, UN Women responded in April 2021 that the meeting in question was co-organised by UN Women and ESCAP and ESCAP is not able to partner with GOH due to ESCAP's status as an intergovernmental body in a UN system that does not provide representation to Taiwan. In August 2021, ISHR and Chi responded arguing that Chi was invited to join the meeting as a representative of independent civil society and there is no rule precluding relevant NGOs and experts based in Taiwan from participating in informal meetings co-organised by ESCAP. By the reasoning in UN Women's letter, it seems that individuals representing civil society organisations based in Taiwan, or the organisations themselves, would be excluded from attending meetings organised by any UN secretariat body, but presumably could engage with UN agencies and programmes. UN Women did not respond and did not clarify the specific grounds for the distinction.**



# CASES OF INTIMIDATION AND REPRISALS

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During the reporting period, ISHR received information regarding a number of allegations of intimidation and reprisals against human rights defenders and others cooperating with the UN and its human rights mechanisms, including follow up on cases previously submitted. Follow-up information has been bolded.

## Algeria

### 1. **Kaddour Chouicha and Jamila Loukil, members of the Algerian League for the Defence of Human Rights (LADDH)**

On August 24, 2022, human rights defenders **Kaddour Chouicha** and **Jamila Loukil**, members of the **Algerian League for the Defense of Human Rights (LADDH)**, were prevented from travelling to the UPR pre-session organized by UPR-info. This is a clear case of reprisals against human rights defenders who are trying to cooperate with the UPR. Mr. Chouicha, Ms. Loukil and other human rights defenders have been subject to criminal proceedings, including for 'membership of a terrorist or subversive organization active abroad or in Algeria'. If convicted of these charges, they could face up to 20 years in prison. Their cases have been included in the Secretary-General's reports of 2023 and 2024.

On June 14, 2023, the mandate holders referred to the judicial harassment to which Mr. Chouicha and Ms. Loukil have been subjected since 2019 and listed the appeals lodged by Mr. Chouicha, notably before the Council of State in February 2023, concerning the ban on leaving the national territory.

On August 12, 2023, the government responded to the mandate holders, stating that Mr. Chouicha was awaiting trial and therefore not allowed to travel. The government stated that since 2021, Mr. Chouicha, his wife and his co-defendants had been prosecuted for offenses related to national security, which could result in a sentence of 20 years' imprisonment if convicted (art. 95 bis of the Penal Code).

The government also stated that Mr. Chouicha's appeal against the ban on traveling abroad had been rejected on June 14, 2023. Mr. Chouicha and his lawyers were not officially informed of the rejection of his appeal to the Council of State. Mr. Chouicha's lawyer did not receive the decision of the Administrative Court of Appeal until January 29, 2024. The decision states that his appeal was rejected on two grounds: firstly, the complainant did not demonstrate that he was prevented from traveling, and secondly, the Ministry of the Interior never issued any travel restrictions against him.

**In terms of follow up, on July 17, 2024, the government responded to the *note verbale* sent in connection with the 2024 SG report, stating that on December 3, 2023, the Dar**

El Beida court in Algiers had acquitted Mr. Kaddour Chouicha and his wife Ms. Jamila Loukil of all charges against them and noting that no order banning travel outside Algeria had been issued. There is a clear contradiction between the government's response of August 12, 2023, which states that Mr. Chouicha could not travel because he was awaiting criminal trial, while it was on June 14, 2023 (i.e. before December 3, 2023) that the judge stipulated that there was nothing against him (complaint against the travel ban) and that he rejected this complaint because he had not proven that he was banned from leaving the country. The (criminal) appeal trial took place on February 26, 2025, at the Algiers Court of Appeal and they were also acquitted. However, the public prosecutor's office lodged an appeal in cassation.

This is the same pattern as in the first case in December 2019 (trial court with a one-year prison sentence). Mr. Chouicha was found innocent at the Oran Court of Appeal in March 2020 and the prosecutor appealed to the Court of Cassation. The Supreme Court then decided to retry the case. The trial was held in absentia on February 18, 2024, and Mr. Chouicha was sentenced to one year in prison. After an objection, he was retried on November 10, 2024, at the Oran Court of Appeal, where he was acquitted.

Furthermore, the complaint filed by Mr. Chouicha before the administrative court of Algiers against the dissolution of the LADDH was rejected. An appeal is planned at the Council of State upon receipt of the copy of the acquittal judgment of February 26, 2025, in order to add it to the file. The complaint against the dissolution of the LADDH was registered with the Conseil d'Etat on 21 March 2025. The file must now be sent to the Ministry of the Interior and the Council of State via a bailiff.

Mr. Chouicha is still awaiting the Council of State's decision regarding the travel ban, which he believes may take a long time.

We call on Algeria to take specific measures to resolve this case, including lifting the travel ban, confirming the acquittal and reinstating the organization. We also call on Algeria to make a public commitment to protect human rights defenders and to condemn any intimidation or reprisals against them.

## 2. Ahmed Manseri

**Mr. Manseri** is the head of the Tiaret section of the now dissolved **Ligue Algérienne pour la Défense des Droits de l'Homme (LADDH)** and a member of the **Syndicat national autonome du personnel de l'administration publique (SNAPAP)**. On 17 September 2023, Mr. Manseri met with the Special Rapporteur and the following days shared information about the meeting and the visit on his Facebook account and on a TV channel (DZA 5/2023).

On 8 October 2023, Mr. Manseri was detained and questioned about his meeting with the Special Rapporteur. On 11 October 2023, the public prosecutor charged him with 'publication of information prejudicial to national unity' under Article 97 of the Penal Code and 'membership of a terrorist group' under Article 87 bis of the Penal Code, in connection with his contacts with international organisations or organisations likely to prejudice national security. On the same day, he was remanded into custody (DZA 5/2023).

On 2 December 2023, during her official visit to Algeria, the Special Rapporteur on the situation of human rights defenders met with Mr. Manseri in prison. She noted that she had received information that a picture of him meeting the Special Rapporteur on Freedom of Association

and Peaceful Assembly had been included in his case file and expressed concern that such a meeting could be used to build a terrorism case against a human rights defender.

On 28 January 2024, the Government responded to mandate holders noting that security services had detected social media activity by Mr. Manseri with links to a terrorist organisation. The Government informed that the facts had been reclassified under articles 79, 100 and 196 bis (par. 1) of the Penal Code regarding national integrity, security, and public order. The Government further informed that on 14 January 2024, Mr. Manseri had been released after a criminal court found him guilty of the charges and sentenced him to six months' imprisonment, including three months' suspended sentence, and a fine of 50,000 Algerian dinars.

On 17 January 2024, Mr. Manseri appealed the Court decision.

**In terms of follow up, the appeal hearing was scheduled for 27 March but was postponed to 15 June 2024.**

**On 17 July 2024, the Government responded to the *note verbale* sent in connection with the SG report noting that the allegations that the Special Rapporteur on the situation of human rights defenders had not been able to meet with some activists during her official visit to the country due to their fear of reprisals were vague, unjustified, and not substantiated. The Government considered that such allegations also contradicted the fact that the two mandate holders who conducted an official visit to Algeria in 2023 had been able to meet freely with civil society activists and opposition members and the public authorities had not taken any measures against them. The Government also clarified that the trial of Mr. Manesri Mohamed was ongoing before the criminal chamber of the Tiaret Court of Justice and that the hearing had been postponed until 10 July 2024.**

Manseri continued to be subjected to numerous acts of intimidation and harassment. Due to the risk of imminent threats, Manseri fled Algeria to Morocco in June 2024, where they applied for and received refugee status. On September 22, 2024, several members of Ahmed's family were arrested by Algerian security services. The authorities were trying to locate Ahmed and arrested several members of his family, including his parents, his brothers and their families, before interrogating them. All denied knowing Ahmed's whereabouts, but pressure was exerted to obtain information.

## The Bahamas

### 1. Alicia Wallace (Equality Bahamas)

In October 2018, **Alicia Wallace** of Equality Bahamas participated in the review of the Bahamas by the CEDAW. In response, Wallace, along with her colleagues, was subjected to hate speech by Rodney Moncur, a local radio personality, including drawing false equivalency between LGBTQ+ sexual relations and bestiality, the effect of which has been to create an unsafe environment for Wallace and other women human rights defenders. Moncur's threats and irresponsible speech and actions have not elicited a response from the government. Moncur first harassed Wallace via his Facebook page in 2014, leading to death and rape threats.

The Bahamas responded to the allegations during the interactive dialogue with the ASG for Human Rights during the 41st session of the HRC in September 2019, affirming its commitment

to protect human rights defenders and ensure that they can engage freely with the UN. The delegation told the Council that authorities proactively provided assistance to Wallace to guarantee her safety and that she no longer felt unsafe and was not interested in pursuing legal action, which Wallace reports is untrue.

In response to the call for submissions to the SG's report on reprisals in 2020, Wallace shared her perspective that the government's actions amounted to a suggestion from the Director of the Department of Gender and Family Affairs that the incident be reported to the police. Wallace repeatedly asked representatives of the Department of Gender and Family Affairs what was to come of reporting to the police, which law supported her, and how this would be of any benefit. No further assistance was offered despite Wallace's discomfort with the police based on prior experiences, and no effective actions were taken to protect her safety nor publicly address the situation more generally. Wallace asserted that it would be more impactful for the government to publicly express its commitment to protect human rights defenders at the national level rather than limiting its statements of support to international spaces. She also recommended that The Bahamas rebuke incidents of reprisal, address perpetrators, and ensure its laws provide protection against hate speech.

**In terms of follow up, in 2021, 2022, 2023 and 2024 ISHR reported that these recommendations had not been implemented and the status of the case remained the same. The same is true in 2024. ISHR continues to encourage the government of the Bahamas to take specific actions to resolve this case. In the meantime, Rodney Moncur has used his show to frequently degrade two other WHRDs and on 27 October 2022 referred again to Alicia Wallace, quoting her, referring to her as 'the activist' and making reference to her family members, which Alicia Wallace took as threatening. In January 2023, when Wallace quote-tweeted the Bahamas Permanent Mission to the UN Geneva when it commended States for non-discrimination and gender equality policies, noting the need for The Bahamas to do the same, the Permanent Mission blocked her on Twitter. The Director of Communications at the Office of the Prime Minister was informed, and there has been no action.**

More recently, in September 2023, the Bahamas has, in response to a UPR recommendation on LGBTQI+ people, stated that they are not aware of the high rates of hate speech or violence against 'LGBTQI and gender identity persons.' In the meantime, Moncur continues to be on air, spreading dangerous messages about women, LGBTQI+ people, and others in situations of vulnerability

ISHR calls on the Bahamas to: (1) publicly express - at the national level - its commitment to protect human rights defenders, including women human rights defenders, (2) publicly condemn any intimidation or reprisals against human rights defenders engaging at the UN, including by non-state actors; (3) take concrete steps to develop laws to address online harassment; and (4) take concrete steps to develop legislation on hate speech that meets the requirements of legality, necessity and proportionality, and legitimacy. Such legislation should be developed with robust public participation and expressly include sexual orientation and gender identity as protected characteristics.

# Bahrain

## 1. Abdulhadi AlKhawaja and Dr Abduljalil AlSingace

**Abdulhadi AlKhawaja** is a dual Danish-Bahraini citizen, who is currently serving a life sentence in Bahrain for exercising his rights to freedom of expression, association, and peaceful assembly in 2011. **Dr Abduljalil AlSingace** is a Bahraini citizen, respected academic, and human rights defender, who is currently serving a life sentence for his peaceful role in Bahrain's 2011 pro-democracy uprising. Throughout the reporting period, both AlKhawaja and AlSingace have been subjected to denial of adequate medical care, as well as intimidation and harassment by authorities.

On 22 June 2021, Ms Mary Lawlor, UN Special Rapporteur on the situation of human rights defenders issued a statement raising the case of AlKhawaja and Dr AlSingace, noting his current hunger strike, and calling for both men's release.<sup>142</sup>

The annual report of the UN Secretary-General on cooperation with the United Nations, its representatives, and mechanisms in the field of human rights was published. The report featured references to the cases of Bahraini political prisoners including AlKhawaja and AlSingace.

- It is noted that the cases of AlKhawaja and AlSingace were included in the 2012 and 2011 reports of the Secretary-General on allegations of reprisals following their engagement with several UN bodies and mechanisms, including the UPR and the treaty bodies.<sup>143</sup>
- It is further noted that on 3 May 2021, Special Procedures mandate holders addressed concerns about arbitrary detention and sentencing of AlKhawaja and AlSingace, carrying prison sentences of 10 years or more in connection to their human rights work, as well as allegations of torture, ill-treatment and poor conditions of detention. Mandate holders noted that AlKhawaja's health continues to deteriorate while in prison and he has reportedly been denied access to family correspondence, which other inmates allegedly have access to.
- It is noted that on 28 June 2021, the Government responded to mandate holders,<sup>144</sup> and that on 2 August 2021, the Government responded to the *note verbale* sent in connection to the report.
- On 30 December 2021, in a communication by three UN special rapporteurs, concerns were raised over the abuse of imprisoned academic Dr AlSingace.<sup>145</sup> The Bahrain Government responded on 1 February 2022.<sup>146</sup>

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<sup>142</sup> Bahrain: UN expert alarmed by prolonged detention of human rights defenders, UN OHCHR, (22 June 2021). Available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27190&LangID=E>

<sup>143</sup> A/HRC/48/28. Report of the Secretary-General, Cooperation with the United Nations, its representatives and mechanisms in the field of human rights. Available at: [https://www.ohchr.org/Documents/Issues/Reprisals/A\\_HRC\\_48\\_28.docx](https://www.ohchr.org/Documents/Issues/Reprisals/A_HRC_48_28.docx)

<sup>144</sup> Bahrain Government response, Explanatory note in response to communication No. AL BHR 2/2021. Available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=36397>

<sup>145</sup> AL BHR 5/2021. Available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=26918>

<sup>146</sup> The Permanent Mission of the Kingdom of Bahrain to the United Nations Office response to the Office of the High Commissioner for Human Rights, 1 February 2022. Available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=36840>

- On 4 March 2022, the UN Committee on Economic, Social and Cultural Rights published concluding observations on Bahrain expressing concerns about 'the lack of information regarding the situation of several human rights defenders, including Abduljalil Al Singace and Abdulhadi AlKhawaja', asking Bahrain to 'take measures as soon as possible to ensure the effective protection of the rights human rights defenders including of Abduljalil Al Singace' and reiterating that their 'immediate release' was requested by UN experts.<sup>147</sup>
- On 22 March 2022, during the 49th session of the UN Human Rights Council, the Danish government delivered an oral intervention calling for AlKhawaja's release.<sup>148</sup>
- On 24 March 2022, the **Benelux countries** made a statement at the UN Human Rights Council (HRC), that called for an end to an end to reprisals against rights activists in Bahrain who engage with the UNHRC, including reference to AlKhawaja who was described, alongside Dr AlSingace as 'arbitrarily detained for 10 years in connection to their human rights work'.<sup>149</sup>
- On 29 November 2022, Denmark raised the case of Abdulhadi Al-Khawaja at the 51st session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary-General for Human Rights.<sup>150</sup>
- On 28 September 2023, both Denmark and the **Benelux countries** mentioned the case of Abdulhadi Al-Khawaja at the 54th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General.<sup>151</sup>
- On 21 March 2024, the **Benelux countries** raised the case of Abdulhadi Al-Khawaja at the 55th session of the UN Human Rights Council during the General Debate under item 5.<sup>152</sup>
- On 26 September 2024, both Denmark and the **Benelux countries** mentioned again the case of Abdulhadi Al-Khawaja at the 57th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General.<sup>153</sup>
- In October 2024, the **Benelux countries** brought up Abdulhadi Al-Khawaja's case at the 69th session of the UN General Assembly's Third Committee during the interactive dialogue with the Assistant Secretary-General for Human Rights.

<sup>147</sup> UN Committee on Economic, Social and Cultural Rights. Concluding observations on the initial report of Bahrain. E/C.12/BHR/CO/1. 4 March 2022. Available at: [https://www.adhrb.org/ar/wp-content/uploads/2022/03/E\\_C-12\\_BHR\\_CO\\_1\\_48031\\_E2.docx](https://www.adhrb.org/ar/wp-content/uploads/2022/03/E_C-12_BHR_CO_1_48031_E2.docx)

<sup>148</sup> Americans for Democracy & Human Right in Bahrain, Twitter, 22 March 2022, 11:43. Available at <https://twitter.com/ADHRB/status/1506235100543041539>

<sup>149</sup> United Nations Web TV. Presentation of Reports & Item:5 General Debate - 44th meeting, 49th Regular Session of Human Rights Council [Online video] 2022. Available at: <https://media.un.org/en/asset/k1w/k1wv3jxcg> and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_646434d0-ba8d-4c1c-acbe-954d78317e81.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_646434d0-ba8d-4c1c-acbe-954d78317e81.docx)

<sup>150</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/49841\\_56\\_0429513e\\_30fc\\_4e7a\\_9bf4\\_00688d12afb7.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/49841_56_0429513e_30fc_4e7a_9bf4_00688d12afb7.docx)

<sup>151</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221\\_60\\_6fbbd112\\_bb44\\_4040\\_8505\\_79e66c2446c5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221_60_6fbbd112_bb44_4040_8505_79e66c2446c5.docx) and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/60446\\_60\\_88a6b5ef\\_f7c8\\_4160\\_8160\\_c05c2b6750c1.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/60446_60_88a6b5ef_f7c8_4160_8160_c05c2b6750c1.docx)

<sup>152</sup> <https://www.netherlandsandyou.nl/web/pr-un-geneva/w/benelux-reprisals>

<sup>153</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_419995e3-5a84-436d-acd6-ad459c94c214.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_419995e3-5a84-436d-acd6-ad459c94c214.docx) and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_646434d0-ba8d-4c1c-acbe-954d78317e81.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_646434d0-ba8d-4c1c-acbe-954d78317e81.docx)



## 2. Abdulhadi AlKhawaja

The case of **Abdulhadi Al-Khawaja** was included in the 2011, 2012, 2021 and 2023 reports of the Secretary-General<sup>154</sup> due to arbitrary arrest, torture and heavy sentencing following his engagement with the UN, including the UPR and treaty bodies. Since 2011, Al-Khawaja has been serving a life sentence on terrorism related charges. Al-Khawaja is a human rights defender and former Protection Coordinator of Frontline Defenders as well as former President of the Bahrain Center for Human Rights (BCHR). His case has been addressed by special procedures mandate holders on several occasions<sup>155</sup> to which the Government has responded.<sup>156</sup> In 2012, the Working Group on Arbitrary Detention found the detention of Al-Khawaja arbitrary (Opinion No. 6/2012). On 22 June 2021, the Special Rapporteur on the situation of human rights defenders publicly called<sup>157</sup> on Bahrain to release three human rights defenders held in long term detention and with deteriorated health conditions, including Al-Khawaja. Al-Khawaja is still in detention and his health status and access to adequate medical care remain a source of serious concern.

Interventions calling for his release have been made frequently by Denmark and civil society actors during various sessions. Following statements made by the Danish Mission in the Human Rights Council on 26 September 2022 and the UPR 41st session on 7 November 2022, the Second Lower Criminal Court in Bahrain upheld two separate criminal charges levelled against Abdul-Hadi Al-Khawaja, in a trial involving serious violations of due process. The timing of his conviction suggests that the court proceedings may have been a reprisal related to increased UN advocacy efforts. As a result of his imprisonment and torture, Al-Khawaja suffers from chronic and degenerative health problems, which includes severe back pain, impaired vision and recently, cardiac issues. The multiple hunger strikes that Al-Khawaja has carried out to protest against his arbitrary detention and the systematic abuse of his human rights have worsened his health.<sup>158</sup> In 2022/2023 he continued to be subjected to systematic medical negligence which greatly aggravated his health conditions. On 3 April 2023, The UN Human Rights Office issued a tweet stating: 'We're deeply concerned at reports of worsening health of detained rights defender Abdulhadi Al-Khawaja, serving life imprisonment for exercising rights to freedom of assembly & expression. We call on the government to provide urgent medical care & immediately release him.' On 4 April, the day after the tweet and a day before his birthday, Al-Khawaja was informed that he was suspended from making phone calls in response to an incident that had taken place two months earlier. On 6 April, the Government of Bahrain issued a response rejecting allegations of medical negligence and claiming that Abdulhadi Al-Khawaja refused to be transferred to the hospital. Maryam Al-Khawaja, Al-Khawaja's daughter, has publicly disputed this claim.

After experiencing cardiac arrhythmia on 28 February 2023, Al-Khawaja was not able to see a cardiologist until 1 June 2023 at Salmaniya Hospital. However, the cardiologist did not have access to his medical file or necessary equipment to conduct a proper examination, and stated that Al-Khawaja required an X-ray and specialised medical monitoring for several days at the hospital, which was denied by authorities. Mr Al-Khawaja requires urgent medical treatment for his heart condition as he suffers from heart arrhythmia and is at risk of a heart attack or

<sup>154</sup> A/HRC/21/18, paras. 53–54; A/HRC/18/19, paras. 15–24; A/HRC/48/28 Annex II paras. 7–8.

<sup>155</sup> paras. 7–8. 5 BHR 3/2012; 18/2011; 17/2011; 9/2011; 5/2011; 4/2011; 2/2009; 2/2007; 6/2005

<sup>156</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=30542>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=30543>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=30544>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=30545>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=30187>.

<sup>157</sup> <https://www.ohchr.org/en/press-releases/2021/06/bahrain-un-expert-alarmed-prolonged-detentionhuman-rights-defenders>

<sup>158</sup> Ibid.

stroke. However, authorities have continued to delay his cardiologist appointments and failed to provide specialised monitoring and care.

On 9 May 2023, Al-Khawaja staged a daily protest in front of the CCTV cameras in the yard of Jau Prison demanding adequate medical care, holding up a sign that read 'Preventing medical treatment is slow, systematic murder' and 'You commit torture and prevent medical treatment'. He suspended this strike on 14 May 2023.

On 9 August 2023, Al-Khawaja launched a hunger strike to protest prison conditions in Jau Prison, denial of medical care, and continued arbitrary detention. Two days later, he was rushed to the intensive care unit of the Bahrain Defense Force Hospital due to cardiac problems. The attending doctor stressed the imminent danger to Al-Khawaja's life and administered an intravenous injection to stabilise his heart rate.

On 15 September 2023, Al-Khawaja's daughter Maryam Al-Khawaja, who is also a human rights activist, was prevented from checking in at London Heathrow Airport for a flight to Bahrain, reportedly as a result of Bahraini immigration officials telling the airline not to allow her on the plane. She was accompanied by other activists, including the Secretary-General of Amnesty International, Agnès Callamard.

**In terms of follow up, on 23 April 2024, Mr Al-Khawaja was referred to the military hospital for pain on the left side of the abdomen and flank. While a surgeon recommended kidney investigations — no action was taken until late August 2024, and he managed the pain by taking strong painkillers.**

**In November 2024, he was recommended for hernia surgery and informed (in February 2025) that the surgery would only be scheduled after Eid al-Fitr (1 April 2025). He also has arthritis in his jaw joint and a broken tooth, both requiring dental intervention. After having treatments delayed multiple times, he was set to dental treatment on 21 January 2025, but as this would have affected his scheduled surgery on his hernia, the dental treatment had to be delayed again. However, no date has been fixed for the hernia surgery or the dental treatment, which he was told would be scheduled for a month after the hernia surgery.**

On 16 March 2025, authorities suspended Mr Al-Khawaja's scheduled video calls with his family — stating technical issues with the equipment. On 23 March 2025, he was told that the equipment was still being repaired, but when he insisted on knowing the real reason, he was informed that video calls had been permanently suspended.<sup>159</sup> After he went on a hunger strike on 26 March 2025, authorities agreed to restore his scheduled video calls after Eid (1 April 2025) — but are yet to do so, as of the date of this submission.

**In a video published on 9 April 2025, UN Special Rapporteur on Human Rights Defenders, Mary Lawlor, called for Mr Al-Khawaja's unconditional and immediate release, stating that 'he has been tortured, he has been stigmatised, and he has been cut off from his family.'**<sup>160</sup>

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<sup>159</sup> The authorities said that the video calls would be replaced by two special visits — i.e. visits without glass barriers every month.

<sup>160</sup> @MaryLawlorhrds via X, 9 April 2025, [x.com/MaryLawlorhrds/status/1909910485501169956](https://x.com/MaryLawlorhrds/status/1909910485501169956).

### 3. Dr. Abduljalil Al-Singace

The case of **Abduljalil Al-Singace** was included in the 2011, 2021, 2021 and 2023 reports of the Secretary General<sup>161</sup> due to arbitrary arrest, torture and heavy sentencing following his engagement with several UN bodies and mechanisms, including the UPR and treaty bodies. Since 2011, Al-Singace has been serving a life sentence on terrorism related charges. Al-Singace was the Director and Spokesperson of the Human Rights Bureau of the Haq Movement for Civil Liberties and Democracy. Al-Singace has a disability and requires the use of a wheelchair, and his case has been addressed by special procedures mandate holders on several occasions<sup>162</sup> to which the Government has responded.<sup>163</sup>

On 15 November and 29 December 2021, special procedures mandate holders addressed the long-term detention and deteriorating health of Al-Singace and expressed concerns about allegations of torture, ill-treatment as well as poor conditions of detention. Al-Singace lacks reasonable accommodation for his disability (BHR 4/2021 and BHR 5/2021). On 8 July 2021, Al-Singace started a hunger strike in protest for the ill-treatment and the confiscation of papers written over the course of four years in prison. On 18 July 2021, after a week in Al-Kalaa Hospital, Al-Singace was transferred to Ebrahim Khalil Kando Community Medical Centre, where he has reportedly remained since.

On 4 March 2022, in its concluding observations<sup>164</sup> following the consideration of the initial report of Bahrain, the Committee on Economic, Social and Cultural Rights expressed concern about the lack of information regarding the situation of several human rights defenders, including Al-Singace. The Committee recommended the State protect human rights defenders from harassment, intimidation, and reprisals, and ensure the effective protection of Al-Singace.

On 7 January 2024, Al-Singace went on a full hunger strike (except for water) after his family was subjected to harsh measures during their visit to him at Kanoo Medical Center.<sup>165</sup> One day later, on 8 January 2024, authorities told him that they would give him an exceptional visit to make up for the visit where there was an issue, following which Al-Singace said that he had ended his full hunger strike. Al-Singace believes restrictions have been deliberately tightened to pressure him into declining visitations altogether.

Despite being held in a medical centre, Al-Singace has been denied adequate medical care for years.<sup>166</sup> He suffers from numerous health problems, and these issues require specialised and immediate treatment, including an eye specialist, an operation for a prostate tumour and a urologist consultation and treatment for shoulder pain. He has also been subjected to prolonged solitary confinement and is denied sunlight and adequate ventilation. Authorities continue to deny him access to information, including banning English and Arabic newspapers and limiting the number of TV channels allowed. Authorities also deny him access to a hot water bottle for pain relief and medical slippers to prevent slipping in the bathroom.

Since July 2021, Al-Singace has been sustaining himself on multivitamin liquid supplements, tea with milk and sugar, water and salts. The third of April 2024 marked 1000 days since Al-

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<sup>161</sup> A/HRC/21/18, paras. 53-54; A/HRC/18/19, paras. 15-24; A/HRC/48/28, Annex II, paras. 7-8.

<sup>162</sup> BHR 1/2019, 5/2016, 18/2011, 4/2011, 7/2010 and 5/2010.

<sup>163</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=34960> ; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=2110> .

<sup>164</sup> E/C.12/BHR/CO/1, paras. 8-9.

<sup>165</sup> Tweet by sayed Ahmed Alwadei (@SAIwadaei), 8 January 2024, available at: <https://twitter.com/SAIwadaei/status/1744329974482370894>

<sup>166</sup> 'Joint Statement Marking Human Rights Defender's 1,000-Day Hunger Strike', Human Rights Watch, 3 April 2024, available at: <https://www.hrw.org/news/2024/04/03/joint-statement-marking-human-rights-defenders-1000-day-hunger-strike>

Singace went on a solid food strike to protest the confiscation of his intellectual property, in the form of handwritten research on Bahraini dialects, by the Bahraini authorities.<sup>167</sup>

Twenty-eight rights groups and associations wrote to the King and Crown Prince of Bahrain urging their intervention to secure Al-Singace's immediate and unconditional release; however, there has been no response or changes in policy as of the date of this submission.

**In terms of follow up, Dr. Al-Singace continued to be subjected to prolonged solitary confinement and denied adequate medical care, direct exposure to sunlight and exercise at Kanoo Medical Centre. He also remains on a solid-food hunger strike, sustaining himself on multivitamin liquid supplements, tea with milk and sugar, water, and salts to protest the confiscation of his research manuscripts. On 8 July 2024 — marking three years of the strike — a group of 26 human rights organisations sent a letter to Bahrain's King and Crown Prince urging them to hand over his confiscated research to his family. However, no response was received.**

**Dr. Al-Singace suffers from post-polio syndrome, a disability requiring him to use crutches or a wheelchair since birth. However, authorities have failed to replace the crutches that he has used for over five years and denied him physiotherapy, despite repeated requests. Bahraini authorities still refuse to provide him with a hot water bottle for pain relief, medical slippers to prevent slipping in the bathroom, and hygiene products.**

**Despite his doctors' recommendations, Bahraini authorities continued to fail to provide him with his prescribed medications and rehydration salts (ORS) in a timely and sufficient manner, prompting Dr Al-Singace to escalate his hunger strike several times — consuming nothing but water — until authorities provided him with the medications and salts.<sup>168</sup> He was further compelled to temporarily refuse his daily vital checks in February 2025, after several weeks of repeatedly asking for medication refills and stacking empty boxes of medications and salts at the entrance of his door.<sup>169</sup>**

**Several long-standing health issues for which he was denied adequate medical care during the reporting period include:**

- **Shoulder pain:** Dr. Al-Singace continues to endure severe shoulder pain, sometimes preventing him from sleeping. Bahraini authorities refused to share his last shoulder scans — conducted in October 2021 at the military hospital — with his family or specialist. On 3 October 2024, a specialist also recommended new scans, which Bahraini authorities have not allowed so far.
- **Nervous issues:** While tremors in his hands have visibly worsened, nervous examinations recommended by a specialist in April 2024 were not conducted prior to treatment. An MRI for the head recommended by a specialist in January 2022 has also not been conducted.
- **Diminished eyesight:** While an eye test was conducted in April 2024, the prescription was incorrect, and a new examination has still not been conducted.

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<sup>167</sup> Joint letter: Bahrain: Free Al-Singace as he enters 1000 days of hunger strike', Bahrain Institute for Rights and Democracy, 3 April 2024, available at: <https://birdbh.org/2024/04/joint-letter-bahrain-free-al-singace-as-he-enters-1000-days-of-hunger-strike/>

<sup>168</sup> Twice over the course of a week in June 2024 and once in July 2024, notes held on file by BIRD.

<sup>169</sup> Note shared by Dr. Abduljalil Al-Singace, 16 February 2025, held on file by BIRD.

- **Prostate issues: He has also received no treatment for pain in his prostate, and the last time he was allowed to see a specialist was in March 2022, who told him that he had a benign tumour.**

#### 4. Hassan Mushaima

The case of **Hassan Mushaima**, the former Secretary of the main opposition group Haq movement for Liberty and Democracy, who was imprisoned and sentenced to life on terrorism charges, was included in the 2011, 2012, 2021 and 2023 reports of the Secretary-General<sup>170</sup> following his engagement with the UN human rights mechanisms, including the Human Rights Council and the Committee against Torture, and special procedures mandate holders who have addressed his situation on multiple occasions.<sup>171</sup> On 18 July 2021, Mushaima was transferred to Kanoo Medical Centre where he remains at present. In September 2021, following Mushaima's refusal of an offer for conditional release, his video and phone calls to his family were suspended. As of 30 April 2022, Mushaima's health status and access to adequate medical care remain a source of serious concern.

During the 52nd session of the Human Rights Council held in March 2023, Americans for Democracy and Human Rights in Bahrain (ADHRB) raised Mushaima's case and called for his release. On 24 November 2022, members of Mushaima's family began a sit-in outside Kanoo Medical centre. Four members of Mushaima's family were arrested after staging a protest demanding urgent medical treatment for Mushaima. Mushaima still requires timely and adequate treatment for several chronic medical issues he suffers from. As of April 2023, he still needs treatments for his kidneys, he is denied physiotherapy, he lacks treatment for loss of hearing, he is denied a knee surgery, and he continues to suffer from prostate and diabetes problems, without being able to receive adequate medical treatment. Additionally, he is in solitary confinement and therefore not permitted to leave the small hospital room in Kanoo Medical Centre where he is being confined 24 hours a day and where he has been held since 18 July 2021. He described the detention in his room as 'worse' than solitary confinement since he is kept in complete isolation, with the exception of his family visitation. This prevents him from being able to exercise or go outside or be exposed to sunlight. On 23 August 2022, the Embassy of the Kingdom of Bahrain to the United Kingdom responded to allegations regarding the case of Mushaima. The embassy rejected the description of him as a political prisoner and dismissed any allegations of discrimination and medical negligence. The embassy publicised its response via twitter on 28 September 2022.

On 30 November 2023, BIRD received alarming news from Mushaima's family indicating that his kidneys are significantly damaged and that he might soon need dialysis. According to his family, when Mushaima insisted on knowing the details of the damage the doctor told him that they could not disclose this information without permission from the Interior Ministry.<sup>172</sup>

According to family members, Mushaima was taken to the emergency department at the Bahrain Defense Force Hospital (BDF) on 25 March 2024 after suffering from severe knee pain. X-rays were conducted, and he was discharged after two hours with only mild painkillers. As he continued to suffer, Mushaima informed his doctor at the Kanoo Medical Centre on 27 March about the urgent need for his referral to Dr. Ali Redha Karashi, and Orthopaedic Consultant at Salmaniya Hospital who treated him previously when he suffered similar issues and prescribed an effective treatment. However, he was informed that consent from the Interior Ministry is

<sup>170</sup> A/HRC/21/18, paras. 53–54; A/HRC/18/19, paras. 15–24; A/HRC/48/28, Annex II paras. 5–6

<sup>171</sup> BHR 2/2007; BHR 3/2011; BHR 4/2011; BHR 17/2011; BHR 4/2012; BHR 5/2014; BHR 1/2019.

<sup>172</sup> 'Urgent Medical Care Needed for Imprisoned Bahraini Opposition Leader', Human Rights Watch, 11 December 2023, available at: <https://www.hrw.org/news/2023/12/11/urgent-medical-care-needed-imprisoned-bahraini-opposition-leader>



required.<sup>173</sup> On 8 April 2024, Mushaima was informed that the Ministry of Interior allowed him to meet with a specialist for examination, but a date is yet to be set.<sup>174</sup>

**In terms of follow up, he continues to be subjected to prolonged solitary confinement and denied access to sunlight, physiotherapy and exercise at Kanoo Medical Centre, in contravention of his doctors' recommendations.**

**Mr Mushaima and his family have not been provided access to his medical records. He suffers from partial kidney damage, gout and partial deafness. X-rays recommended by a bone consultant in September 2024 for severe and routine knee pain have not been conducted.<sup>175</sup> Neither have scans for his thumb mobility issues been scheduled, even though his doctor recommended them in September 2024. Despite repeated requests, he has also not been provided a glucose monitor for his diabetes.**

## 5. Sayed Ahmed Al-Wadaei

The cases of **Sayed Ahmed Al-Wadaei** and several of his relatives were included in the 2018, 2019, 2020, 2022 and 2023 reports of the Secretary-General<sup>176</sup> on allegations of arbitrary arrest, ill-treatment, removal of citizenship and reprisals against family members for Al-Wadaei's continuous engagement with the UN. Al-Wadaei, a human rights defender and co-founder of the NGO BIRD, fled Bahrain in 2012 and currently lives in exile. The Working Group on Arbitrary Detention found the detention of Al-Wadaei's relatives to be arbitrary, in reprisal for his cooperation with the UN, and based on their family ties with him.<sup>177</sup> In July 2021, forensic evidence from an investigation reportedly showed that Al-Wadaei was amongst nine human rights defenders targeted and successfully hacked using NSO Group's Pegasus spyware on their mobile phones between June 2020 and February 2021.

On 29 September 2023 Al-Wadaei was stopped by the United Kingdom Border Force upon his return from Geneva,<sup>178</sup> where he had addressed the United Nations Human Rights Council to shed light on abuses faced by political prisoners in Bahrain. He was detained for two and half hours at Gatwick Airport without sufficient explanation.<sup>179</sup> During his stay in Geneva Al-Wadaei was hosted by the US Ambassador to discuss risks faced by Bahraini human rights defenders. He also met with the OHCHR Deputy High Commissioner, various UN Special Rapporteur offices, and ten diplomatic missions, including the EU, Sweden, Denmark, Finland, Austria, Netherlands, Luxembourg, Belgium, Switzerland and Ireland.

On 5 December 2023, Al-Wadaei's lawyer, Ben Keith of 5SAH, filed a letter under the Pre-Action Protocol for Judicial Review (PAP) to challenge the UK Border Force's decision to retain him at Gatwick airport upon his re-entry to the UK.<sup>180</sup> Keith argued his detention was unlawful on the grounds of unlawfully exercising powers to stop, detain and arrest an individual without suspicion upon entry to the UK under the Immigration Act of 1971. In response to the claim,

<sup>173</sup> Tweet by Sayed Ahmed Alwadaei (@SAlwadaei), 2 April 2024, available at: <https://twitter.com/SAlwadaei/status/1774985260612075681>

<sup>174</sup> Tweet by Ali Mushaima (@AMushaima), 9 April 2024, available at: <https://twitter.com/AMushaima/status/1777829098225618953>

<sup>175</sup> Phone call between Sayed Ahmed Alwadaei and Hasan Mushaima on 4 January 2025, transcript available upon request.

<sup>176</sup> A/HRC/39/41, Annex I para. 5; A/HRC/42/30, Annex II, paras. 3–6; A/HRC/45/36, Annex II paras. 1–4.

<sup>177</sup> WGAD/2018/51, paras. 85, 93 and 96.

<sup>178</sup> Tweet by Sayed Ahmed Alwadaei (@SAlwadaei), 29 September 2023, available at: <https://twitter.com/salwadaei/status/1707705327238455363?s=61&t=Tk8l5c906iu817vypsgA9Q>

<sup>179</sup> Tweet by Americans for Democracy and Human Rights in Bahrain (@ADHRB), 26 September 2023, available at: <https://twitter.com/adhrb/status/1706714275463496136?s=46&t=cRHQAIDKMM9qbVUmCQCmFQ>

<sup>180</sup> Diane Taylor, The Guardian, 8 February 2024, available at: <https://www.theguardian.com/politics/2024/feb/08/james-cleverly-apology-unlawful-detention-bahraini-activist-sayed-ahmed-alwadaei>



the Home Office admitted liability and offered an apology and compensation on 22 December 2023.

The Home Office stated: 'Following your client's complaint, the SSHD has reviewed his records and accepts that your client was unlawfully detained. The SSHD apologises to your client for the actions of his officials and officers [...] compensation for the distress caused. Your client's immigration records have been checked and the records updated to make sure that this does not happen in the future. The Secretary of State is unable to discern what powers were purported to be exercised.

Furthermore, following his return from Geneva, Al-Wadaei was tagged in a malicious tweet from an account that is apparently affiliated with the Bahraini security services.<sup>181</sup> A comment on the post further states: 'I believe that such actions, if carried out without the knowledge and coordination of the state, may amount to treason, which requires tightening the penalties to the maximum extent including the death penalty.'<sup>182</sup>

**In terms of follow up, it was alleged based on official documents that the UK's Foreign Commonwealth and Development Office (FCDO) cited 'bilateral implications' with Bahrain to discourage the Home Office from granting Mr Alwadaei British citizenship — despite the Home Office reportedly concluding in early 2023 that there were no grounds for rejection. Daniel Carey, partner at Deighton Pierce Glynn and legal representative for Mr Alwadaei, stated to the Independent that 'It should not require legal proceedings just to get a Home Office decision on a citizenship application, but the over three-year delay in this case has made this necessary. My client will argue this delay is unlawful and it will require very good reasons to defend such a claim. 'Bilateral' concerns associated with the Bahrain government are not a good reason, indeed they raise troubling questions about the extent to which foreign persecution of human rights activists is permitted to interfere in the UK government's own immigration decisions.'**<sup>183</sup>

Following significant legal pressure and media scrutiny, it took over three years for Mr Alwadaei to be granted British citizenship, while Bahrain was claiming that 'there are no stateless individuals in the Kingdom of Bahrain,' using its diplomatic leverage with foreign states to target activists abroad.

**Sayed Ahmed Al-Wadaei's case was raised by the Benelux countries countries in 2020 and on 17 March 2021 at the 43rd resumed session and 46th session of the UN Human Rights Council.<sup>184</sup> It was also raised in March 2022, at the 49th session of the Human Rights Council under item 5.<sup>185</sup>**

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<sup>181</sup> Tweet by Khulood Salman (@khulood\_salman), 30 September 2023, available at: [https://twitter.com/khulood\\_salman/status/1709466082799489446](https://twitter.com/khulood_salman/status/1709466082799489446)

<sup>182</sup> Comment on tweet by (@king\_my\_one), 4 October 2023, available at: [https://twitter.com/king\\_my\\_one/status/1709581947473682904](https://twitter.com/king_my_one/status/1709581947473682904)

<sup>183</sup> The Guardian, 'We are human rights defenders, but Bahrain says we're terrorists,' 9 February 2015, [theguardian.com/commentisfree/2015/feb/09/human-rights-defenders-bahrain-says-terrorists](https://theguardian.com/commentisfree/2015/feb/09/human-rights-defenders-bahrain-says-terrorists).

<sup>184</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/33/SP/25086\\_42\\_ada6cfc0\\_57c2\\_4858\\_bf2c\\_Off15922185d.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/33/SP/25086_42_ada6cfc0_57c2_4858_bf2c_Off15922185d.docx) and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/41/SP/33790\\_46\\_d6ac7508\\_cb6e\\_4fdf\\_a561\\_b41164e20fa7.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/41/SP/33790_46_d6ac7508_cb6e_4fdf_a561_b41164e20fa7.docx)

<sup>185</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/56/SP/42084\\_54\\_c4438cea\\_01c2\\_4984\\_add1\\_ec341989cdbf.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/56/SP/42084_54_c4438cea_01c2_4984_add1_ec341989cdbf.docx)

## 6. Ali AlHajee

**Ali AlHajee** is a Bahraini human rights defender and former political prisoner who spent over ten years in prison (2013 to 2023) after being convicted following an unfair trial on charges related to peaceful protests.<sup>186</sup>

On 28 February 2025, Mr AlHajee received a written police summons from the Interior Ministry's General Directorate of Crime Detection and Forensic Science. Shortly after, he received a call from an official at the Criminal Investigation Directorate (CID) who instructed him to report to the gate of the CID building in Adliya immediately and on his own.<sup>187</sup>

After Mr AlHajee willingly cooperated with the summons request, he was subjected to prolonged questioning about his human rights work, particularly his social media posts on X, which he used to frequently expose abuses against political prisoners and advocate for human rights and freedoms in Bahrain. One of the social media posts raised during the interrogation was of his meeting with UN Special Rapporteur on Human Rights Defenders, Ms Mary Lawlor, in Dublin back in October 2024 — in addition to being interrogated more broadly about communications with the United Nations.<sup>188</sup>

On 1 March 2025, Public Prosecution's Terrorism Crimes Unit ordered Mr AlHajee to be detained for seven days pending investigation on charges of 'spreading false news using social media.' The interrogation and first detention order were done without his lawyer's presence.

On 3 March 2025, Ms. Lawlor publicly called for his immediate release — a call that was reiterated by 24 human rights organisations who further urged Bahrain to drop all charges related to his legitimate human rights work.<sup>189</sup>

For the first six days in detention, he was denied access to the canteen to purchase essential items such as cleaning supplies, food, clothing, and calling cards, forced to sleep in unhygienic conditions, and did not receive healthy meals tailored to his health condition. On 6 March 2024, Bahrain's Public Prosecution renewed Mr AlHajee's detention for an additional 15 days pending investigation.

While Mr AlHajee was released on 10 March 2025 following 11 days in detention (28 February - 10 March 2025), the investigation remains ongoing, in Case No. 26593/2025. He remains at imminent risk of being unfairly prosecuted and imprisoned in a clear act of reprisal by Bahraini authorities to discourage him from advocating for human rights and further engaging with the UN.

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<sup>186</sup> Front Line Defenders, Ali AlHajee Profile, [frontlinedefenders.org/en/profile/ali-alhajee](https://frontlinedefenders.org/en/profile/ali-alhajee).

<sup>187</sup> BIRD, Prominent rights campaigner Ali Al-Hajee detained during F1 testing in Bahrain, 4 March 2025, [birdbh.org/2025/03/for-immediate-release-prominent-rights-campaigner-ali-al-hajee-detained-during-f1-testing-in-bahrain/](https://birdbh.org/2025/03/for-immediate-release-prominent-rights-campaigner-ali-al-hajee-detained-during-f1-testing-in-bahrain/).

<sup>188</sup> @ElHajee via X, 25 October 2024, [x.com/elhajee/status/1849947641620090907?s=46](https://x.com/elhajee/status/1849947641620090907?s=46).

<sup>189</sup> @MaryLawlorhrds via X, 3 March 2025, [x.com/marylworhrds/status/1896507400649351574?s=12](https://x.com/marylworhrds/status/1896507400649351574?s=12).  
Joint Statement: Bahrain must immediately free detained human rights defender Ali AlHajee, 5 March 2025, [birdbh.org/2025/03/joint-statement-bahrain-must-immediately-free-detained-human-rights-defender-ali-alhajee/](https://birdbh.org/2025/03/joint-statement-bahrain-must-immediately-free-detained-human-rights-defender-ali-alhajee/).

# Bangladesh

## 1. Mr Adilur Rahman Khan and Mr. Nasiruddin Elan (Odhikar)

The case of human rights organization **Odhikar**, as well as **Mr. Adilur Rahman Khan** and **Mr. Nasiruddin Elan**, Secretary and Director of Odhikar, was included in the 2011, 2019, 2020, 2021, 2022, 2023 and 2024 reports of the Secretary-General after being accused of anti-State and anti-Government activities following their engagement in the first cycle of the UPR of Bangladesh in 2009. The detention and charges against Odhikar staff as well as threats, harassment, surveillance, and the killing of one of its staff have been addressed by special procedures mandate holders since 2013. Odhikar's bank account was frozen under the Foreign Donations (Voluntary Activities) Regulations Bill of 2016 and its application for renewal of registration was not approved by the Government.

On 11 July 2023 special procedures mandate holders called on Bangladesh to end all acts of harassment against representatives of Odhikar. They referred to the criminal case against the organization's representatives as an emblematic example of the use of criminal proceedings to silence human rights defenders and organizations, which have documented enforced disappearances and extrajudicial killings and cooperated with UN human rights mechanisms in this context. Mandate holders emphasized that reprisals have chilling effects and may deter others from reporting on human rights issues and cooperating with the UN, its representatives and mechanisms. Mandate holders also denounced public smear campaigns at both organisational and personal levels through print and electronic media.

On 14 November 2023, mandate holders publicly denounced the conviction and imprisonment of Mr. Adilur Rahman Khan and Mr. Nasiruddin Elan on charges of publishing 'fake information', for having documented extrajudicial killings and excessive use of force by security forces in 2013 which the Government of Bangladesh had not investigated.

After 10 years of trial proceedings, cases instituted in 2013 against Mr. Adilur Rahman Khan and Nasiruddin Elan under the Information and Communication Technology Act were decided. On 14 September 2023, the Cyber Tribunal in Dhaka convicted and sentenced Mr. Khan and Mr. Elan to two years imprisonment and a fine of some 90 USD (10.000 BDT). The same day of their conviction and sentencing, they were both detained. On 10 October 2023, the High Court Division granted bail, and stayed the fine. On 16 October, both accused were released on bail. The Government has appealed the decision, as have Mr. Khan and Mr. Elan. Both accused continue to be under close surveillance and face regular intimidation and harassment.

On 13 November 2023, Mr. Adilur Rahman Khan, while released on bail, participated and gave a presentation during a side event held in Geneva on the margins of the fourth cycle of the Universal Periodic Review (UPR) of Bangladesh entitled 'The human rights situation in Bangladesh.' During the questions and answers session, a representative of the Permanent Mission of Bangladesh in Geneva allegedly raised concerns about the panellists' interventions, referred to them as 'baseless and biased accusations' and then focused at length on the legal case against Mr. Khan. Another participant in the side event reportedly accused Odhikar of engaging in the circulation of 'fake reports and photos' and called for legal action against it.

Once the side event ended, outside of the room where the side event had taken place but on United Nations premises, the same individual and three other participants reportedly

surrounded the moderator of the event, Mr. Mohammad Ashrafuzzaman a Bangladeshi human rights defender in exile and warned him in the Bangla language that they would 'take care of him.' After the side event, the same individuals posted a photo on Facebook of Mr. Khan crossed-out with a red 'X'. The narrative accompanying the photo referred to 'false' information Mr. Khan had shared with the Human Rights Council and alluded to him as a person that 'encourages terrorism by spreading false propaganda and various slanders'.

On 18 May 2023, Bangladeshi national media reported allegations that according to Foreign Ministry officials, the Home Ministry had allegedly prepared a list of Bangladeshi expatriates who the Ministry asserted had spread 'propaganda against the country,' which had been sent to the Bangladeshi diplomatic missions abroad in order for them to take certain steps. According to the media, the missions had been instructed to monitor the activities of the listed persons or organizations, brief the authorities on harmful information against the interests of the Government or Bangladesh, including on social media, and take appropriate steps to counter propaganda against Bangladesh and the Government ahead of the national elections.<sup>30</sup>

On 22 December 2022, special procedures mandate holders followed up on Odikhar's application to the NGO Affairs Bureau for the renewal of its registration, the legal case against Odhikar and its Secretary, Mr. Khan addressed allegations of intensified surveillance of Odhikar following the visit to Bangladesh by the United Nations High Commissioner for Human Rights in August 2022. The Government responded in detail to mandate holders.

On 8 June 2022, upon the Government's non approval of Odikhar's application for renewal of its registration, the Ministry of Foreign Affairs allegedly sent a *note verbale* to all diplomatic missions in Dhaka justifying the government's action and accusing Odhikar of having engaged in maligning the image of the country. Reportedly, on 18 October 2022, Odhikar filed a Writ Petition before the High Court Division of the Supreme Court of Bangladesh challenging the decision not to approve its application. On 7 March 2023 the Writ Petition was reportedly added to the daily list of the High Court Division for fixing the date of a hearing before the High Court bench.

On 15 June 2022, the 2013 case against Mr. Adilur Rahman Khan and Mr. Nasiruddin Elan under the Information and Communication Technology Act, 2006, was reopened for investigation to allow further evidence upon request by the State Prosecution. Furthermore, during the visit of the High Commissioner, a film portraying Odikhar as an organization spreading misinformation and causing riots was screened to United Nations representatives by State officials of the Ministry of Home Affairs.

In its 2022 annual report, the Working Group on Enforced or Involuntary Disappearances (A/HRC/51/31) emphasized that the Government of Bangladesh must ensure that relatives of disappeared persons and human rights defenders and civil society organizations working on their behalf are protected from any threat, intimidation or reprisal and expressed particular concern about the Government's decision not to renew the registration of Odhikar.

**In terms of follow up, on 22 August 2024, the High Court overturned the two-year prison sentences given by a lower court to Adilur Rahman Khan and Nasiruddin Elan. The High Court also declared illegal NGO Affairs Bureau of the Prime Minister's Office's June 5, 2022 decision of not renewing Odhikar's registration.**

The Benelux countries raised the cases of Mr. Adilur Rahman Khan, and Mr. Nasiruddin Elan and Odhikar at the 54th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General on 28 September 2023.<sup>190</sup>

## Belarus

### 1. NGO Human Rights Centre Viasna

The case of the **NGO Human Rights Centre Viasna**, a human rights organization providing legal aid in Belarus, has been included since 2021 in the reports of the Secretary-General<sup>35</sup> on allegations of raids, arbitrary arrest, criminal charges and long prison sentencing of its Chair and staff in connection with their cooperation with the United Nations. Special Procedures mandate holders addressed the situation of Viasna staff and the persecution of the NGO Viasna on several occasions, <sup>36</sup> to which the Government has responded.

In December 2023, special procedures mandate holders noted with concern the decisions in August 2023 by the State Security Committee and the Ministry of Internal Affairs declaring the NGO Viasna and its regional branches as 'extremist' organizations. Based on these decisions, the NGO Viasna and its branches were added to the list of extremist organizations administered by the Ministry of Internal Affairs, and their websites and other online resources were banned (BLR 10/2023).

**In terms of update, there are still five Viasna human rights defenders in custody, sentenced to long prison terms for their peaceful professional activities. Among them is Ales Bialiatski, founder of Viasna and laureate of the 2022 Nobel Peace Prize.**

The case of the NGO Human Rights Centre Viasna has been raised by States multiple times. Liechtenstein and Germany brought it up on 29 September 2022 during the 51st session of the UN Human Rights Council, during the interactive dialogue on the reprisals report with the Assistant Secretary-General.<sup>191</sup> At the 54th session in September 2023, the case was again raised by Liechtenstein,<sup>192</sup> the Benelux countries,<sup>193</sup> Czechia,<sup>194</sup> Germany, and the United Kingdom<sup>195</sup> during the same interactive dialogue. In June 2023, the Netherlands highlighted the case at the resumed session of the Human Rights Council during the interactive dialogue on Belarus. It was also mentioned by the Benelux countries at the 55th session of the Human Rights Council<sup>196</sup> and alongside the United Kingdom at

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<sup>190</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221\\_60\\_6fbdb112\\_bb44\\_4040\\_8505\\_79e66c2446c5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221_60_6fbdb112_bb44_4040_8505_79e66c2446c5.docx)

<sup>191</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/47647\\_56\\_52391f7d\\_a788\\_41c4\\_b24a\\_ad7b4cc993d1.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/47647_56_52391f7d_a788_41c4_b24a_ad7b4cc993d1.docx) and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48207\\_56\\_b58c5023\\_577d\\_4de3\\_a3ca\\_657bcd8eff88.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48207_56_b58c5023_577d_4de3_a3ca_657bcd8eff88.docx)

<sup>192</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/60447\\_60\\_9f801212\\_b5e3\\_46b6\\_aa7c\\_9d07406a5d7c.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/60447_60_9f801212_b5e3_46b6_aa7c_9d07406a5d7c.docx)

<sup>193</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221\\_60\\_6fbdb112\\_bb44\\_4040\\_8505\\_79e66c2446c5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221_60_6fbdb112_bb44_4040_8505_79e66c2446c5.docx)

<sup>194</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/59546\\_60\\_9e993a89\\_768c\\_4645\\_8804\\_af603f9ae875.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/59546_60_9e993a89_768c_4645_8804_af603f9ae875.docx)

<sup>195</sup> <https://www.gov.uk/government/news/un-hrc54-uk-statement-on-reprisals>

<sup>196</sup> <https://www.netherlandsandyou.nl/web/pr-un-geneva/w/benelux-reprisals>

the 57th session of the Human Rights Council in 2024.<sup>197</sup> The Benelux countries further raised the issue at the 69th session of the UN General Assembly Third Committee and again in 2025, during the general debate under item 5 at the 58th session of the Human Rights Council.<sup>198</sup>

## Burundi

### 1. Armel Niyongere, Dieudonné Bashirahishize, Vital Nshimirimana and Lambert Nigarura

The cases of human rights lawyers **Armel Niyongere, Dieudonné Bashirahishize, Vital Nshimirimana and Lambert Nigarura** were included in the 2021, 2020, 2019, 2018 and 2017 reports of the Secretary-General following 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).

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. On 2 February 2021, the Supreme Court's verdict of 23 June 2020 was made public. Niyongere, Bashirahishize, and Nshimirimana were part of a group of twelve individuals sentenced in absentia to life imprisonment for participating in a revolutionary/insurrectional movement and for an 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.

The Committee against Torture considers the verdict of the court as an act of reprisal for their engagement with the Committee and the UN human rights system.<sup>199</sup> Communications were sent by the President of the Committee and the Rapporteur on reprisals in February 2017 to the Representative of the Permanent Mission of Burundi in Geneva.

On 19 March 2020, the International Service for Human Rights filed a complaint against the Republic of Burundi, on behalf of the victims, with the Committee Against Torture. The complaint alleges that Burundi's actions are contrary to Article 13 of the Convention Against Torture, which prohibits this type of retaliation.

On 2 February 2021, three of the four lawyers (Armel Niyongere, Vital Nshimirimana, et Dieudonné Bashirahishize) were among a group of twelve defenders sentenced in absentia to life imprisonment for insurrection and organising a coup. The judgement also ordered the defendants to pay financial compensation, including the seizure of the financial assets of their families.<sup>200</sup>

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<sup>197</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_419995e3-5a84-436d-acd6-ad459c94c214.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_419995e3-5a84-436d-acd6-ad459c94c214.docx) and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_26a5cd34-081b-40aa-b0e5-22ce4a28ea2c.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_26a5cd34-081b-40aa-b0e5-22ce4a28ea2c.docx)

<sup>198</sup> <https://www.netherlandsandyou.nl/web/pr-un-geneva/w/hrc58-benelux-reprisals>

<sup>199</sup> [http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/BDI/INT\\_CAT\\_RLE\\_BDI\\_26799\\_F.pdf](http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/BDI/INT_CAT_RLE_BDI_26799_F.pdf)

<sup>200</sup> <https://www.omct.org/fr/ressources/appels-urgents/burundi-condamnation-in-absentia-a-une-peine-de-prison-a-perpetuite-de-douze-defenseurs-des-droits-humains-en-exil>



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. Burundi responded to the CAT on 3 October 2022, alleging that the claim was inadmissible. The victims replied to the CAT on 19 December 2022. Furthermore, on 15 December 2022, Lambert Nigagura wrote to the Burundi Bar Association requesting to be reinstated as a member of the Bar. They responded that he must produce a document from the Court of Appeal to the effect that he is no longer being prosecuted.

In an unprecedented move, the Burundian delegation withdrew from the dialogue with the Human Rights Committee during its review of Burundi in July 2023, after demanding the exclusion of civil society representatives, including Arnel Niyongere, President of Acat-Burundi and Secretary General of SOS-Torture/Burundi, despite being duly accredited by the United Nations.

The case was raised by the Benelux countries at the resumed part of the 43rd session of the Human Rights Council in June 2020,<sup>201</sup> the 45th session of the Human Rights Council in September 2020,<sup>202</sup> the 51st session of the Human Rights Council in September 2022, and the 52nd session of the Human Rights Council in March 2023. The Benelux countries raised the cases at the 54th session of the Human Rights Council in September 2023.<sup>203</sup> The UK also raised the case at the 54th session.<sup>204</sup>

**In terms of follow up, the lawyers remain disbarred / suspended. Nigagura, Niyongere, Nshimirimana and Bashirahishize remain in exile for fear of new reprisals. In February 2024, the CAT informed the victims that they had rejected the State's request to consider admissibility separate from the substance and requested comments from the State on substance. In October 2024, the victims received the State's observations on the merits, to which they responded in December 2024.**

## Cameroon

### 1. Organic Farming for Gorillas Cameroon (OFFGO)

The case of civil society organization **Organic Farming for Gorillas Cameroon (OFFGO)** has been included since 2020 in the Secretary-General's reports on allegations of reprisals following a communication by special procedures 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 addressed new allegations on 20 April 2022 (CMR 4/2022), to which the Government has responded. The Government noted that two matters before the courts in the North West Region were introduced, with Jan Cappelle as witness, with the intent to properly

201 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/33/SP/25086\\_42\\_ada6cfc0\\_57c2\\_4858\\_bf2c\\_Off15922185d.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/33/SP/25086_42_ada6cfc0_57c2_4858_bf2c_Off15922185d.docx)

202 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/37/SP/31587\\_44\\_d6cb787b\\_0ed3\\_4908\\_b36b\\_b601a049739b.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/37/SP/31587_44_d6cb787b_0ed3_4908_b36b_b601a049739b.docx)

203 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221\\_60\\_6fbdd112\\_bb44\\_4040\\_8505\\_79e66c2446c5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221_60_6fbdd112_bb44_4040_8505_79e66c2446c5.docx)

204 <https://www.gov.uk/government/news/un-hrc54-uk-statement-on-reprisals>

investigate the various allegations. The Government also responded on 5 July 2024 to the *note verbale* sent in connection with the 2024 UN annual report on Cooperation with the United Nations, its representatives and mechanisms in the field of human rights. It noted that 'Mr. Brown and Mr. Capelle had never been intimidated in any way.' Furthermore, it stated that Jan Cappelle's '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.' and that 'Mr. 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.'

**In terms of follow up, while Jan Cappelle was granted a visa on 17 May 2024 to attend the hearings before the Court of First Instance Mbengwi, and the Examining Magistrate, Court of First Instance Mbengwi and High Court Momo, the legal access to justice in Cameroon was undermined by acts of harassment and threats, resulting in seven months of prolonged delays in the court system. These acts, coupled with new threats and the general violence in the region where the courts are located, impacted the lives of Jan Cappelle, barrister Elvis Brown Luma Mukuna and his family members.**

In the evening of 29 May 2024, when entering the Yaounde Nsimalen airport, Jan Cappelle was immediately arrested on the basis of national arrest warrant No. 0000682/DGSN/SG/DPF/s of 16 May 2016. The police database did not carry any document that justified an arrest or detention, resulting in the decision to release Jan Cappelle that same evening. Jan Cappelle was warned by the police commissioner that the warrant should be taken very seriously and to avoid any travel to court.

Shortly after the transfer of Jan Cappelle's court files from Mbengwi to the High Court of Mezam for reasons of insecurity, Jan Cappelle appeared before Examining Magistrate Barah Edward Mabuh, High Court of Mezam, Bamenda, North West Region in July 2024, October 2024, November 2024, December 2024 and January 2025. During this time, the Cameroon Government has not been able to demonstrate to the court any evidence found in the the allegations that it made against Jan Cappelle in its reply to the *note verbale* in connection with the 2024 UN annual report on Cooperation with the United Nations, its representatives and mechanisms in the field of human rights.

Jan Cappelle had to appear on 15 July 2024 before Examining Magistrate Barah Edward Mabuh without the presence of his legal representative. Unknown men were simultaneously trying to enter the home of barrister Elvis Brown Luma Mukuna, which forced him to go into hiding with his family.

On 8 September 2024, unknown armed men on bikes paraded in the street where the house of Barrister Elvis Brown Luma Mukuna is located. Barrister Elvis and his family (i.e. spouse and 3 children) had to go into hiding.

The appearances before Examining Magistrate Barah Edward Mabuh, High Court, Mezam on 23 October 2024, 7 November 2024 (adjourned for reasons of force majeure), 5 December 2024, 14 January 2025 were marked by the absence of all summoned State officials (i.e. from the administration, police, gendarmerie) and most of the complainant's witnesses. To summon individuals with residence in Cameroon's capital Yaounde, the prosecutor of Mbengwi cooperates with bailiffs from Mbengwi and Yaounde. The bailiff of Yaounde never delivered the majority of the summons. Furthermore, he produced

fictitious reports on the whereabouts of the summoned individuals (i.e. defendants and witnesses). Finally, he reported to the High court of Mezam that some of the witnesses refused to sign the summons. In reality, they (e.g. the ambassador of Belgium in Cameroon) were never approached by the bailiff.

On 3 November 2024, around 8pm, a military man shot 2 bullets above the Archdiocesan Paul VI Memorial Pastoral Centre, Bamendankwe, Bamenda, while Jan Cappelle was inside. The matter has never been investigated, and no military officer was sanctioned, despite the first incident at the Pastoral Centre since 2019.

Barrister Elvis Brown Luma Mukuna received threatening calls on 15 February 2025. The caller gave him the message that he is a very stubborn lawyer that needs punishment and that he had been warned repeatedly.

The case of the OFFGO with Vincent Awazi, Elvis Brown Luma Mukuna and Jan Joris Cappelle was raised by the Benelux countries in March 2022 at the 49th session of the Human Rights Council under item 5.<sup>205</sup>

## China

### 1. Yerbakyt Otarbay

On Tuesday, 18 March 2025, at 3:00-4:00pm, Uyghur camp survivor **Yerbakyt Otarbay** joined a side event to the 58th session of the UN Human Rights Council on the human rights situation in China, organised by the Society for Threatened Peoples in Room XXV of the Palais des Nations. As a panellist, he shared his testimony as a victim of gross human rights violations while held in mass detention and forced labour camps in the Uyghur region between 2017 and 2019, despite holding Kazakh citizenship. The event was attended by delegations from 14 countries, including two diplomats from the Permanent Mission of China. ISHR staff was also present in the room.

Shortly after his intervention, one of Otarbay's relatives in China attempted to call him. He later learned through that relative that, during the event, a police officer had visited a relative's home inside the country. The police told the latter that Otarbay was a member of a terrorist organisation that was dividing China and spreading lies about China's policy in Xinjiang, and that the relative should call him immediately to stop him from attending such events for the sake of his family.

This visit coincided with the timing of his testimony in Geneva. His relative, who lives in China and was unaware of the UN event, called him out of concern for his safety after hearing about the police visit from their other relative.

During the Q&A of the same event, Attaché Xie Chenchen, one of the two Chinese delegates, criticised the speakers, stating that the event had 'whitewashed separatists as so-called victims' – an apparent reference to Otarbay and others who shared testimony.

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205 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/56/SP/42084\\_54\\_c4438cea\\_01c2\\_4984\\_add1\\_ec341989cdbf.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/56/SP/42084_54_c4438cea_01c2_4984_add1_ec341989cdbf.docx)

Otarbay's participation in the HRC side event was the first time he cooperated with UN human rights mechanisms to share his testimony and advance accountability for gross human rights violations against Uyghurs and other predominantly Muslim populations. The intimidation of Otarbay's relatives and concurrent incriminating remarks by a representative of the Permanent Mission of China constitute a clear violation of his right to unhindered access to the UN, its bodies and mechanisms, aiming at retaliating against his participation in an HRC side event, and deterring him from further engagement with the HRC and other human rights bodies.

## 2. Abduweli Ayup

In February 2025, Uyghur linguist and activist **Abduweli Ayup** was invited to speak at the 2nd International Conference on Language Technologies for All (LT4ALL), co-organised by UNESCO and held at its headquarters in Paris. His scheduled presentation focused on the challenges facing the Uyghur language under current language policies in China.

On 24 February 2025, one day before his presentation, Ayup was informed by the organising committee through email that they were 'unable to secure approval' for his participation. No further explanation was provided. According to Ayup, the organising committee described the decision as beyond their control.

Ayup had participated in an earlier session at the conference, during which he raised concerns regarding the situation of the Uyghur language in China. Following this intervention, he reported being confronted by individuals of Chinese nationality or origin, who disputed his claims. During the exchange, Ayup stated that his siblings were detained in China, possibly in prison facilities following earlier internment. He reported that these claims were rejected and that his siblings were referred to as 'terrorists' by the individuals.

He further reported that he was followed and filmed by an unidentified Chinese man during breaks in the conference.

## 3. Jiang Tianyong

During and after the visit of then Special Rapporteur on extreme poverty and human rights, Philip Alston, to China in August 2016, certain individuals he met or was supposed to meet 'were subjected to what appear to be acts of intimidation and reprisal'.<sup>206</sup> Among them, **Jiang Tianyong**, a prominent legal rights activist who met Alston, disappeared on 21 November 2016. A press release from UN experts in December 2016 indicates that his disappearance was linked to his human rights work and cooperation with UN mechanisms.<sup>207</sup> In June 2017, the Special Rapporteur urged China to release him, calling the charges 'a legal sledgehammer'.<sup>208</sup>

A State-run newspaper published a purported interview with him in March 2017 in which he allegedly confessed to peddling 'fake news' to overseas media. In September 2017, a group of Special Procedures experts expressed concern that his alleged confession to seeking to overthrow China's political system may have been coerced using torture.<sup>209</sup>

Jiang was found guilty of the charge of 'inciting subversion of State power' on 21 November 2017 by the Changsha Intermediate People's Court and sentenced to two years in prison and three years of deprivation of political rights. A group of Special Procedures experts

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<sup>206</sup> A/HRC/35/26/Add.2

<sup>207</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20987#sthash.dH7MxnQP.puf>.

<sup>208</sup> <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21772&LangID=E>.

<sup>209</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22028>.

condemned the verdict and appealed to the Government of China to unconditionally release him.<sup>210</sup> In March 2018, a group of Special Procedures experts expressed deep concern over his deteriorating health.<sup>211</sup> Jiang's detention was also deemed arbitrary by the UN Working Group on Arbitrary<sup>212</sup> Detention in Opinion 62/2018. After his formal release from prison on 28 February 2019, Jiang was temporarily disappeared, then returned to his parents' home where he had remained under effective house arrest. He has been surveilled extensively, denied independent medical treatment for months, and prevented from joining his wife and daughter in the United States.

On 24 September 2019, UN Special Procedures experts published a press release to call on China to immediately end harassment and surveillance on Jiang.<sup>213</sup> They also called the domestic legal provisions allowing for deprivation of political rights 'nothing but an instrument of oppression, used to punish human rights defenders for their work'.

In November 2022, Jiang received the International Bar Association's Outstanding Contribution to Human Rights Award in absentia. He and his family continued to face harassment from security officials.

**As of April 2024, five years after he completed his arbitrary sentences of imprisonment and deprivation of political rights, Jiang's movements remain closely monitored. Though security officers no longer station themselves near his home, they track him when he leaves the city, and surveillance cameras outside his home remain operational. He is still barred from Beijing and overseas travel.**

On 28 September 2023, the Benelux countries raised his case at the 54th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General.<sup>214</sup>

#### 4. Li Wenzu, Wang Qiaoling, Wang Quanzhang and Li Heping

**Li Wenzu** and **Wang Qiaoling** - wives of prominent human rights lawyers **Wang Quanzhang** and **Li Heping**, respectively - have faced years of reprisals by Chinese authorities following their attempted cooperation with the UN Special Rapporteur on extreme poverty and human rights Philip Alston during his official visit to China in August 2016.

At the time, Li Wenzu was arbitrarily detained and prevented from meeting the Special Rapporteur. Since then, she has been subjected to persistent surveillance and harassment by security forces. These reprisals have continued beyond the original incident. In August 2023, she was denied a passport by the Public Security Bureau in Hubei, after an earlier refusal in Beijing. She and her family have reportedly been evicted from their rented homes multiple times, and their son has been unable to enrol in school due to official pressure.

Wang Qiaoling was also targeted following her 2016 cooperation with the Special Rapporteur, facing intimidation and state monitoring. These reprisals continue in 2023: on 9 June, Wang,

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210 <https://www.ohchr.org/en/press-releases/2017/11/china-un-experts-condemn-jailing-human-rights-lawyer-jiang-tianyong>

211 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22890&LangID=E>.

212 <https://docs.un.org/A/HRC/WGAD/2018/62>

213 <https://www.ohchr.org/en/press-releases/2019/09/china-harassment-human-rights-lawyer-jiang-tianyong-must-stop-say-un-experts>

214 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221\\_60\\_6fbbd112\\_bb44\\_4040\\_8505\\_79e66c2446c5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221_60_6fbbd112_bb44_4040_8505_79e66c2446c5.docx)

her husband Li Heping, and their daughter were barred from leaving China while attempting to travel to Thailand.

## 5. Yu Wensheng and Xu Yan

On 13 April 2023, **Xu Yan** and **Yu Wensheng** were stopped by plainclothes police in the Beijing subway, en route to a meeting with EU officials, and detained on charges of ‘picking quarrels and provoking troubles.’ They received an additional charge of ‘inciting subversion of state power’ later. Xu Yan had reportedly lost 14kg since being detained and the conditions of her detention in Beijing may amount to torture and other ill-treatment. She had been subjected to verbal abuse, including being intimidated by police who threatened to arrest her son if he undertook advocacy on her and Yu’s case. Their son, who turned 18 just before their detention, has faced a serious deterioration of his mental health over the last year, and currently suffers from depression.

**Xu Yan was released on 13 January 2025 after serving her prison sentence and is now under strict surveillance by the authorities at her home. Yu Wensheng remains in prison as of April 2025.**

The case of Xu Yan was raised by the United Kingdom on 30 September 2020 at the 45th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General.<sup>215</sup> Germany raised the cases of Xu Yan and Yu Wensheng in September 2023 and September 2024, at the 54th and 57th sessions of the UN Human Rights Council, during the interactive dialogue on the report on reprisals again with the Assistant Secretary General.<sup>216</sup>

## 6. Cao Shunli

In 2013, **Cao Shunli** was arrested as a result of her campaigning for transparency and greater participation of civil society in international human rights mechanisms. State authorities at Beijing Capital International Airport stopped her as she was about to board a flight to Geneva to participate in a UN human rights training course and attend a session of the Human Rights Council. For the first five weeks following her disappearance, her family was given no information about her whereabouts. During the five months she was detained, Cao was repeatedly denied access to medical treatment. Requests by her lawyer and family to release her on medical grounds were denied. Cao’s health deteriorated and she died on 14 March 2014, nominally of organ failure caused by tuberculosis.

The Committee against Torture in its 2015 Concluding Observations expressed concern over deaths in custody in China, including the case of Cao Shunli, specifically citing the lack of investigation.<sup>217</sup> Despite Cao’s death being included in previous reports of the Secretary-General,<sup>218</sup> the 2017 report of the Secretary-General does not include Cao’s case. To date, no independent investigation has taken place about Shunli’s death, and no Chinese official or government body has been held responsible for it. At the 30th session of the Human Rights Council, the Chinese government claimed that Shunli was ‘not a human rights defender’ and that she had ‘received good medical care.’ These statements do not accord with the facts and

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<sup>215</sup> <https://www.gov.uk/government/speeches/un-human-rights-council-45-interactive-dialogue-with-assistant-secretary-general-ilze-brands-kehris-on-the-secretary-generals-report-on-reprisals>

<sup>216</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_1d208d31-9bd3-4deb-b6eb-7d5f358033c5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_1d208d31-9bd3-4deb-b6eb-7d5f358033c5.docx)

<sup>217</sup> CAT/C/CHN/CO/5.

<sup>218</sup> A/HRC/27/38 and A/HRC/30/29.



considering the Chinese government's on-going harassment of defenders for their human rights work, including for efforts to promote universal human rights and engage with the UN, these statements should not be seen as fulfilling any of the State's obligations to respond to these serious allegations.

The UN Special Procedures released statements in 2014<sup>219</sup>, 2019<sup>220</sup> and 2024<sup>221</sup> to call for justice and full investigation into her death, and to 'hold those responsible to account.' In their 14 March 2024 statement on the ten-year anniversary of Cao Shunli's death, the experts further stated that 'failing to properly investigate a potentially unlawful death may amount to a violation of the right to life' and 'noted that the participation of human rights defenders and civil society from China in UN human rights mechanisms and bodies has dropped to a record low'. There has been no official response by the Chinese government and no steps towards an independent investigation into her death.

**ISHR delivered a statement at the Human Rights Council in March 2014 calling on the human rights community to observe a moment of silence to remember Cao Shunli. Following a procedural challenge and protracted debate, the moment of silence was interrupted, as China argued that NGO speakers in the Human Rights Council were not allowed to be silent.<sup>222</sup> On 22 March 2024, ISHR delivered a joint statement on behalf of 16 NGOs at the Human Rights Council for the ten-year anniversary of Cao Shunli's death, concluding with a short silence and a call to States and NGOs to always stand in solidarity with victims of reprisals. Mirroring its 2014 procedural move, the Chinese delegation raised a point of order protesting the statement. While Cuba, Venezuela, the Democratic People's Republic of Korea and Russia supported China, Belgium on behalf of the 27 States of the European Union, supported by the United States of America, Canada and the United Kingdom, took the floor to defend NGOs' right to speak freely. The Human Rights Council President gave the floor back to the ISHR speaker to finish her statement.<sup>223</sup>**

**On 27 September 2024, Liechtenstein raised the case of Cao Shunli at the 57th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General.<sup>224</sup>**

## 7. Chen Jianfang

In September 2013, human rights defender **Chen Jianfang** was invited, alongside the late Cao Shunli, to attend a training session in Geneva and participate in the Human Rights Council session. Both women had been involved in efforts to promote public participation in China's Universal Periodic Review process. Chen was stopped at Guangzhou airport, barred from leaving the country and subsequently arrested.

Years later, in March 2019, Chen was arrested again, this time on charges of 'inciting subversion of State power' in relation to her continued human rights advocacy. She was held in prolonged pre-trial detention, during which she was denied regular access to legal counsel. In August 2022, she was sentenced to four years and six months in prison following a closed-door trial. She completed her sentence on 21 October 2023.

219 <https://www.ohchr.org/en/press-releases/2014/03/deadly-reprisals-un-experts-deplore-events-leading-death-chinese-human>

220 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24331>

221 <https://www.ohchr.org/en/press-releases/2024/03/china-un-experts-renew-calls-accountability-cao-shunli's-death>

222 <https://ishr.ch/latest-updates/english/>

223 <https://ishr.ch/latest-updates/china-fails-in-disrupting-tribute-at-un-to-cao-shunli-ten-years-after-her-death-in-custody/>

224 <https://www.llv.li/serviceportal2/diplomatische-vertretungen/genf/uno/2024/hrc57-9.9.-9.10.2024-/li-statement-hrc57-item-5-id-on-sg-report-on-reprisals-27-september-2024.pdf>

As of October 2024, one year after her formal release, Chen remains under strict surveillance and effective house arrest. Her mobile phone has been confiscated, and she is prohibited from receiving visitors.

The case of Chen Jiangfang was raised by the Benelux countries in June 2020 at the 43rd resumed session of the UN Human Rights Council, in March 2021 at the 46th session and in March 2022 at the 49th session of the UN Human Rights Council under item 5.<sup>225</sup> In September 2020, the United Kingdom mentioned her case at the 45th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General.<sup>226</sup>

## 8. Dolkun Isa and Zumretay Arkin, World Uyghur Congress

Representatives of the **World Uyghur Congress** (WUC), in particular its former president **Dolkun Isa**, have faced persistent efforts by China to obstruct participation in UN meetings. Over the years, Chinese officials have repeatedly sought to discredit, intimidate, and exclude Isa and others from UN forums using false accusations of terrorism and separatism.

### BLOCKING ACCESS TO THE UN

In April 2017, Isa was expelled from the UN Permanent Forum on Indigenous Issues (UNPFII) in New York despite holding valid accreditation. In April 2018, his accreditation - initially approved - was suddenly changed to 'pending approval' due to unspecified 'security concerns'. Three days before the event, he was informed that his status was under review, and upon arrival at the UN, he was denied a badge. Only after diplomatic interventions by at least two Permanent Missions was his access restored on 25 April 2018.

Chinese officials also attempted to revoke the accreditation of NGOs that facilitated Isa's participation. In May 2018, China sought to strip the Society for Threatened Peoples (STP) of its UN consultative status, citing its association with Isa.

On 22 December 2018, former UN Under-Secretary-General and head of the UN Department of Economic and Social Affairs (DESA), Wu Hongbo, admitted in an interview with China Central Television (CCTV) that he acted to further China's national interests while in office.<sup>227</sup> He openly stated that he personally ordered Isa's expulsion from UNPFII 2017 and dismissed concerns raised by the Assistant Secretary-General for Human Rights and Senior Official on Reprisals with mockery. Wu's statements were a clear violation of the UN Charter and Standards of Conduct for the International Civil Service, which seek to insulate UN staff from the influence of Member States<sup>228</sup>, no action was taken against Wu.

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<sup>225</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/33/SP/25086\\_42\\_ada6cfc0\\_57c2\\_4858\\_bf2c\\_Off15922185d.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/33/SP/25086_42_ada6cfc0_57c2_4858_bf2c_Off15922185d.docx) and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/41/SP/33790\\_46\\_d6ac7508\\_cb6e\\_4fdf\\_a561\\_b41164e20fa7.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/41/SP/33790_46_d6ac7508_cb6e_4fdf_a561_b41164e20fa7.docx) and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_646434d0-ba8d-4c1c-acbe-954d78317e81.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_646434d0-ba8d-4c1c-acbe-954d78317e81.docx)

<sup>226</sup> <https://www.gov.uk/government/speeches/un-human-rights-council-45-interactive-dialogue-with-assistant-secretary-general-ilze-brands-kehris-on-the-secretary-generals-report-on-reprisals>

<sup>227</sup> [https://youtu.be/pmrl2n6d6VU?si=jeE4a3Bdv\\_8Ope9&t=1500](https://youtu.be/pmrl2n6d6VU?si=jeE4a3Bdv_8Ope9&t=1500)

<sup>228</sup> Standards of Conduct for the International Civil Service (reviewed in 2013, approved by UNGA Resolution 67/257), Paragraph 8: If the impartiality of the international civil service is to be maintained, international civil servants must remain independent of any authority outside their organisation; their conduct must reflect that independence. In keeping with their oath of office, they should not seek nor should they accept instructions from any Government, person or entity external to the organisation. It cannot be too strongly stressed that international civil servants are not, in any sense, representatives of Governments or other entities, nor are they proponents of their policies. This applies equally to those on secondment from Governments and to those whose services have been made available from elsewhere. International civil servants should be constantly aware that, through their allegiance to the UN Charter and the corresponding instruments of each organisation, member States and their representatives are committed to respect their independent status. <https://icsc.un.org/Resources/General/Publications/standardsE.pdf>

## **HARASSMENT AND INTIMIDATION AT THE UN**

Ahead of HRC42 in September 2019, the Permanent Mission of China mission circulated a letter urging diplomats not to meet with Isa, calling him a 'notorious anti-China secessionist and terrorist'. The letter claimed that engaging with him would violate the UN Charter. As a result, several delegations either declined or canceled meetings with WUC representatives.

At an intersessional meeting on 11 February 2020, a Chinese diplomat openly accused WUC representatives of engaging in anti-China separatist activities and labeled WUC a 'violent terrorist organisation'. China also reportedly demanded the deletion of their statements from official UN records.

In May 2021, during a virtual UN side event, a Chinese delegation member directly accused Isa of being a terrorist in the event's chat, stating 'Dolkun Isa is a terrorist recognised by the Chinese Government. Your involvement with a terrorist will only shoot yourself in the foot. SHAME ON YOU!'

China repeated these allegations in September 2021, during a WUC photo exhibition at HRC48, accusing the Permanent of the United States of partnering with a 'terrorist organisation'.

During the Committee on Economic, Social and Cultural Rights (CESCR) review of China on 15-16 February 2023, Chinese delegation members physically followed WUC members Dolkun Isa and Zumretay Arkin within UN premises. On the first day, Isa was followed to the bathroom, and on the second day, both were stalked in the hallways during breaks - a clear attempt to intimidate them.

## **OBSTRUCTION AT THE HUMAN RIGHTS COUNCIL**

At multiple HRC sessions, China has used Points of Order (POO) to disrupt Isa's statements, accuse him of being a 'terrorist' and 'separatist', and question his accreditation.

At HRC52 on 23 March 2023, Isa was delivering a statement and China interrupted and called him 'a member of an anti-China, separatist, violent and terrorist organisation' demanding that his speech be terminated. The United States intervened in his defence, while Eritrea supported China's demand for verification of his identity. The HRC President ruled that accredited NGOs are free to choose their speakers and reinstated Isa's speaking time.

At HRC54 on 27 September 2023, China attempted to cut off Isa's speech twice by questioning his accreditation and accusing him of being a member of 'anti-China Turkic movement' and using the HRC platform to 'attack China's leadership'. Both times, the HRC Vice-President upheld Isa's right to speak.

At HRC57 on 26 September 2024, China launched a POO against Isa's video statement. The Chinese delegation claimed that Isa is 'not from a so-called NGO but is engaged in activities that split China and undermine China's sovereignty and territorial integrity'. The HRC President rejected the request and resumed Isa's statement.

## PROCEDURAL TACTICS AGAINST NGO SPEAKERS AT THE HUMAN RIGHTS COUNCIL

The Permanent Mission of China regularly makes use of points of order as a procedural tactic to attempt to prevent or interrupt NGO speakers delivering statements at the Human Rights Council. This practice is nearly systematically used against the World Uyghur Congress (see above). Over three HRC sessions during the last reporting period - 53rd (June 2023), 54th (September 2023), and 55th (March 2024) - ISHR documented seven points of order raised by the Chinese delegation against five accredited NGOs, including ISHR. In the HRC sessions in the current reporting period - 56th (June 2024), 57th (September 2024) and 58th (March 2025) - there were two points of order by China against NGOs. In all cases, the NGO speakers were eventually allowed to resume their statements. However, these repeated disruptions serve to intimidate, delegitimize, and create a chilling effect on civil society participation - particularly for those raising concerns about human rights in China.

The Chinese delegation also makes systematic use of rights of reply to discredit NGO speakers in general terms after being publicly criticised during HRC discussions, accusing them of being 'anti-China' forces. ISHR documented 13 rights of reply against NGOs in the last reporting period and 11 in the current reporting period.

## 9. Chinese Human Rights Defenders (CHRD)

At the Human Rights Council's 43rd session in March 2020, the Permanent Mission China mounted an exhibition entitled **Home: Glimpses of Life of People from Various Ethnic Groups in Xinjiang**. The display was co-sponsored by the ECOSOC-accredited China Society for Human Rights Studies, a government-organised non-governmental organisation (GONGO) affiliated with the state-run Chinese Academy of Social Sciences, and the China Media Group, a state-run media conglomerate.

As part of the exhibition, a video was played on continuous loop, including a segment from China Global Television Network (CGTN) titled Western Propaganda on Xinjiang Rebutted. It explicitly named the Network of Chinese Human Rights Defenders (CHRD) and displayed an image of its 2018 report submitted to the UN Committee on the Elimination of Racial Discrimination (CERD). The CGTN reporter questioned the credibility of CHRD's research, describing it as 'highly questionable' and suggesting that its estimates of Uyghurs detained in Xinjiang were based on interviews with 'a grand total of just 8 people'.

The manner and setting in which this was done raise concerns about the use of UN spaces to publicly discredit an NGO engaged with UN human rights mechanisms. By displaying CHRD's name and report in an official exhibition within the Palais des Nations, the event went beyond a standard State response and took on the character of publicly isolating and undermining an NGO's contribution to a UN body.

This public discreditation of a civil society organisation within UN premises risks discouraging independent actors from engaging with UN mechanisms. Concerns regarding this targeting of CHRD were formally transmitted to the President of the Human Rights Council, yet ISHR does not have any record of any action taken by the HRC Presidency in response.

The UN Secretary-General's 2020 report on reprisals acknowledged that: 'In December 2019 and January 2020, Chinese State media criticised CHRD's research submitted to the Committee on the Elimination of Racial Discrimination (CERD) in 2018'. However, the report did not address the fact that this criticism was amplified through an official event held within the Palais des Nations. Despite ongoing concerns, this case was omitted from the Secretary-General's subsequent annual reports, with no indication that it has been resolved.

## 10. Two individuals engaging with the Committee on Economic, Social and Cultural Rights (CESCR)

In mid-February 2023, during the fourth periodic review of China by the CESCR, **two individuals** experienced reprisals for their engagement with the Committee. Due to their fear of further reprisals, their cases are reported anonymously in this submission.

There was little similarity between the profiles: **one individual had been part of a network focused on reporting on the situation in mainland China**, while **the other was working on extraterritorial issues**. One was told explicitly that engagement with the UN was 'prohibited', while the other understood only that their engagement had raised attention that could complicate their future work and ability to partner effectively with colleagues in China. One individual was in mainland China at the time of the review, where they reside, while the other had travelled to Geneva from their home in a third country. One was directly targeted, while the other was indirectly targeted via official outreach to friends and colleagues, in China and in a third country.

These two cases were communicated directly to the Chair of the Task Force for the review, as well as other relevant staff in OHCHR; the CESCR did not have a focal point for reprisals at the time of the incidents. Despite this and other direct outreach to the Committee before, during and after the review on the issue of reprisals - as well as some practical steps taken to ensure that there were opportunities for safer engagement with civil society stakeholders, the Committee has not publicly disclosed any steps taken to address the cases, whether directly with the Chinese delegation or with the representatives in Geneva.

## 11. Intimidation and surveillance during China's UPR in January 2024

Multiple individuals reported experiencing reprisals in the form of intimidation and surveillance at the United Nations during the fourth Universal Periodic Review (UPR) of China on 23 January 2024. These incidents, as recounted by three individuals, highlight a pattern of intimidating behaviour aimed at those associated with NGOs working on human rights in China. The large presence of GONGO representatives is aimed at both creating a hostile environment for independent NGOs and human rights defenders to attend China's UPR session in person, and at preventing their access to the room by blocking all available NGO seats several hours ahead of the beginning of the review.

Topjor Tsultrim of Students for a Free Tibet became aware of at least one person, who is believed to be associated with a GONGO, using their smartphone to photograph or videotape him and his Tibetan colleagues while queuing in the line to access the Human Rights Council room for China's UPR. Despite his protests to the security personnel at the entrance, his concerns were initially dismissed. It was only after persistent appeals to multiple UN security personnel that an officer intervened and pulled aside the individual he had identified. The individual and his group of NGO members also attempted to cut in front of Tibetan and Uyghur NGO members who were waiting in line, as there were a limited number of seats for NGOs in the room.

Thupten Dergey of the Tibet Advocacy Coalition reported a similar experience during the UPR. Within the UN premises, he noticed a Chinese-speaking man following him, who then overtly used his phone to capture his photos. Thupten and his colleagues were also subjected to repeated unauthorised photography by several Chinese-speaking persons in the line to access the Human Rights Council room for China's UPR session. While some of these incidents were reported and addressed by security personnel, others were overlooked, allowing the intrusive behaviour to go unchecked.

Sophie Richardson, former China director of Human Rights Watch, reported two instances of harassment and surveillance inside the Human Rights Council room. First, several members of the Chinese delegation to the UN photographed NGO members at the NGO-designated seats. The second incident involved another unknown NGO representative who took pictures of both Richardson and her laptop screen as she live-tweeted the session.

**In addition, there were also attempts to restrict civil society space in the lead-up to the UPR, including a *note verbale* requesting UNOG security in Geneva not to allow entrance for a list of activists for being ‘anti-China’.**<sup>229</sup> The *note verbale* included a list of nearly two dozen Uyghur, Tibetan and Hong Kong activists whom it described as being ‘of concern’ and urged UN officials to reject any requests from the targeted activists and groups to organise side events. Furthermore, it asked the United Nations in Geneva to ensure that ‘anti-China separatists’ are not granted access to the UPR session and that no ‘anti-China’ slogans or banners are tolerated on the premises. It also advised the UN to prepare contingency plans to avoid any extreme actions by ‘anti-China personnel or organisations’, such as climbing over the wall of the complex, jumping from the building or setting themselves on fire.

## 12. Intimidation and surveillance by GONGOs

As ISHR was hosting a closed-door meeting between UN staff and NGO members at its office in the morning of 12 March 2024, a group of four uninvited Chinese individuals, two men and two women, showed up at ISHR’s office to inquire about and attempt to take part in the meeting. The individuals, who identified themselves as coming from the Guangdong Human Rights Association, approached the office under the pretext of attending a Human Rights Council event and inquired for information about the meeting at ISHR office. After a brief conversation with an ISHR staff member, the group left without being allowed to enter the office.

In a connected occurrence, two Uyghur activists reported that prior to attending the said meeting at ISHR office and after the GONGO representatives left ISHR office, they noticed a black minivan with tinted windows and a French licence plate parked close to the office building entrance and the driver was observing them discreetly. **Another individual in the car also took their photographs while they were at the office building’s entrance. Following that, the car picked up the individuals who matched the description of the group that had earlier approached the ISHR office.**

Photographic evidence of these incidents, including of the GONGO representatives, was obtained by ISHR and submitted to the OHCHR. Two of the four individuals were later identified as being associated with the China Society for Human Rights Studies (CSHRS), a Chinese GONGO in consultative status with ECOSOC. Both are also associated with the Institute of Human Rights, Guangzhou University and the Human Rights Research Centre, Northwest University of Political Science and Law, respectively. Their act of showing up at the confidential meeting appears to be an intimidation and surveillance strategy directed at Chinese human rights defenders.

**One day after this incident, the representative of the Institute of Human Rights, Guangzhou University, was seen by ISHR staff discreetly taking videos of civil society panellists during a Human Rights Council side event on Tibet organised by the Permanent Mission of Canada, despite a clear no-photography rule.** ISHR staff approached the GONGO representative and requested the pictures and videos to be permanently deleted.

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<sup>229</sup> <https://www.thegenevaobserver.com/exclusive-china-seeks-to-quash-dissent-ahead-un-review-of-its-rights-record/>



# Djibouti

## 1. Kadar Abdi Ibrahim

The case of **Kadar Abdi Ibrahim**, of the Mouvement pour la démocratie et la liberté (MoDEL) was included in the 2022, 2021, 2020, 2019 and 2018 reports of the Secretary-General on allegations of passport confiscation related to his engagement with the UPR review of Djibouti in May 2018 (DJI 1/2018). In September 2018, the Government indicated that Ibrahim had been placed under surveillance due to suspicion of connection with extremist movements. Ibrahim's passport remains confiscated by the Service de Documentation et Sécurité (SDS), to whom he has made multiple inquiries.

**In terms of follow up, Kadar's passport is still confiscated. The prolongation of the travel ban in place since 2018 obstructs Ibrahim from undertaking his human rights work and prevents him from directly engaging with partners and actors outside the country, including the UN. The Benelux countries raised this case during the 55th<sup>230</sup> and 57th<sup>231</sup> sessions of the Human Rights Council, as well as the 69th session of the UN General Assembly's Third Committee.**

# Egypt

## 1. Ibrahim Abdelmonem Metwally Hegazy

In an urgent joint statement on 15 September 2017, the Chair of the UN Working Group on enforced or involuntary disappearances (WGEID) and the Special Rapporteur on the situation of human rights defenders expressed dismay about the arrest of lawyer and activist, **Ibrahim Abdelmonem Metwally Hegazy**. Metwally, the co-founder of the Association of the Families of the Disappeared—a network of families of forcibly disappeared in Egypt—was arrested and prevented from boarding a flight to Geneva on 10 September 2017 to attend the 113th Session of the WGEID. Metwally founded the Association of the Families of Disappeared following the disappearance of his son in July 2013, whose whereabouts remain unknown. The WGEID and Special Rapporteur denounced the way he is treated, stating that 'the fact that Metwally was arrested while en route to meet the Working Group suggests that this is an act of reprisal for his cooperation with a UN human rights mechanism, as well as a deliberate obstruction of his legitimate human rights activity to seek to establish the fate and whereabouts of his son and other disappeared people in Egypt.' Metwally's whereabouts remained unknown for two days following his arrest. Metwally reported that he was tortured during that time. The UN experts called on the Egyptian authorities to, 'immediately provide us with all relevant information concerning his arrest and detention, to fully ensure Mr Metwally's right to physical and psychological integrity as well as to due process.' The experts expressed serious concern with regard to the allegations that Metwally had been tortured. Their statement has also been endorsed by the UN Working Group on Arbitrary Detention.

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230 <https://www.netherlandsandyou.nl/web/pr-un-geneva/w/benelux-reprisals>

231 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_419995e3-5a84-436d-acd6-ad459c94c214.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_419995e3-5a84-436d-acd6-ad459c94c214.docx)

After the arrest he was charged with 'running a group that was illegally established, spreading false news, and cooperating with foreign organisations', and his pre-trial detention was ordered, and he was transferred to the Maximum-Security Prison known as Scorpion (al-Aqrab) at the Tora Prisons Complex in Cairo, a prison notorious for inhumane detention conditions and the ill-treatment of prisoners.

On 20 November 2019, Special Procedures urged his immediate release and called his referral to another case with the exact same charges as 'double jeopardy'. Metwally's pre-trial detention continued to be renewed, and he was added to another case with identical charges in November 2019.

On September 6, 2020, Metwally was investigated by State Security Prosecution in Case 786/2020 and charged with 'leading a terror group', which the authorities accused him of having formed while in preventive detention. This new charge came just after the Criminal Court of Cairo had ordered his release on August 26, 2020, under precautionary measures in State Security Case 1470/2019. Despite the August 26 release decision, Metwally was kept in detention until new charges were brought against him on September 6, manifestly to keep him under preventive detention.

The result is Metwally has been under preventive detention since September 10, 2017, which exceeds the permissible legal period of two years under the Egyptian criminal procedure law. He is a victim of Egypt's practice of 'rotation', where the authorities circumvent judicial decisions to release defendants by accusing them with similar charges in new cases. Thirty-two States at the UN Human Rights Council denounced this pattern on 12 March 2021. He is also still facing charges of 'founding and leading an illegal organisation', 'communicating with foreign entities in order to undermine national security' and 'spreading false news'. His case was raised at HRC 45 by Germany, the UK and the Benelux countries.<sup>232</sup>

On 15 February 2022, the Cairo Criminal Court renewed the detention of Metwally under case 786/2020 State Security Prosecution. In October 2021, his lawyers indicated that his life is at risk due to the lack of medical treatment in detention despite the several requests they filed.

In June 2022, in its list of issues issued, the Human Rights Committee requested Egypt to provide 'information on the cases of Ibrahim Metwally, a lawyer who was arrested on 10 September 2017, before traveling to Geneva where he was planning to provide information to the Working Group on Enforced or Involuntary Disappearances, and who was then forcibly disappeared, subjected to torture and ill-treatment and held in pretrial detention for more than two years, as well as accused of various crimes, including 'membership in a terrorist group'. At the 52nd session of the UN Human Rights Council, the Benelux countries (Belgium, Luxembourg and the Netherlands) 'expressed its concern about cases of intimidation and reprisals for cooperating with the UN on human rights, including Ibrahim Metwally Hegazy in Egypt, who is the co-founder and coordinator of the Association of the Families of the Disappeared.'

The Cairo Criminal Terrorism Court continued to renew the detention of Ibrahim Metwally and he remains in detention despite exceeding the legal maximum length of pre-trial detention.

**In terms of follow up, Ibrahim Metwally was referred in 2024 to trial on three cases (900 of 2017, 1470 of 2019 and 786 of 2020 with similar charges) brought against him by Supreme**

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<sup>232</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/37/SP/31587\\_44\\_d6cb787b\\_Oed3\\_4908\\_b36b\\_b601a049739b.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/37/SP/31587_44_d6cb787b_Oed3_4908_b36b_b601a049739b.docx) and <https://www.gov.uk/government/speeches/un-human-rights-council-45-interactive-dialogue-with-assistant-secretary-general-ilze-brands-kehris-on-the-secretary-generals-report-on-reprisals>

**State Security Prosecution.** It is worth mentioning that charging the same person with the same charges more than once at the same time is against Egyptian law. For the past seven years, Metwally has not been able to see any of his family members without separation barriers. In 2022, he was transferred to Badr 3 Prison, whose administration allowed Metwally's family to visit him for the first time in June 2023 and met with them by phone in a glass booth. Metwally developed an enlarged and severely inflamed prostate, his family requested the authorities multiple times to conduct the necessary medical examinations, and enable him to undergo surgery. The family did not get any response yet.

The case of Ibrahim Metwally Hegazy was raised by Germany in September 2019 at the UN Human Rights Council 42nd session,<sup>233</sup> by Germany and Liechtenstein in September 2021 at the 51st session,<sup>234</sup> by the Benelux countries in September 2023 at the 54th session,<sup>235</sup> and again by Liechtenstein in September 2024 at the 57th session,<sup>236</sup> during the interactive dialogues on the report on reprisals with the Assistant Secretary General.

## 2. Mohamed el-Baqer

In October 2019, Special Procedure mandate holders and the Spokesperson for the High Commissioner addressed the arbitrary arrest, ill-treatment and charges against **Mohamed el-Baqer**, of the Adalah Center for Rights and Freedoms, for his engagement during the Universal Periodic Review. He was arrested on 29 September 2019 at the State Security Prosecution premises in Cairo while practising his job as a human rights lawyer. He was charged with joining a terrorist group and disseminating false news under Case 1356/2019. It was announced in the Official Gazette on 23 November 2020 that he was added to case 1781/2019 where no charges were announced but it was the basis for adding his name to the 'terrorists entities' list for 5 years. He is exposed to a travel ban, cancellation of his passport and freezing of his funds, among other legal implications mentioned in Law No. 8 of 2015 Regulating Lists of Terrorist Entities and Terrorists.

On 1 September 2020, he was added to another case 855/2020 on charges of both joining a terrorist organisation and 'taking part in a criminal agreement to commit a terrorist crime' which allegedly took place while El-Baqer was in pretrial detention.

On 7 April 2021, El-Baqer's detention was renewed for 45 days under case 1356/2019. El-Baqer was transferred on 6 April 2021 to attend the session in front of the judge, but he remained in a separate detention location inside the Police Institute in Tora and was not presented in front of the judge. El-Baqer's lawyer attended the session and spoke on his behalf. The judge promised to review the case file. The lawyer requested permission to bring El-Baqer so that the other lawyers could see him, to which the judge agreed. However, the guards returned without El-Baqer saying that he was not transferred to the Police Institute in Tora. When the lawyers returned to the judge, he had ended the court session. El-Baqer's family later learned from him during a visit that he was indeed transferred but remained in a special detention location inside the Institute.

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233 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/31/SP/22133\\_41\\_336e81b7\\_c412\\_4e1d\\_8fc1\\_8f2548abff92.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/31/SP/22133_41_336e81b7_c412_4e1d_8fc1_8f2548abff92.docx)

234 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48207\\_56\\_b58c5023\\_577d\\_4de3\\_a3ca\\_657bcd8eff88.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48207_56_b58c5023_577d_4de3_a3ca_657bcd8eff88.docx) and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/47647\\_56\\_52391f7d\\_a788\\_41c4\\_b24a\\_ad7b4cc993d1.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/47647_56_52391f7d_a788_41c4_b24a_ad7b4cc993d1.docx)

235 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221\\_60\\_6fbdd112\\_bb44\\_4040\\_8505\\_79e66c2446c5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221_60_6fbdd112_bb44_4040_8505_79e66c2446c5.docx)

236 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_ce6b1281-efdb-415c-9e45-a4fa67c5abd8.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_ce6b1281-efdb-415c-9e45-a4fa67c5abd8.docx)

On 18 November 2021, the Court of Cassation rejected the final appeal against El-Baquer's inclusion in the 'terrorist list.' As a result of the terrorism designation, he faces a travel ban, asset freeze and potential disbarment. On 20 December 2021, the Misdemeanours Emergency State Security Court in Cairo sentenced Mohamed El-Baquer to four years of imprisonment on charges of 'spreading false news undermining national security' in Criminal Case 1228/2021.

On 3 January 2022, the President ratified the verdict against El-Baquer. In its list of issues issued in June 2022, the Human Rights Committee requested Egypt to 'describe the efforts made to address the reported shortcomings of the trials of [including] Mohamed al-Baquer'.

On 20 July 2023 El-Baquer was released after nearly 4 years of arbitrary detention. He was granted a presidential pardon on 19 July 2023. However, his inclusion in the terrorist list remains.

**In terms of follow up, the decision to add Mohamed El-Baquer to the terrorist list in November 2020 should expire in November 2025. According to the terrorists lists law no. 8/2015 El-Baquer will be at risk of renewing the decision for another 5 years, after the legal length mentioned in the court's decision ends.**

On 29 September 2020, the Benelux countries, Germany and the United Kingdom raised his case at the 45th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General.<sup>237</sup> In March 2021, a group of 26 States (Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden) mentioned his case at the 46th session of the UN Human Rights Council under item 4.<sup>238</sup> On 29 September 2022, it was raised by Germany at the 51st session of the UN Human Rights council, during the interactive dialogue on the report on reprisals with the Assistant Secretary General.<sup>239</sup>

### 3. Egyptian Coordination for Rights and Freedoms: Hoda Abdel Moneim

Several members of the Egyptian Coordination for Rights and Freedoms (ECRF) were arrested in 2018. The ECRF is a Cairo-based non-governmental organisation that engaged with UN mechanisms, provides legal advice to families of victims of enforced disappearance and documents human rights violations. The charges against them include 'providing international entities with false news'.

Women human rights defender **Hoda Abdel Moneim** is a lawyer and board member of ECRF. On 1 November 2018, Abdel Moneim was arrested at her home. Throughout the 21 days of secret detention, Abdel Moneim was interrogated frequently in the middle of the night and without any access to legal counsel. Her family was never informed of her whereabouts despite several telegrams sent to the Public Prosecutor and the Ministry of Interior inquiring about her fate, as well as visits to different police stations. In all these instances, they were denied knowledge of her whereabouts. On 21 November 2018, she was brought before the

<sup>237</sup> <https://www.gov.uk/government/speeches/un-human-rights-council-45-interactive-dialogue-with-assistant-secretary-general-ilze-brands-kehris-on-the-secretary-generals-report-on-reprisals> and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/37/SP/31587\\_44\\_d6cb787b\\_0ed3\\_4908\\_b36b\\_b601a049739b.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/37/SP/31587_44_d6cb787b_0ed3_4908_b36b_b601a049739b.docx)

<sup>238</sup> <https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/41/SP/88CDBDC9-F068-4A81-9C3B-CC8A47B3B2AD.docx>

<sup>239</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48207\\_56\\_b58c5023\\_577d\\_4de3\\_a3ca\\_657bcd8eff88.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48207_56_b58c5023_577d_4de3_a3ca_657bcd8eff88.docx)

Supreme State Security Prosecution (SSSP) and charged with 'joining and funding a terrorist organisation', as well as 'incitement to harm national economy', under article 12 of the Anti-Terrorism Law (Law No. 94 of 2015) and article 86 of the Penal Code. Such charges are routinely brought against human rights defenders, politicians, and peaceful activists in Egypt.

Since 30 January 2019, Abdel Moneim has been held in Al Qanater Female Prison, deprived of visits by her relatives or her lawyer. The prison authorities' responses to her family's enquiries as to why their visits are being denied are that these are "orders of the state security agency". All complaints and pleas to the Public Prosecution, Ministry of Interior and several courts, have been disregarded. On 29 November 2020, Abdel Moneim's family received information from a co-detainee that Abdel Moneim suffered sharp pain, was transferred to Manyial Hospital, was told by doctors that she suffers from kidney failure and was immediately returned to prison. On 7 December 2020, her lawyer filed a complaint before the Supreme State Security Prosecution, outlining the medical negligence Abdel Moneim was being subjected to. In September 2021, the Cairo Criminal Court added Abdel Moneim's name to the 'terrorists entities' list. In September 2021, the Emergency Supreme State Security Criminal Court set a date for the trial session of Abdel Moneim. During a court hearing in October 2021, she said that she had a heart attack and needs treatment, yet she continues to be denied the necessary medical treatment.

On 5 March 2023, the Emergency State Security Criminal Court issued verdicts against 30 individuals in case no. 1552 of 2018, with sentences ranging from 5 years to life imprisonment, in addition to five-years of police surveillance after they complete their imprisonment sentences. Their sentences are final and cannot be appealed. Hoda Abdelm Moneim was sentenced to 5 years imprisonment. The court also ordered that she be listed under the terrorist entities list and closed the website of Egyptian Coordination for Rights and Freedoms.

On October 31, 2023, Hoda Abdelm Moneim had completed her five-year sentence in Case No. 1552/2018 and was supposed to be released on November 1, 2023, but on the same day, she was summoned by the SSSP, in the presence of her lawyer. She was charged in case No. 730/2020 with joining a terrorist group (the same charge she was sentenced to 5 years in case 1552/2018) and financing it (the same charge she was acquitted in case 1522/208). She is currently subjected to pre-trial detention and detained in 10th Ramadan prison.

**In terms of follow up, in November 2024, Hoda Abdelm Moneim was accused under a new case, No. 800/2019, with charges of joining and funding a terrorist group. This is despite her prolonged arbitrary detention for nearly six years in relation to other cases. The case was referred to the court. In 2024, Hoda Abdel Moneim was referred to trial on two cases (cases 720 of 2020 and 800 of 2019, with exact same charges being joining and funding a terrorist group) brought against her by Supreme State Security Prosecution. It is worth mentioning that charging the same person with the same charges more than once at the same time is against Egyptian law.**

#### **4. Egyptian Coordination for Rights and Freedoms: Aisha El-Shater**

**Aisha Mohamed Khairat Saad El-Shatr (Aisha El-Shater)** is a woman human rights defender who used to be a board member of Egyptian Coordination for Rights and Freedoms (ECRF). ECRF had been involved with the UN mechanisms especially the Working Group on Enforced or Involuntary Disappearances. She was arrested on 1 November 2018 (together with her husband Abuhorira). She was subjected to 3 weeks of enforced disappearance and was



tortured. Al-Shater was detained in a dark room and was not provided with food or water. In addition, she was electrocuted, beaten, and threatened with rape. On 21 November 2018, she appeared before the State Security Prosecution which accused her under Case No. 1552/2018 with charges of joining a terrorist group and funding it. Al-Shater testified that she was subjected to severe torture, but the Prosecution neglected it and did not investigate the claims of torture. On 2 September 2021, the Cairo Criminal Court decided to include Al-Shater on the terrorism list for a period of five years. In March 2023, the first terrorism circuit of the Emergency State Security Criminal Court, held in the Badr Prison Complex, sentenced Al-Shater to 10 years in prison.

Al-Shater has been detained in Al-Qanater Prison for Women, where the cell is poorly ventilated with no bathroom. Since her detention, Al-Shater has been denied family/lawyer visits and communication. Also, she was held in solitary confinement for nine months.

During Al-Shater's detention, she was diagnosed with Aplastic Anaemia so she was transferred a few times to different hospitals due to severe bleeding. Al-Shater's medical condition is still critical. She was kept at Al-Qanater Prison Hospital due to her severely deteriorating health condition and transferred to attend her court sessions by ambulance. According to the medical records, Al-Shater is in serious need of a hematopoietic stem cell. However, for years the prosecution and the court disregarded her request despite the forensic medical report stating that she needs to undergo surgery. Since Al-Shater's referral order to the court, she has repeatedly noted in court her deteriorating health condition and her need to undergo a hematopoietic stem-cell transplant, but those requests have been completely disregarded by the court. However, in a hearing session which was held on 15 May 2022, the court ordered that Al-Shater be referred to a medical committee to submit a report on her medical condition.

Aisha El-Shater remains detained in 10th Ramadan prison. Amnesty International reported that on 1 June 2023, 'authorities transferred Aisha el-Shater from al-Qanater prison to the 10th of Ramadan prison in Sharqia governorate. Her family learned that hygiene conditions in her new cell, which she shares with two other prisoners, are better than her previous conditions in al-Qanater prison. However, she has no access to sunlight and for her exercise outside her cell, she is only allowed to walk in a corridor. She is also banned from having any personal belongings and a refrigerator, which means she cannot receive any perishable food items from her family and must rely on prison food. Aisha el-Shater suffers from aplastic anaemia, a rare and serious condition affecting the blood. Despite this, prison authorities continue to refuse her adequate healthcare, including transfer to an outside hospital if necessary for diagnosis and treatment'.

**In terms of follow up, on 18 November 2024, Aisha Al-Shater was interrogated, despite having been held in pre-trial detention for nearly a year in connection with case 730 of 2020, of joining an unlawful organisation while still serving a sentence in another case. The case was referred to the court. In 2024, she was referred to trial on a new case brought against her by Supreme State Security Prosecution.**

## **5. Reprisals against Egyptian Front for Human Rights (EFHR) staff**

In June 2023, the human rights defenders and lawyers Mahmoud Mohamed Adel Abdulmajeed Mohamed and Mohamad Issa Ahmed Mohamad Rajeh who are working at **the Egyptian Front for Human Rights** were included in Case No. 1233/2023 Supreme State Security, charging them with joining a terrorist group and funding a terrorist group by providing it information about the political detainees inside Egypt, in cooperation with Karim Shalaby Taha, one of



the founders of the EFHR. An arrest warrant was already issued before the State Security Prosecution.

**In terms of follow up, in 2024, the two lawyers Mahmoud Mohamed Adel Abdulmajeed Mohamed and Mohamad Issa Ahmed Mohamad Rajeh were included in Case No. 1233/2023 Supreme State Security, charging them with joining a terrorist group and funding a terrorist group by providing it information about the political detainees inside Egypt, in cooperation with Karim Shalaby Taha, one of the founders of the EFHR. An arrest warrant was already issued before the State Security Prosecution. Since 2019, the Director of the EFHR's Legal Unit, Shorouq Ali Ali Sallam, AKA Shorouq Sallam, has been accused in case No. 488/2019 with charges of joining a terrorist group.**

## **6. Reprisals against Egyptian Initiative for Personal Rights (EIPR) staff**

Gasser Abdel Razek, Mohamed Bashir, Karim Ennarah, three directors of the **Egyptian Initiative for Personal Rights (EIPR)**, a prominent Egyptian human rights organisation, were arbitrarily arrested in November 2020 after meeting with foreign diplomats, accused of terrorism-related charges and spreading false information. Although they were released after significant domestic and international pressure, neither they nor their lawyers have been able to access the case documents under which they were accused since then (No. 855/2020). They continue facing judicial harassment, including travel bans and asset freezes. EIPR has filed multiple appeals, including to the Supreme Judicial Council, but has never been granted a court session to challenge these punitive measures.

In 2023, EIPR researcher Patrick Zaki was sentenced to three years in prison for an article he wrote on religious discrimination in Egypt. He was pardoned after spending nearly two years in prison.

In April 2024, Egypt lifted travel bans and asset freezes on some civil society representatives, including EIPR's Hossam Bahgat. However, measures against other staff members Abdel Razek, Bashir, and Ennarah, prosecuted in a separate case, remain unaffected.

In the weeks leading up to Egypt's Universal Periodic Review in January 2025, the Egyptian government again escalated reprisals against Hossam Bahgat. On January 19, he was arrested, interrogated for four hours, and charged with aiding and financing a terrorist organization, and spreading false information to harm national security, charges that could lead to the death penalty. This marks the fifth round of criminal charges against him and EIPR staff, stemming from his human rights work, including submissions to UN Special Procedure, advocacy during the UPR process including UPR submissions and participation in the UPR pre-session in Geneva, briefing international organizations, and reports highlighting Egypt's human rights abuses.

## **7. Basma Mostafa Hegazy**

Ms. [Basma Mostafa](#) is an Egyptian investigative journalist and a co-founder and Programme Manager at the [Law and Democracy Support Foundation \(LDSF\)](#), a Berlin-based civil society organization dedicated to promoting the rule of law, democracy, and human rights in Egypt as well as protecting and promoting freedom of opinion and expression for Egyptian human rights activists in exile. She is also a [fellow](#) with Reporters without Borders (RSF). Due to her work as an investigative journalist for over a decade, Ms. Mostafa was arrested three times in Egypt and was ultimately forced to leave Egypt in 2020. She is now living in exile in Berlin, Germany.

This case involves harassment and transnational repression by Egyptian State agents or agents acting on behalf or with the acquiescence of Egyptian State authorities.

In June 2024, Ms. Mostafa travelled to Geneva (Switzerland) to participate in an [international advocacy program for human rights defenders](#) and engage in various meetings with UN human rights mechanisms (Human Rights Council, Special Rapporteurs, Treaty Bodies) and the OHCHR. In this context, on 16 June 2024, an individual reportedly followed Ms. Mostafa to the hotel where she was staying in Versoix (Switzerland), which was witnessed by another activist. On 17 June 2024, there was an unidentified attempt to hack her Facebook account.

On 18 June 2024, around 8 a.m., another man approached Ms. Mostafa on the terrace of the hotel where she was staying, reportedly stating that he knew Ms. Mostafa and knew that she was Egyptian. Ms. Mostafa, who was accompanied by two other foreign colleagues, asked the man to leave the hotel and threatened to call security. The man reportedly replied that she had no right to instruct him what to do, as he was a police officer and could arrest her on the spot. After Ms. Mostafa went to the reception to call security, she found that the man had already left the terrace. These incidents were reported to the Swiss police, the diplomatic police and the Swiss mission to the UN.

More information on other incidents and patterns intimidations can be found in the communication letter from Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the situation of human rights defenders and Working Group on discrimination against women and girls.<sup>240</sup>

## 8. Mr. Ahmed Salem

On February 14, 2024, the Sinai Foundation for Human Rights (SFHR) issued a report based on witness accounts, photographs and videos about the Egyptian authorities' current construction work to build a high-security gated and isolated area near the borders with the Gaza Strip, in preparation for the reception of Palestinian refugees in the case of mass displacement of the citizens of Gaza Strip. The report has been widely covered by major international news agencies and newspapers, some of which indicated that satellite imagery analysis confirms the SFHR reporting about the new construction.

Following the publication of the SFHR's report, several government and pro-government figures and entities have engaged in a smear campaign against the SFHR and **Mr. Ahmed Salem** (the executive director) in television, newspapers, and social media. On February 17, 2024, a prominent pro-government television presenter and a member of the government's Supreme Media Regulatory Council (which is committing several violations against freedom of information and expression) described Mr. Ahmed Salem on the pro-government TEN television as an agent linked to terrorist groups (Ansar Beet Al-Maqds) and the Israeli Mossad among other baseless allegations. In addition, several pro government pages on X and Facebook published private photographs of Mr. Salem with similar allegations. In addition, the pro-government newspaper 'Al-Watan' published an article in which Mr. Ahmed Salem was defined as a terrorist. It's worth noting that Al-Watan is a state-owned newspaper under the umbrella of United Media Services which is owned by the General Intelligence. Mr. Ahmed Salem regularly engages with the UN human rights mechanisms. For example, in the reporting period, he [delivered](#) a statement during the UN annual forum on minorities, [statement](#) during the UN

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240 <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29562>

Committee on the Rights of the Child review of Egypt, a [statement](#) during the UPR pre-session in Geneva, as well as [submitted](#) a shadow report in Egypt's UPR.

## 9. Mr. Abdulrahman Ayaash

On July 30, 2024, the State Security Prosecution referred HRD, **Abdulrahman Ayaash** to the court over case No. 1644/2022 under terrorism law No. 94/2015 with charges of leading a terrorist group and reconstituting the administrative committees of the Muslim Brotherhood between 2019 and March 2022.

Abdulrahman Ayaash regularly engages with the UN human rights mechanisms. UN Special Procedures had [expressed](#) their concerns at the 'at the intimidation and harassment that may constitute acts of retaliation against human rights defender Mr. Ayyash, including the intimidation, interrogation and arrest of members of his family, which appear to be directly linked to his legitimate work as a human rights defender and to his activities with international non-governmental organisations.'

# Equatorial Guinea

## 1. Alfredo Okenve (CEID)

**Alfredo Okenve** is the Vice-President of the NGO Centro de Estudios e Iniciativas para el Desarrollo de Guinea Ecuatorial (CEID, also CEIDGE). Okenve engaged with the UPR of Equatorial Guinea in May 2019 and the Human Rights Committee's review of the State party's report in July 2019 (GNQ 2/2019). On 3 April 2019, Okenve made a statement at the UPR pre-session in Geneva and submitted a joint written report. CEID also presented a written report for the 126th session of the Human Rights Committee in July 2019.

On 3 July 2019, CEID received a decision from the Minister of the Interior, dated 11 April 2019, ordering the dissolution of the association due to non-compliance with its statutes for carrying out political-partisan activities.

In its August 2019 concluding observations, the Human Rights Committee expressed concern about reports that human rights defenders are harassed and frequently arrested and mentioned a past incident involving Okenve (CCPR/C/GNQ/CO/1, para. 56). On 14 August 2019, the Human Rights Committee sent a confidential letter to the Government, expressing concern at allegations of the broadcast of unauthorised footage and stigmatisation by a state television channel of several civil society representatives, who were present in Geneva during the review of the country at its 126th session. On 3 September 2019, Special Procedures mandate holders sent a communication about these acts of reprisals.

Okenve's case was included in the 2020 report of the SG on reprisals. On 23 June 2020, the Government responded to the *note verbale* sent in connection with that report, indicating that the allegations presented have not been duly verified and do not correspond to the facts, as Okenve has made several public statements against the Government, which has created problems for him with law enforcement. The Government informed that resolution No. 01/2019 of 11 April 2019 dissolved CEID due to breach of art. 9.1 of the Law on Associations and

that dissolution does not prevent human rights defenders from engaging in activities within the boundaries of the law. The Government took note of the allegations of the broadcast of unauthorised footage and clarified that such a broadcast did not have consequences beyond the informative coverage of the 126th session of the Human Rights Committee, and it should not be interpreted as an attempt to persecute and punish the activists present in that session.

**Okenve's case was not included in the SG report in 2021, 2022, 2023 nor 2024 reports even though the government never responded to the administrative appeal against the dissolution of CEIDGE. Okenve does not consider the case resolved and remains in exile in Spain and fears harassment should he return to Equatorial Guinea. In this regard, the status of the case remains the same.**

**ISHR continues to encourage the government of Equatorial Guinea to take specific actions to resolve this case. In particular, ISHR calls on Equatorial Guinea to:**

- 1. provide information on effective measures to protect civil society organisations and to ensure that dissolutions of associations are duly adopted and indicate whether remedies are available to obtain their revocation or invalidation in case they have been improperly upheld,**
- 2. publicly express - at the national and international level - its commitment to protect human rights defenders;**
- 3. publicly condemn any intimidation or reprisals against human rights defenders engaging at the UN, including by non-state actors; and**
- 4. indicate what measures have been taken to ensure that human rights defenders can carry out their legitimate work, including documenting and transmitting information on the current human rights situation in Equatorial Guinea to the UN human rights mechanisms, in a safe and enabling environment without fear of intimidation or reprisals of any kind,**
- 5. confirm that Okenve will not be harassed should he return to Equatorial Guinea, and clarify whether or not there is an order to arrest/detain him should he cross the border as has happened in the past.**

## France

### 1. Assa Traoré

In 2020, ISHR submitted a [joint report](#) along with [Comité Adama](#), drawing the UN High Commissioner's attention to police violence that caused the death of **Adama Traoré** in France in 2016. It notably aims at [highlighting the racially charged police violence](#) and the judicial irregularities which usually surround the case. The case was featured in the High Commissioner's reports in [2021](#) and [2022](#).

Assa Traoré is a prominent woman human rights defender and founder of 'La Vérité pour Adama'. She has been campaigning for years for truth and justice for her brother, Adama

Traoré-a French Black man killed in police custody in 2016. She has [faced](#) judicial harassment for campaigning for a transparent investigation to establish the responsibility of the gendarmes for the death of her brother and for them to be brought to justice, and has faced reprisals by right-wing extremist groups and the union of the police following her participation in the CERD.

On 15 November 2022, during one of the CERD sessions, Assa Traoré, Adama Traoré's sister, travelled to Geneva to attend the review of France by the CERD. She spoke at the meetings with NGOs and CERD members and published on social media an extract from her speeches. Since her participation - and because of this participation - in the CERD review of France, Traoré has been facing intimidation online by extreme-right wing groups and the union of the police.

On 18 November 2022, the Syndicat des Commissaires de la Police Nationale (SCPN) [tweeted](#) and commented on an article published on the website of the right-wing media [Valeurs actuelles](#) entitled: 'Assa Traoré spoke at the UN to criticise France and the French police', with a photograph of Assa Traoré's face to illustrate the article. The SCPN posted, on its public Twitter account, followed by more than 23,000 people, the following press article: 'This person represents no one but a family criminal clan. The UN is not honoured by giving a platform to this lying, radicalised activist who spits on the [French flag]'. A similar statement was also pronounced by the Syndicat France Police, declaring that Assa Traoré, part of the 'gang Traoré', spoke at the UN to 'puke on France and the police'.

This online intimidation is a reprisal for Assa Traoré's work and specifically her engagement with the CERD, with the aim of intimidating her and dissuading her from testifying at the UN. This is not an isolated incident since it occurs in the context of [judicial harassment](#) against Assa Traoré since 2019. The French authorities are attempting to criminalise her and discredit her fight for justice for her brother, mainly through lawsuits that are being used to divert the public attention from the justice that is expected for her brother's death but also to dissuade her from continuing her struggle. To this day, there has been hardly any progress made after six years toward the trial of those [involved in her brother's death](#).

The targeting of Assa Traoré, a family member of the victim of racially motivated police brutality, has a considerable adverse impact on all other families who wish to speak out and seek justice for the crimes and violence committed by the police. The UN Special Procedures have issued several communications in this regard ([FRA 1/2017](#); [FRA 10/2021](#); [FRA 11/2021](#)).

On 25 November 2022, the [CERD's Chairperson wrote a letter to France](#) referring to the information received by the Committee on 23 November 2022, regarding worrying information concerning a series of messages spread on the Internet against Assa Traoré following her cooperation with the Committee on 15 and 16 November 2022. In this letter, the Committee raised concerns about the defamatory online messages aimed at denigrating Assa Traoré and delegitimising her actions as well as her request to clarify the circumstances of her brother's death. It also added that it was even more concerned about the fact that some of the messages had allegedly been posted on the accounts of law enforcement unions. The Committee argued that these messages and the circumstances in which they were published by law enforcement unions may constitute intimidation against Assa Traoré and could have a chilling effect on those who report acts of racial discrimination and seek to cooperate with the Committee.

On 12 January 2023, [France responded to the CERD's letter](#). France thanked the Committee for its alerts concerning the defamatory messages posted on social media against Assa Traoré. It declared that it was taking these alerts into consideration and fully confirmed CERD's right

to exchange with members of civil society in the framework of the United Nations' human rights mechanisms. The French authorities reiterated their full determination to prevent and respond to all forms of intimidation and reprisals against any person cooperating with the UN mechanisms and being attentive to the personal safety of Assa Traoré and her family. They also mentioned that the Paris prosecutor's office had opened a criminal investigation regarding the matter.

On 14 December 2022, the [CERD published its final observations regarding France's review](#). It reiterated its grave concerns regarding the intimidation and threats faced by human rights defenders, in particular when cooperating with the Committee, which 'impedes its effective functioning'. The Committee mentioned the defamatory messages and online threats – in particular on police union social media accounts – faced by Assa Traoré. It requested France to 'take immediate and effective measures to ensure the safety of Assa Traoré, to take disciplinary measures, to conduct the necessary investigations and, where appropriate, to initiate criminal proceedings against the public officials involved in these intimidating and threatening messages'. It also recommended the government take the necessary measures to protect all human rights defenders from threats and reprisals.

**In terms of follow up, Assa Traoré's legal team is still awaiting updates on the Paris prosecutor's investigation into the threats made against her after she attended the CERD session in Geneva in November 2022. Furthermore, on June 12, 2023, Assa's car was destroyed, and she reported the incident to the police the same day. There are no updates on whether the police took any action regarding this. Finally, on July 8, 2023, the police announced the opening of legal proceedings against Assa Traoré for organising an unauthorised demonstration on July 8, 2023. Assa Traoré's legal team has no updates on these proceedings until present. The procedure is not yet closed.**

In April 2025, the French media *Frontières* published an interactive map of 'far-left' groups and figures of France, including Assa Traoré, framing her anti-racist activism as political extremism.<sup>241</sup>

## Guatemala

### Background

In Guatemala, most cases of reprisals for engaging with the UN or its agencies are related to the work of the International Commission Against Impunity in Guatemala (CICIG, by its Spanish acronym) – a UN backed anti-corruption body which left the country in 2019. As the SG and a myriad of UN independent experts and bodies have noted since then, prosecutors, police officers, judges and others working in or with the justice system (known as 'justice operators') who collaborated with CICIG or ruled in their favour are now suffering reprisals related to this work. Similarly, witnesses, human rights defenders, journalists and others who were involved in these processes have also suffered grave reprisals. To date, there are over 50 Guatemalans in exile fleeing criminalisation, all of whom were directly or indirectly linked with CICIG.

The new Attorney General (who succeeded AG Thelma Aldana, currently in exile and listed in this report) Consuelo Porras, has instrumentalized the Prosecutor's Office ('MP', by its acronym

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<sup>241</sup> <https://www.frontieresmedia.fr/cartographies/cartographie-de-lextreme-gauche>



in Spanish) as a tool to quell political dissent and carry out reprisals on those who collaborated with CICIG and other UN agencies. Consuelo Porras has been sanctioned by over 40 countries for its misuse of the penal system, including as a tool for reprisals, and was named 'corrupt person of the year' in 2023 by the Organized Crime and Corruption Reporting Project.<sup>242</sup> As head of the MP, she has also arbitrarily removed, dismissed or relocated prosecutors who collaborated with CICIG and replaced them with cronies.

The chief agency in charge of carrying out the criminalisation efforts has been the Prosecutor's Special Agency Against Impunity ('FECI', by its acronym in Spanish), which was created to collaborate with CICIG and was headed by Juan Francisco Sandoval, another former prosecutor who is listed in this report. The new head of the agency, Rafael Curruchiche, has personally led most of the cases against justice operators and HRDs, and has made public statements stigmatising exiled defenders, in particular Juan Francisco Sandoval, Thelma Aldana, Miguel Ángel Gálvez and Erika Aifán. Mr. Curruchiche has also been sanctioned by over 40 countries for his corrupt and antidemocratic actions.

As for the judicial processes, these have fallen almost exclusively under the supervision of four judges who have also been singled out as corrupt: Jimmy Bremmer, Fredy Orellana, Victor Cruz and Mynor Moto (who replaced Carlos Ruano, listed in this report, once Mr. Ruano was forced into exile).

## 1. Aliss Morán

Criminalised prosecutor **Aliss Morán** was included in the SG's 2022. Until now, her case remains **unresolved**. Her case is currently before the Third Criminal Court of First Instance - a court which has been presided over by judges who have been highly criticised for their actions in favour of corruption and impunity, and who have issued rulings that lack legal basis, such as sending her to prison on two occasions. Proceedings have not progressed. The last hearings on her case were unilateral, i.e. they were held only in the presence of the Public Prosecutor's Office.

Her defence lawyer has been threatened and, fearing reprisals, has decided not to file any further legal appeals. The appeals that were placed were maliciously delayed and have been dismissed without objective and impartial consideration of all the documents and procedural acts contained in the case file.

Ms. Morán is unaware of any other proceedings and/or investigations against her, given that it has been the current Public Prosecutor's Office's consistent practice to conceal information about complaints in which she may be involved.

## 2. Claudia González Orellana

The 2024 SG report included the case of **Claudia González Orellana**, a lawyer and attorney of former prosecutors, assistant prosecutors and judges, and between 2011–2019 she was employed at the CICIG. The Spokesperson for the Secretary-General, the High Commissioner for Human Rights and mandate holders expressed concern about allegations of arbitrary detention and prosecution of Ms. Claudia González Orellana in reprisal for her work with the International Commission against Impunity (CICIG) and as lawyer of justice officials who worked for or investigated cases with the technical assistance of the CICIG.

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<sup>242</sup> <https://www.occrp.org/en/person-of-the-year/maria-consuelo-porras>

On 5 September 2023, mandate holders addressed allegations of Ms. González arrest on 28 August 2023 by order of the Tenth Court of First Criminal Instance for Drug Trafficking and Offences against the Environment reportedly in connection to a high-profile investigation with the technical support of the CICIG. Ms. González was accused of 'abuse of authority' (GTM 5/2023).

Ms. González was also the subject of at least four complaints and criminal investigations since 2020 in connection with her work as a defence lawyer of justice officials who worked for or investigated cases with the technical assistance of the CICIG. Ms. González was reportedly subject to online attacks and surveillance (GTM 5/2023).

On 30 October 2023, the government responded to mandate holders providing information on the conditions of detention and health status of Ms. González as well as on the fair trial guarantees in the proceedings against her.

On 10 November 2023 the First Chamber of the Criminal Court of Appeals ordered Ms. González's provisional release from prison with alternative measures of detention, including house arrest. She was released on 16 November 2023 after 81 days in detention. Ms. González' trial then continued behind closed doors, with undue delays and repeated suspensions of hearings, mostly at the request of the Prosecutor's Office but also due to unilateral decisions of the presiding judge - despite repeated orders from the Court of Appeals to speed up the process. Ms González recused the judge due to his notorious partiality and lack of independence, however this recusal was rejected, and the process continues, pending the celebration of a hearing that was supposed to take place on 5 June 2024.

**On 21 March 2025, the Benelux countries raised her case at the 58th session of the UN Human Rights Council during the general debate under item 5.**<sup>243</sup>

### 3. Eva Siomara Sosa Pérez

Former prosecutor **Siomara Sosa** was included in the 2022 report due to her arrest and criminalisation as a reprisal for her work with FECL and CICIG. Her case remains **unresolved**.

There are currently three criminal proceedings open against her. In one of the cases, in which Claudia González is also accused, the Public Prosecutor's Office requested Ms. Sosa's arrest in August 2023 and subsequently requested that she be declared in contempt of court. The other two cases have been unduly delayed and all requests and appeals have been denied or left unresolved.

### 4. Thelma Aldana

The 2023 SG report included the case of **Thelma Aldana**, a lawyer and former Attorney General of Guatemala, who closely collaborated with CICIG during the height of corruption scandals in the country (2015, 2016). She exiled herself in 2019 following potential criminalisation due to her involvement in CICIG - the US Government granted her asylum in February 2020. Following this, extradition orders were requested by the new Attorney General, but they were denied. In 2023, new criminal charges were brought against her, and, as of 2025, the new AG has insisted on her extradition through requests to the Foreign Ministry of Guatemala and through the Guatemalan embassy in Washington, DC, USA.

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<sup>243</sup> <https://www.netherlandsandyou.nl/web/pr-un-geneva/w/hrc58-benelux-reprisals>

In 2023, her lawyers and judicial representatives in Guatemala (former secretaries of the AG's office Mayra Véliz and Rootman Pérez) had to go into exile. A subsequent lawyer, Elvyn Díaz, was also forced into exile. The last lawyer in charge of her case, Juan Francisco Solórzano Foppa, was arrested on a separate case and subsequently released under house arrest; however, he was barred from practicing law. As such, Thelma Aldana is currently without legal counsel in Guatemala.

## 5. Samari Gómez Díaz

Former prosecutor **Samari Gómez Díaz** was included in the 2023 SG report due to her criminalisation on charges of alleged 'leaking of confidential information' related to an investigation conducted with CICIG. She was arrested in 2022 and released on 14 June 2023 after 309 days of detention. On 14 June 2023 Ms. Gómez Díaz was acquitted of the charge of leaking confidential information and released from prison after 309 days of detention. On 14 July 2023, mandate holders addressed allegations of due process violations in her case (GTM 4/2023). On 10 October 2023, an appeals court ordered a re-trial of the case, which means that Ms. Gómez could be detained once the trial restarts. There is a high possibility that this new trial ends with a conviction.

Furthermore, her cases are linked with the criminalisation of journalist José Rubén Zamora, who recently returned to prison after a brief period of house arrest. Her case has been used as a tool to politically 'substantiate' one of the cases against Mr. Zamora, and, as such, there is a significant risk of a condemnatory judgement in her case to 'justify' the eventual conviction of Mr. Zamora.

## 6. Juan Francisco Sandoval

Former head of the FECI, **Juan Francisco Sandoval**, was included in the 2024 and 2020 reports. He was forced into exile in July 2021 after being arbitrarily dismissed by Consuelo Porras. Since then, at least seven arrest warrants and one extradition request have been issued against him, as well as continued harassment and stigmatisation on social media.

## 7. Pablo Xitumul de Paz

Former judge **Pablo Xitumul de Paz** was included in the 2024 report due to his criminalisation and attacks against his impartiality and independence which resulted in the lifting of his immunity and suspension from the judicial post in February 2022, which was decided by the Supreme Court of Justice ('CSJ', for its acronym in Spanish) without allowing Mr. Xitumul to participate in the process. Afterwards, the CSJ removed part of the personal security detail of the judge, justifying themselves on the fact that the judge was suspended.

Despite being over 3 years since his immunity was lifted, the only development in the case has been a failed arrest warrant request presented by the Prosecutor's Office in September 2023. Aside from this, criminal proceedings against Mr Xitumul remain stalled, as at least 6 judges recused themselves from the case and the Supreme Court ordered the case be moved to another court, which lacked jurisdiction.

There are currently over 15 open cases against him. For his part, he has submitted around 15 criminal complaints, none of which have resulted in any action.

## 8. Carlos Giovanni Ruano

Former judge **Carlos Giovanni Ruano** is currently in exile following criminal charges filed against him and an arrest warrant issued in September 2023, which is still in force. In addition, in January 2024, Judge Jimmi Bremer (who also oversees most of the cases listed in this section) ordered the total seizure of Mr. Ruano's severance package for 14 years of judicial service. In February 2025, Mr. Ruano filed an appeal requesting that this seizure measure be rescinded; to date, Judge Bremer has not resolved it.

## 9. Willy Roberto Racanac López

Former prosecutor **Willy Racanac** continues to face reprisals for his work, as noted in the 2022 report. Harassment through anonymous social media accounts (called 'netcenters') continues, who divulge judicial resolutions concerning Mr. Racanac (including arrest warrants) before he is even notified. Mr. Racanac currently does not have a legal defence, given that all his lawyers have resigned following threats made against them for defending the former prosecutor.

## 10. Jordán Rodas Andrade

Former ombudsman, **Jordán Rodas Andrade**, is currently in exile following criminal charges filed against him. He is facing an arrest warrant for a case related to the Country's public university ('USAC') and is also being prosecuted in a separate case based on a complaint submitted by his successor as ombudsman, Alejandro Córdova; proceedings remain confidential so Mr. Rodas does not even know the charges against him.

## 11. Iris Yassmín Barrios Aguilar

Judge **Yassmin Barrios** has been referred to in the 2019 and 2024 SG reports. Her situation remains **unresolved**, as she continues considering cases on war crimes and the Guatemalan armed conflict, some of which were initiated by CICIG or by orders of international bodies and experts. Threats against her life and family continue.

## 12. Leily Santizo

Former representative of CICIG for 9 years, **Leily Santizo**, was included in the 2022 and 2019 reports. Her situation remains **unresolved**, as she is currently in exile, with an active arrest warrant and extradition request.

## 13. Virginia Laparra Rivas

Former prosecutor **Virginia Laparra Rivas** was included in the 2022 and 2023 reports of the SG for her criminalisation and arbitrary detention (as noted on 18 May 2023 by the WGAD on opinion 24/2023) for her work with the FECI in high-profile corruption cases, including many investigated with the technical assistance of the CICIG.

During her time in prison, she suffered multiple violations which can amount to torture or inhuman and degrading treatment, including:

- Placed in solitary confinement for her refusal to take a plea bargain deal which would have required her to falsely accept that the work of CICIG and FECI was of a criminal nature

- Sent to maximum security prison, where she received the message “learn to keep quiet”, referring to her public denunciations of her situation in solitary confinement, which included:
  - 23 hours of confinement and one hour of sunlight
  - Food restrictions (constant changes to food delivery times and food from the penitentiary system.
  - When her young daughters visited Ms. Laparra, they were locked in isolation with her.
  - Denial of healthcare which led to the need to conduct an emergency procedure to remove her uterus.
  - Denial of psychological assistance.
- Sent to a mental health hospital for requesting that the solitary confinement measures be lifted.
- Her defence was expelled from the courtroom on some occasions
- Her defence lawyer (her brother) was threatened with prison if he continued defending her
- During hearings, the judges allowed insults, shouting, and acts of repression, contempt, and mockery against Ms. Laparra and her lawyers.

While she was released in January 2024, she was forced to resign from her post in June of that year, given continued harassment. A month later, in July, she was forced into exile after a second spurious conviction and threats to her life.<sup>244</sup>

Her case remains **unresolved**, as the two cases against her are ongoing.

1. In the case of abuse of authority for reporting acts of corruption by a judge - for which she was convicted on 8 July 2024 -, she has submitted multiple appeals. The appeal hearing before the Supreme Court of Justice was suspended and no new date has been set. On 29 April 2025, the Prosecutor’s Office and the alleged “victims” of the case requested the Appeals Court to revoke Ms. Laparra’s domiciliary arrest and request to INTERPOL for an international red notice.
2. In the second case, related to her conviction for disclosure of confidential information; the appeals hearing has not yet been scheduled. There is also a risk that the arrest warrant is reactivated.

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244 <https://www.agenciaocote.com/blog/2024/07/19/yo-virginia-laparra-decidi-salir-al-exilio-para-preservar-mi-vida/>

# India

## 1. The Centre for Promotion of Social Concerns (also known as People's Watch) and Henri Tiphagne

The **Centre for Promotion of Social Concerns (CPSC)** is a registered charitable trust functioning for the past 40 years. CPSC has run a program unit called **People's Watch (PW)**, for the past 25 years, which in turn undertakes programs on human rights monitoring, human rights intervention, human rights education, human rights campaigns and rehabilitation. PW also hosted and continues to host several national networks – Institute for Human Rights Education (IHRE), Human Rights Defenders Alert – India (HRDA) and All India Network of NGOs and Individuals working with National and State Human Rights Institutions (AiNNI). Until recently, PW also hosted the Working Group on Human Rights in India and the UN (WGHR). All these national networks engaged actively with UN human rights mechanisms, primarily the Universal Periodic Review, Special Procedures and Human Rights Council. **Henri Tiphagne** is the Executive Director of People's Watch.

The situation of Mr. Henri Tiphagne, Executive Director of the Centre for Promotion of Social Concerns (CPSC, also known as People's Watch), has been included in the reports of the Secretary-General since 2020 and, prior to that, in 2018. The postponement and non-renewal of CPSC's license under the Foreign Contribution (Regulation) Act of 2010 (FCRA) was a reprisal for the organization's human rights work, including its continuous cooperation with the United Nations in the field of human rights over the years. In relation to CPSC license renewal under the FCRA, in June and July 2023 the Central Bureau of Investigation (CBI) requested the CPSC to provide details about the rent paid for various office buildings. Reportedly, the CBI also enquired about the vehicles the CPSC owned between 2006 and 2013 and requested photographs of the speedometers and logbooks as well as clarification regarding their rental agreement. At the time of writing, the renewal of CPS's licence was still pending in the Delhi High Court.

The situation of Henri Tiphagne and CPSC was included in the 2018, 2020, 2021, 2022, 2023 and 2024 reports of the Secretary-General. Special procedures mandate holders have raised the case on multiple occasions, expressing concern over the use of the Foreign Contribution (Regulation) Act of 2010 ([FCRA](#)) to restrict the work of non-governmental organisations seeking to cooperate with the United Nations and noted that the postponement and further non-renewal of CPS's licence was a case of reprisal against Tiphagne in this context.

**In terms of follow up, regarding the Foreign Contribution Regulation Act (FCRA)[1] case of the Centre for Promotion of Social Concerns (CPSC) that has been ongoing for over 12 years now, the case before the Delhi High Court (DHC) was listed on 23th April 2024, 15th May 2024, 24th May 2024, 03rd June 2024, 23th August 2024, 21st October 2024 and 17th January 2025. On 04th February 2025 their counsel had to resubmit the final arguments as the judge who had previously heard the matter retired from DHC. On 24th March 2025 the case was listed before DHC for argument where adjournment was sought by counsel representing the Government of India. Currently the case is posted on 13th May, 2025.**

The Central Bureau of Investigation ([CBI](#)) visited the CPSC 12 times between January and November 2022 and seized over 80,000 documents and 17,000 vouchers. Between June 2022 and March 2023, the Income Tax Department reportedly asked CPS to submit evidence from



the books of account and other documents, such as details of foreign donations received. CPSC submitted all documents required and as of 30 April 2023 is waiting for a response. The number and nature of the requests, questions and queries from government agencies is reportedly disrupting the regular functioning of the CPSC office.

After the visit from the CBI in 2022 no update was received from them until 22 June 2023, when the Deputy Superintendent of Police (DSP) asked the CPSC senior finance officer to provide details about the rents paid for various office buildings. The CBI asked about the amounts paid for the rent of each building, to whom it was paid, to which project were the buildings dedicated and the mode of payment, they also asked for samples of the Demand Draft (DD), vouchers and receipts. Furthermore, they also enquired about the vehicles that CPSC had in its possession from 2006 to 2013, and required specific information related to the fuel and maintenance of the vehicles, the quotations, invoices and mode of payment for them. On 26 June 2023 an assistant to the DSP collected the same information physically at the office.

On 3, 7 and 10 July 2023, the DSP called the CPSC's senior finance officer and requested photographs of the speedometers and logbooks of three vehicles, as well as clarification regarding their rent.

Furthermore, the case for the renewal of CPSC's licence is still pending in the Delhi High Court.

In terms of follow up, the list of documents seized by CBI was sealed and signed by the senior office staff from CPSC's Accounts Unit.[3] After the CBI visit there was no update from them till June 2023. On 22nd June, 2023 the Deputy Superintendent of Police (DSP) called the senior finance officer about the details of the Rents paid of our Office buildings, Rehabilitation center for the Torture Victims, Interns/fellows Building and Liason office in Chennai etc. CBI asked about the details of the rent paid (How much was the rent, to whom it was paid, from which project it was paid and what was the mode of payment). They also asked for the samples of Demand Draft (DD) copy, vouchers and receipts. Then on 26th June, 2024 an assistant to the DSP collected the same from us physically at the office. On 3rd, 7th and 10th July, 2023 the DSP CBI called our senior finance officer and asked us to submit the Photograph of speedo meters of three vehicles, the log book of the vehicles and clarified about the rent details.

This investigation has been going on from 08.01.2022 till date with no final report filed to the concerned court for the past 3 years and 3 months. The options could be dropping the case or to charge them; the pendency of the case is only another form of harassment.

This case which is being investigated by the CBI has the CPSC trustees as the first accused, all the trustees are senior citizens and reputed individuals working on various issues concerning human rights across the country. The second accused is the People's Watch Program Unit of CPSC represented by its Executive Director, Henri Tiphagne, and the third accused are unknown person(s) which opens the possibility to include the name of anyone associated with CPSC, which is the most concerning part of all. The CBI FIR has been pending investigation for more than three years, which the CBI investigated for almost a year in our office premises in 2022. There is no progress in this FIR. The situation remains very worrying for all concerned.

## 2. Khurram Parvez and Irfan Mehraj

The situation of the staff and associates of the Jammu and Kashmir Coalition of Civil Society (JKCCS), a union of various non-profit organizations based in Srinagar, has been included since 2017 in the reports of the Secretary-General on allegations of travel bans, ill treatment, and arbitrary detention as a result of counter-terrorism charges in relation with their cooperation with United Nations entities and mechanisms.

The case of Mr. Khurram Parvez, Chair of the JKCCS, and his last arrest in November 2021 on terrorism charges has been addressed on several occasions by mandate holders.

The case of Mr. Irfan Mehraj, JKCCS associate and journalist, was included in the 2023 report of the Secretary-General on allegations of arbitrary arrest in March 2023 in the same case as Mr. Parvez, under the Unlawful Activities (Prevention) Act, 1967.

On 28 March 2023, the Working Group on Arbitrary Detention deemed Mr. Parvez's detention in 2021 arbitrary and called for his release (A/HRC/WGAD/23/8). In June 2023, a group of mandate holders addressed once more the situation of Mr. Parvez and Mr. Mehraj and expressed concern at the reported judicial harassment against them, noting that, in their view, the legal situation of Mr. Parvez and Mr. Mehraj would appear to gravely conflate their legitimate human rights work with terrorism (IND 4/2023).

The judicial detention of Mr. Parvez and Mr. Mehraj was extended during the period to allow more time for the National Investigation Agency to complete the investigation. In September 2023, the National Investigation Agency reportedly filed a chargesheet claiming that the concerned NGOs and individuals had been collecting funds domestically and from various foreign countries and directing them to sustain and promote terrorist and secessionist activities.

**In terms of follow up, they remain detained at the Rohini Jail Complex.**

**Pakistan raised Khurram Parvez and Irfan Mehraj's case on 28 September 2023 at the 54th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General.**<sup>245</sup>

## Indonesia

### 1. Lamberti Faan

Ms. **Lamberti Faan** is an Indigenous Papuan woman from Maybrat Regency, in Papua Barat Province, Indonesia. She and her family have been affected by the on-going conflict between the Indonesian security forces and the TPNPB, a pro-independent armed group in West Papua.

Ms. Faan, along with 5000 Indigenous Papuans from Maybrat, were displaced in December 2022 due to the armed conflict. She and her family were displaced to Sorong Regency for their safety. Up to now, her house has been occupied by the Indonesian military, for use as a military post. This was done by force and without her consent. Other public buildings around her house have also been occupied by the military, including a school and a church.

<sup>245</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58917\\_60\\_099ce283\\_648f\\_44d5\\_b8cf\\_13d5c7ccd20e.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58917_60_099ce283_648f_44d5_b8cf_13d5c7ccd20e.docx)

As she mentioned in her statement to the UN Human Rights Council, many of the IDPs from Maybrat have returned to their places of origin, despite on-going surveillance from members of the Indonesian security forces. However, Ms. Faan and her family still cannot return to her house. On several occasions, she has been able to visit her village and her Sago and vegetable plantation. However, she always requires special permission from the military and her activities in the plantation are under drone surveillance.

Ms. Faan founded a women's collective called 'Women Across The Street' in Sorong Regency. The collective supports IDPs to sustain their livelihoods through the provision of agricultural seeds and provides humanitarian aid in cases of urgent healthcare or other needs of basic services. Ms. Faan has been a strong voice in West Papua on the IDP issue, calling for the safe return of IDPs back to Maybrat, the provision of basic services in Sorong for displaced persons and the withdrawal of Indonesian security forces from civilian dwellings in Maybrat.

### **INVOLVEMENT WITH THE UN HUMAN RIGHTS MECHANISM**

Ms. Faan has been actively involved in international advocacy activities focusing on her situation as a woman IDP. She was invited to attend a training for women human rights defenders in Southeast Asia in late 2022, organized by the OHCHR Regional Office in Bangkok.

Ms. Faan was in Geneva from 16 to 22 June 2024. On the occasion of the 56th Session of the UN Human Rights Council in Geneva, Franciscans International invited Ms. Faan to conduct advocacy activities focusing on the situation of the IDPs in West Papua.

This included:

- Delivering an Oral Statement during the Interactive Dialogue with the UN Special Rapporteur on the human rights of internal displacement persons (IDPs);
- Meeting with OHCHR staff working at the Indonesian Desk; on the mandates of Indigenous Peoples;
- Meeting with the Permanent Missions of Norway and Vanuatu;
- An interaction with the Special Rapporteur on IDPs.

On June 26, 2024, Ms. Lamberti Faan was contacted by her brother. He reminded her to take care of her own security and her own health. She was informed that the video of Ms. Faan's statement at the UN Human Rights Council had been circulated in several groups (WhatsApp groups). On the evening of June 25, the Chief of Police of Maybrat Regency contacted Ms. Faan's brother and asked him whether he knew Ms. Faan, who had spoken in the video recording. Out of fear, he told the Chief Police of Maybrat that he did not know her.

On June 26, 2024, Ms. Faan was contacted by phone by her elder sister (who lives in Maybrat), asking about her whereabouts. She told Ms. Faan that the Commander of a Military District Command of Maybrat had contacted her asking about Ms. Faan's whereabouts.

On June 27, 2024, Ms. Faan's elder sister received a message from an unknown person, most probably an official from Intelligence Services, demanding her (it is unclear if the subject in question is Ms. Faan or her sister) personal details - full name; nick name; religion; occupation; and address.

On July 1, 2024, on an early morning flight from Jakarta to Sorong (West Papua), Ms. Faan was seated in the 4C seat. While queuing to get to her seat, she identified a familiar face in the queue, a member of the Police Force of Kumurkek, the capital city of Maybrat Regency.

On July 2, 2024, Ms. Faan's husband heard from some of his friends from Maybrat that, in addition to threats from the military, more dangerous threats were coming from Maybrat government officials, who felt that their dinner plates (interpreted as their job security) were disturbed by Ms. Faan's statement at the Human Rights Council.

On July 13, 2024, Ms. Lamberti Faan was contacted by her elder sister in her village in Maybrat, informing her that someone allegedly from the intelligence service had called her. The phone network was not good, and his voice was cut off several times, but she heard that he wanted to meet. He asked if Ms. Faan had children and where they lived and which schools they went to. She responded that her sister (Ms. Faan) had been displaced to Sorong, so she didn't know which schools they attend.

On July 15, 2024, a close relative of Ms. Faan called her and informed her that three or four days earlier, while eating at a restaurant in Kumurkek (capital city of Maybrat district), two people (non-indigenous Papuan) approached her/him and showed him video footage of Ms. Faan speaking at the Human Rights Council and asked whether she/he knew Ms. Faan. When he/she replied that she knew Ms. Faan, they proceeded to ask where she lives and whether her children are in school or not. They said they were from a Government Ministry and wanted to help provide housing and scholarships for the children of Ms. Faan. He/she told them that he/she hadn't seen Ms. Faan for a long time, and he/she was unaware if she was married and had children.

On July 16, 2024, Ms. Faan's husband informed her by phone that two young men, neighbours of Ms. Faan in Sorong, heard strange noises. They thought of the noises from the bee nest up in the tree, but when they looked up, they saw two drones flying around the house.

## Israel

### Addameer Prisoner Support and Human Rights Association (Addameer)

**Addameer** provides free legal aid to Palestinian prisoners held in Israeli prisons, documents human rights violations directed at Palestinians relating to conditions of arrest, detention and incarceration, and advocates for the rights of Palestinian prisoners at national and international organisations, including United Nations human rights bodies and Special Procedures mechanisms.

#### 1. Mentions in Past Reports by the Secretary-General

The cases of six Palestinian human rights and humanitarian organizations, namely the Addameer Prisoner Support and Human Rights Association (Addameer), Al Haq, the Bisan Center for Research and Development (Bisan), Defense for Children International – Palestine, (DCI-P), the Union of Agricultural Work Committees (UAWC), and the Union of Palestinian Women's Committees (UPWC) were included in the 2022, 2023 and 2024 reports of the Secretary-General on allegations that their designations as 'terror[ist] organizations' under the Counter-Terrorism Law 5776 of 2016 were related to their cooperation with the United Nations

and their human rights and humanitarian work.<sup>130</sup> UN actors condemned the designations and noted the critical work of these long-standing key partners of the United Nations in the Occupied Palestinian Territory.

In May 2023, the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (the Commission), reported that it was not aware of any credible evidence to support the terrorist designations. The Commission reported having received information suggesting that, six months prior to the designations, the Israeli Ministry of Intelligence had advised the Government to incriminate individuals and organizations receiving foreign funding, tarnish their reputation and expose their connections to 'terrorist' elements. The Commission noted that the Israeli authorities' use of anti-terror legislation to categorize civil society organizations as terrorist organizations aimed to delegitimize and isolate them, undermine their activity, and harm their international funding and support. It then concluded, on the basis of reasonable grounds, that the designations were unjustified, undertaken to silence civil society voices, and violate human rights.

The Commission and OHCHR addressed the significant impacts that the designations had had on the programmes, activities and work of the concerned organizations, including as a result of the withdrawal of funding and the imposition of travel bans. OHCHR also reported that, as a result of the designations, the organizations operated under constant threat of closure, and their staff and legal representatives operating with a continuing threat of arrest.

**In terms of follow up, the current situation involves a complete freeze on their funds and expenses. As of September 2024, their bank, the Bank of Palestine, has reported that intermediary banks across Europe are refusing to process any transfers for the six designated organizations. This has severely impacted and halted their ability to pay salaries, access sponsor funds for critical programs, and cover essential operational expenses necessary to continue their work in supporting detainees and the broader community.**

**On 29 September 2022, Namibia brought up the situation of the designation of Palestinian Human Rights Organizations as terrorist organisations by Israel at the 51st session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General on Human Rights.**<sup>246</sup>

## Morocco

### 1. Enaama Asfari and Claude Mangin

In November 2016, the Committee against Torture (CAT) found that Morocco had breached six provisions of the Convention against Torture and had committed acts of torture against Sahrawi human rights activist **Enaama Asfari**.<sup>247</sup> Asfari had been campaigning for the self-determination of Western Sahara, a former Spanish colony that remains under Moroccan occupation despite a 1992 UN ruling for a referendum on independence, which has yet to be complied with. In their decision, the CAT requested that Morocco provide redress and compensation to Enaama Asfari, and 'refrain from any form of pressure, intimidation or reprisals

<sup>246</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48548\\_56\\_a26077e7\\_5deb\\_4c5c\\_89c4\\_2e488b85da21.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/61/SP/48548_56_a26077e7_5deb_4c5c_89c4_2e488b85da21.docx)

<sup>247</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/093/43/PDF/G1709343.pdf?OpenElement>.

... and enable the complainant to receive visits from his family in prison'. However, following the CAT's decision, the complainant was subjected to a range of vexatious actions, and his relatives were not able to visit him in prison. In a letter to Morocco, the CAT underlined the 'seriousness of the allegations' of reprisals and called on Morocco to fully comply with the Committee's decision.<sup>248</sup>

The case of Mr. Ennaâma Asfari was included in the 2018, 2019, 2020, 2021 and 2022 reports of the Secretary-General on alleged deterioration of detention conditions following the decision of the Committee against Torture on his case in 2016 (CAT/C/59/D/606/2014). Reported reprisals in the form of an entry ban against Ms. **Claude Mangin-Asfari**, the wife of Mr. Asfari, were also included in the 2019 report of the Secretary-General.

The case was inexplicably excluded from the 2023 and 2024 report of the Secretary-General. The reprisals already reported to the Secretary General in the form of a ban on entry into the country against Mrs. Claude Mangin-Asfari, Mr. Asfari's wife, are still ongoing. In nine years, Ms. Mangin-Asfari has only been allowed to visit her husband once, following a hunger strike she went on in 2018. Since then, she has been permanently banned from entering Moroccan territory and has not been able to see her husband again. Furthermore, Mr. Asfari is also prevented from receiving mail. Thus, several letters have not been delivered to him in recent months.

## 2. The Gdeim Izik Prisoners

The **Gdeim Izik prisoners** are a group of prominent Sahrawi human rights defenders, journalists, activists and protesters at the Gdeim Izik camp who were arrested and imprisoned in 2010 following the violent dismantlement of the peaceful protest camp Gdeim Izik by Morocco.

They have arbitrary been deprived of their freedom for 13 years, having been subject to severe torture at the time of their arrest and forced to sign confessions, later used as main piece of criminal evidence against them in criminal proceedings held first in 2013 and later in 2017 in front of a Civil Court sentencing them to prison sentences of 20 years to life.

The Gdeim Izik prisoners is the most prominent group of political prisoners from Western Sahara and has since their arrest been included on a regular basis in the report of the UN Secretary General to the UN Security Council on Western Sahara (latest S/2023/729, para 79 - 80). Complaints have been submitted to both UN WGAD, UN Special Rapporteurs and the UN Torture Committee.

There is a number of decisions and communications referring to the continued detention of the Gdeim Izik prisoners, including

- UN WGAD decision concerning 18 of 19 prisoners of October 2023, A/HRC/WGAD/2023/23
- UN Special Procedures communication of July 2017 concerning the Gdeim Izik group (total 25), AI Mar 3/2017
- UN CAT in decisions of Naama Asfari (CAT/C/59/D/606/2014), Mohammed Bouryal (CAT/C/72/D/923/2019), Abdeljalil Laaroussi (CAT/C/74/D/891/2018), Sidi Abdallah Abahah (CAT/C/72/D/871/2018) and Mohammed Bani (CAT/C/75/D/999/2020).

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<sup>248</sup> [https://tbinternet.ohchr.org/Treaties/CAT/Shared Documents/MAR/INT\\_CAT\\_RLE\\_MAR\\_8705\\_F.pdf](https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/MAR/INT_CAT_RLE_MAR_8705_F.pdf).



- Additional complaints were submitted to the UN CAT in June 2022 on behalf of three of the prisoners and in November 2022 for six of the prisoners.

Between their arrest and their appeal in 2017, the Gdeim Izik prisoners were arbitrarily detained under alarming prison conditions; in addition to the prolonged effects of the torture at the hands of Moroccan police at the time of their initial arrest, their health deteriorated due to the multiple hunger strikes they carried out to protest their confinement and treatment in prison as well as medical neglect by prison officials.

Following the decision rendered by the Appeals Court, the situation of the Gdeim Izik prisoners swiftly changed for the worse, with the prisoners being dispersed into six different prisons on 16 September 2017, reporting both physical and psychological torture, harassment, and increased isolation, amounting to a life of daily inhuman treatment and torture. The situation also entailed the incitement of Moroccan prisoners, the cancellation of medical appointments, the requirement of handcuffing, and the wearing of a common law prisoner's uniform.

The mistreatment of the prisoners is believed to be a reprisal for the prisoner's open advocacy in favour of the right to self-determination during their appeal trial whilst calling for urgent actions by the UN. The call for action from the prisoners to the UN resulted in a joint communication sent to the Moroccan government by five UN experts in July 2017.

The reprisals of 2017 are still ongoing and include the isolation of the prisoners. Some of them have been held in solitary confinement since September 2017. It also includes arbitrary punishment and deprivation of rights, harassment, intimidations, limited time on the phone and medical neglect.

Following the UN WGAD decision, the prisoners also reported provocations, intimidations and in Kenitra, the prisoners had their cells raided and personal belongings destroyed with the involvement of common criminals incited against them. The prisoners are prepared for future attacks in response to their cooperation with the UN, but urge that their situation, amounting to daily infliction of torture, be addressed and remedied. It is believed that the only way to remedy the situation for the prisoners is by addressing the continued reprisals against all prisoners and increased pressure from UN experts and international NGOs.

Below are some examples of reprisals against the prisoners and their families, as provided orally in a meeting on 4 April 2024.

- In 2020, the occupation authorities in the occupied city of Laayoune cut off the monthly salary (financial assistance) of Ghali AAjna the wife of the political prisoner Mohamed Bani, member of the Gdeim Izik group, believed to be a reprisal for the complaint submitted to UN CAT.
- On 3 March 2021, the authorities arrested Menina Haddi, the mother of political prisoner Mohamed Lamin Haddi, who was accompanied by her daughter. They were interrogated on the orders of the director of the local prison Tifelt, who refused to allow them to visit Mohammed Lamin because of the publication of a video in which his mother described the poor prison conditions of Mohamed Lamin whilst calling on protection from the UN.

- On 29 May 2022, Mohamed Lamin Haddi's younger brother was arrested in the city of Laayoune, and the family was threatened with fabricating a charge against him if the family continued to communicate with organisations and the UN or leak information to the media.
- Since 2022, the prison administration has refused to allow Abdullah Lekhfaoui to provide an authorization and power of attorney for his mother to carry out administrative procedures related to the family's property. This is believed to have come in response to a complaint submitted to the UN CAT in November 2022.
- In October 2023, after the decision of the UN WGAD, the family of Mohamed Elbachir Boutenguiza, in the occupied city of Laayoune, was prevented from obtaining administrative certificates.
- In October 2023, after the decision of the UN WGAD, the prisoners in Kenitra were deprived of medical treatment and the prison administration refused to accept any letters from the prisoners if the prisoners indicated that they were political prisoners or Saharawi.
- On 7 November 2023, the Sahrawi civilian prisoners Mohamed Bachir Botengiza, Hassan Dah and Elhussein Zaoui were subjected to insults by the prison director who described them as terrorists, and prevented them from making phone calls, in addition to inciting employees and prisoners against them. Later, all three were punished with isolation for 20 days. Only Hassan Dah was placed in isolation for 9 days. The actions are believed to have come in response to the UN WGAD decision.
- In November 2023, the political prisoners of the Gdeim Izik group in Kenitra were subjected to an arbitrary search of their cells, and their personal belongings were confiscated, and most of them were deprived of contact with their families for more than a week. This is believed to have come in response to the UN WGAD decision.

**In terms of follow up, the situation of the prisoners continues to remain of great concern and was highlighted by the UN Secretary General in his latest report to the Security Council ([S/2024/707, para 76](#)).**

The dire conditions of detention of Sahrawi prisoners remained an issue of pressing concern. Reports received by OHCHR referred to overcrowding and inadequate access to healthcare, education and vocational training, in addition to repeated denials of transfer requests by prisoners to facilities closer to their hometowns. Members of the Gdeim Izik group continued to be dispersed and held in prisons outside of Western Sahara while serving lengthy prison sentences. The continued isolation, irregular contact with family members and discriminatory treatment by the prison administration have reportedly had adverse impacts on the prisoners' physical and mental health. The Working Group on Arbitrary Detention considered that the imprisonment of 18 members of the Group constitutes arbitrary detention. It further expressed grave concern about the number of suspected cases of arbitrary detention in Western Sahara, calling for the immediate release of the detainees and appropriate redress and reparations ([A/HRC/WGAD/2023/23](#))

According to the families of the Gdeim Izik prisoners and as gathered by LPPS, the most acute need and demand is to bring the prisoners closer to their families, as they are being held in Moroccan prisons far away from their families under increased isolation (a practice also highlighted by Mary Lawlor in [her last report, 'Out of sight: human rights defenders working in isolated, remote and rural contexts'](#)). Due to this distance, most families have not visited for years, and some family members have passed away.

The families also sound the alarm on the dire health condition of the prisoners and medical neglect, as highlighted in the submitted allegation. As a new development, and due to increased isolation and lack of sunlight, almost all of the prisoners are also reported to suffer from visual impairment. With regard to the various procedures initiated on behalf of several Saharawi political detainees with the United Nations special procedures:

The Working Group on Arbitrary Detention (WGAD) issued a decision in 2023 on the detention of members of the Gdeim Izik group (A/HRC/WGAD/2023/23), which includes Mr. Ennaâma Asfari. In this opinion, the WGAD expressed its serious concerns regarding the number of alleged cases of arbitrary detention in Western Sahara and noted the arbitrary detention of 18 Gdeim Izik group detainees in violation of the Universal Declaration of Human Rights. The WGAD also considers that 'the appropriate measure would be to immediately release the 18 individuals and grant them the right to obtain reparation' and asks the Moroccan Government to ensure that a thorough and independent investigation is carried out into the circumstances of these arbitrary detentions. To date, none of the measures requested by the WGAD have been implemented by the Kingdom of Morocco. Mr. Ennaâma Asfari and the other Gdeim Izik detainees have not yet been released.

The Kingdom of Morocco has been condemned five times by the Committee against Torture for violence and acts of torture committed against Saharawi political prisoners from the Gdeim Izik group. The Committee recognized in particular the systemic nature of the violence perpetrated by the Moroccan authorities on the detainees from this group (CAT/C/75/D/999/2020, §7.11). Nine new individual complaints were prepared and filed collectively in 2022 and are still awaiting judgment. Some have received responses from the Government, but the Government has remained silent in some cases. Several of the families have been subjected to pressure from the authorities of the Kingdom of Morocco following the filing of these new complaints.

While several communications have been addressed to the Moroccan authorities by several United Nations Special Rapporteurs, a new communication was sent on May 24, 2023 (AL MAR 2/2023) by the Special Rapporteur on the situation of human rights defenders, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Special Rapporteur on the independence of judges and lawyers and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. This new communication, following on from many others prior to 2021, aimed to draw the attention of the Moroccan Government to the deterioration of the conditions of detention of three human rights defenders sentenced to long prison terms: Messrs. Al-Hussein Al-Bashir Ibrahim, Khatri Dadda, Ennaâma Asfari. The Rapporteurs expressed their concern about the situations of the three defenders, demonstrating the non-application of the various decisions and conclusions issued by the various UN bodies.

The Concluding Observations concerning the report of Morocco worth nineteenth to twenty-first periodic reports of the Committee for the Elimination of Racial Discrimination of December 21, 2023, which states: 'the Committee regrets the lack of a solution to

the question of the exercise of the right to self-determination of the people of Western Sahara. It is also concerned about allegations that activists, human rights defenders, student movements and Sahrawi organizations that defend the right to self-determination of the people of Western Sahara and Sahrawi identity are the target of intimidation and surveillance, are subject to frequent checks by law enforcement agencies, and face obstacles in registering and holding meetings. The Committee is also concerned about reports that the authorities of the State party have prevented and repressed gatherings in support of the right to self-determination and Saharawi commemorations, to the detriment of the exercise of the right to freedom of expression, association and assembly of Saharawi persons (art. 5).

### **3. Retaliatory Measures Against Sahrawi Human Rights Defenders by the Moroccan Occupation Authorities**

#### **BACKGROUND**

In the context of an ongoing systematic crackdown, the Moroccan occupation authorities are implementing deliberate retaliatory measures against a number of Sahrawi human rights defenders. These reprisals are directly linked to the defenders' cooperation with United Nations mechanisms—through the submission of complaints, preparation of reports, or participation in UN sessions—as well as their local fieldwork involving the documentation of human rights violations or participation in peaceful protests.

Below, cases of such reprisals are included. For all the victims, consent has been contained for the submitting of information to the UN. All victims thus consent to the communication of their name to the Moroccan government by the UN and to the publication of their name by the UN in reports and on the webpage. This consent also relates to the publication of their names in other reports, such as reports issued by the ISHR.

#### **IMPORTANT CLARIFICATION**

Most Sahrawi human rights defenders who are subjected to reprisals by the Moroccan occupation authorities often do not have direct contact with the United Nations. Instead, their engagement takes place indirectly through their roles in local human rights organizations, particularly by monitoring and documenting violations, and contributing to reports, complaints, and communications submitted to UN mechanisms.

Due to the indirect nature of this engagement, it is often difficult to establish a clear, direct link between the defender and the United Nations, even though the real motives behind the retaliation are evident.

This situation is further complicated by the fact that Sahrawi civil society is not recognized by the Moroccan state, and belonging to an independent association is considered a crime. As a result, activists face increased repression and persecution, making human rights work in Western Sahara an extremely risky and challenging endeavour.

#### **1. ARBITRARY DISMISSALS AND SALARY SUSPENSIONS**

Dozens of Sahrawi public employees have been arbitrarily dismissed or had their salaries suspended without legal justification. These measures represent a blatant violation of the right to work as guaranteed under Article 23 of the Universal Declaration of Human Rights. Among the most prominent cases are:

**Bahi Brika:** A media activist who was abducted and tortured in January 2025 due to his contact with human rights organizations for the purpose of submitting a complaint to UN mechanisms on torture. After submitting reports to the OHCHR and in the preparation of submitting a complaint to the UN Torture Committee, he was subjected to threats and an incitement campaign against him on social media.

**Aminatou Haidar:** The Sahrawi activist, President of ISACOM (the Sahrawi Organ against the Moroccan Occupation), is facing a series of systematic retaliatory actions by the Moroccan occupation authorities due to her ongoing cooperation with United Nations bodies, particularly the Human Rights Council, in which she has participated multiple times, conveying the voice and suffering of the Sahrawi people under occupation. Aminatou Haidar is internationally recognized for her peaceful struggle and her steadfast defense of the Sahrawi people's right to self-determination. In recognition of her efforts, she has received several prestigious awards, including the Robert F. Kennedy Human Rights Award and the Right Livelihood Award, also known as the 'Alternative Nobel Prize.' In response to her growing international presence and human rights impact, the Moroccan authorities have resorted to retaliatory tactics, including close surveillance, restrictions on her movements, media defamation campaigns, and psychological pressure on her and those around her — all in a desperate attempt to silence her voice and break her spirit. Yet Haidar remains a symbol of peaceful resistance and a tireless advocate for freedom and dignity for the Sahrawi people.

**Mohamed Mayara:** A Sahrawi journalist and director of Equipe Media. His salary was abruptly suspended in 2015 without any prior notice after years of service in the education sector, despite being recruited based on a recommendation from Morocco's Equity and Reconciliation Commission. Mohamed has later been subjected to severe intimidation and threats from Moroccan governmental officials, believed to be linked to Mohammed's work on cases of imprisoned Saharawi journalists brought to the UN Working Group on Arbitrary Detention. <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=9872&file=EnglishTranslation>

**Mina Baali:** Member of ISACOM, was deprived of office and tasks from the moment of her appointment. She was denied her salary and paid leave due to her participation in peaceful demonstrations. A UN report published in 2018 on her situation led to increased pressure, and she was eventually dismissed in 2019. [https://digitallibrary.un.org/record/4047431/files/A\\_HRC\\_55\\_NGO\\_234-EN.pdf](https://digitallibrary.un.org/record/4047431/files/A_HRC_55_NGO_234-EN.pdf)

**Omar Nadour:** His salary was suspended in 2016 following the acceptance of a complaint submitted in his name before the UN Committee Against Torture—a clear attempt to pressure him into withdrawing the complaint. See CAT/C/72/650/2015, UN CAT decision Omar N'Dour, <https://trialinternational.org/wp-content/uploads/2016/02/Omar-Ndour-v.-Morocco.pdf>

**Ali Salem Tamek:** Human rights defender, vice-president of CODESA, and former political prisoner. He was arbitrarily transferred to the city of Meknes in 2002, and later had his salary suspended. He was continuously harassed for his political positions supporting the Sahrawi people's right to self-determination. The local branch of the 'Forum for Truth and Justice,' where he served as Secretary-General, was also banned. During the course of 2024, the house of Ali Salem has been subject to siege and his family has been harassed and intimidated due to Ali Salems and CODESAs interaction with the UN and submittance of complaints. <https://www.frontlinedefenders.org/en/profile/ali-salem-tamek>

**Hassana Abba:** Head of External Relations at the Association for the Protection of Sahrawi Prisoners in Moroccan Prisons, has been denied employment opportunities since 2014 due to his role in submitting complaints to UN mechanisms as part of a legal advocacy team submitting complaints to both the UN Working Group on Arbitrary Detention and the UN Torture Committee on behalf of political prisoners. He was also prevented from continuing his doctoral studies. In 2021, he was kidnapped and tortured for his role in filing complaints with the UN Committee Against Torture, on behalf of the Association for the Protection of Sahrawi Prisoners in Moroccan Prisons.

[https://www.ohchr.org/sites/default/files/36\\_nscws-aaj-lpspp-cso-en-morocco-y.pdf](https://www.ohchr.org/sites/default/files/36_nscws-aaj-lpspp-cso-en-morocco-y.pdf)

**Elghalia Djimi:** Member of ISACOM, was arbitrarily denied access to electricity at her home in Fom El Oued despite having favourable rulings at both the primary and appeal court levels. The denial appears to be linked to her role in submitting complaints to UN mechanisms over many years and her participation at the UN Human Rights Council. The construction process was stopped immediately on 10/03/2020, following the statement of the King's Attorney on 09/29/2020, which ordered the prosecution of members of the ISACOM office. She was the vice president of the Sahrawi Association ASVDH, which submitted complaints to the United Nations (such as the case of Omar Ndour), and she has also participated in the Human Rights Council for 14 years.

**Hamadi Hamad and Mustapha Dafa:** Both were forcibly retired even though most Sahrawi employees registered in the Spanish census and on MINURSO lists are allowed to continue working beyond retirement age. Their exclusion appears to be discriminatory and linked to their participation in submitting reports and complaints to the UN. The Sahrawi human rights defender Hamad Hammad, President of the Sahrawi Committee for the Defense of the Right to Self-Determination, has met with all UN envoys who have visited Western Sahara. As for Mustafa Dafa, he is a member of the Sahrawi Association ASVDH and has met with all UN envoys who have visited Western Sahara.

**M'hamed Hali:** Despite passing all qualifying exams, he was prevented from practicing law due to his human rights and political activities. His case has been the subject of a communication by the UN Special Rapporteur on the independence of judges and lawyers and was also referred by the UN Secretary-General in his latest report to the UN Security Council.

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=27599>

**Yahya El Hafed Iazza:** Arbitrarily dismissed from his job in 2006 and later sentenced to 15 years in prison for his political views. His case was brought to the UN Working Group on Arbitrary Detention who found his detention arbitrary. He has later been subject to intimidation, harassment and arbitrary police violence. Latest incident occurred on 18 March 2025 when Yahya visited the Department of Internal Affairs in Tan Tan on the issue of obtaining license for his truck, at which time Yahya was threatened with death by the head of the department. See UN WGAD Opinion No. 46/2021 concerning Yahya Mohamed Elhafed Iazza.

<https://www.ohchr.org/sites/default/files/2022-03/A-HRC-WGAD-2021-46-Maroc-AEV.pdf>

**Ibrahim Sabbar:** The Sahrawi human rights defender is facing a systematic campaign of harassment by the Moroccan occupation authorities. This includes being prevented from working and deprived of his right to a decent livelihood through pressure on his social and economic situation. This targeting stems from his prominent role as a Secretary General of the Sahrawi Association ASVDH (Sahrawi Association of Victims of Grave Human Rights Violations committed by the Moroccan state). ASVDH is one of the leading Sahrawi organizations that has played a crucial role in documenting grave human rights violations



and submitting numerous complaints and files to UN mechanisms. As a result, its leadership — particularly Ibrahim Sabar — has been subjected to ongoing targeting, persecution, and restrictions, to silence Sahrawi human rights voices and prevent the truth from reaching the international community.

<https://documents.un.org/doc/undoc/gen/g10/109/51/pdf/g1010951.pdf?OpenElement>

## 2. FORCED TRANSFERS

Arbitrary transfers of workplace have been used as a tool to isolate activists from their social and political environments:

**Mohamed El Moutawakkil:** Member of ISACOM, was transferred to Casablanca after organizing a welcoming event for released political prisoners and contributing to the preparation of human rights reports in which was submitted to the OHCHR.

**Hassanna-Douihi:** Vice President of the Association for the Protection of Sahrawi Prisoners in Moroccan Prisons, was transferred from Laayoune to Boujdour after participating in international forums. This transfer was carried out despite a preliminary court ruling annulling the decision. The measure was linked to the association's submission of several complaints to the UN Committee Against Torture and other UN special procedures.

[https://www.ohchr.org/sites/default/files/36\\_nscws-aaj-lpspp-cso-en-morocco-y.pdf](https://www.ohchr.org/sites/default/files/36_nscws-aaj-lpspp-cso-en-morocco-y.pdf).

The Regional Academy of the Ministry of Education, based in El Aaiún, filed an appeal before the Administrative Court of Second Instance in Marrakech. This court overturned the decision of the First Instance Court regarding the suspension of the administrative decision in May 2018, despite having postponed several times the decision related to the annulment of the same administrative measure. The most recent postponement, which took place at the beginning of September, set the next hearing for October 4, 2018. Under these circumstances, Mr. Douihi is forced to commute 200 km between his residence in El Aaiun and his new workplace in Boujdour, without there being any real necessity for such a reassignment.

**Abderrahman Zeyou:** President of the same association, was transferred to Kalaat Sraghna without being assigned any job duties. Although he filed legal objections, he was later dismissed from work without any legal justification. His case also relates to the association's cooperation with UN human rights mechanisms and the submittance of complaints, especially to the UN Torture Committee.

Zayou was arbitrarily transferred from his position at the Regional Directorate of the Ministry of Housing and Urban Planning in El Aaiun to Qalaat Sraghna on May 30, 2019, under the pretext of a need for personnel in that location. However, the reality tells a different story — since his arrival in Qalaat Sraghna, he has not been assigned any duties.

This transfer constitutes a violation of both international law and Moroccan law:

- It violates Paragraph 1 of Article 49 of the Fourth Geneva Convention, which prohibits the transfer of individuals from a non-self-governing territory.
- It also violates Moroccan public service law, which links any transfer of a public servant to the consent of the employee.

Zayou filed a legal complaint against this forced transfer before an administrative court, which declared itself incompetent to handle the case. The administrative judiciary has shown a lack of independence and disregard for the law, particularly during the appeals phase, as it ignored the

fact that the appeal submitted by the Ministry was filed beyond the legally permitted deadline. [https://www.ohchr.org/sites/default/files/36\\_nscws-aaj-lpspp-cso-en-morocco-y.pdf](https://www.ohchr.org/sites/default/files/36_nscws-aaj-lpspp-cso-en-morocco-y.pdf)

**Mahfouda Bamba Lefkir:** The Sahrawi human rights defender has been subjected to systematic reprisals by the Moroccan occupation authorities due to the mention of her name in reports by the UN Special Rapporteur on the situation of human rights defenders. These reprisals have included arrest, suspension of her monthly salary, security harassment, constant surveillance, repeated police summons, and restrictions on her human rights and media activities. This targeting is part of a broader campaign of intimidation aimed at deterring Sahrawi defenders from cooperating with UN mechanisms, in clear violation of international human rights treaties. Despite this pressure, Mahfouda continues her peaceful struggle in defence of the rights and just cause of the Sahrawi people. Her case continues to be highlighted by the Special Rapporteur on human rights defenders.

[https://www.facebook.com/MaryLawlorHRDs/photos/hearing-disturbing-news-that-moroccan-police-agents-physically-attacked-injured-/1096646329146870/?\\_rdr](https://www.facebook.com/MaryLawlorHRDs/photos/hearing-disturbing-news-that-moroccan-police-agents-physically-attacked-injured-/1096646329146870/?_rdr)

### 3. RETALIATORY ACTS AGAINST FAMILIES OF SAHRAWI POLITICAL PRISONERS

In a further violation of international humanitarian law, Moroccan occupying authorities have engaged in collective retaliatory measures against the families of Sahrawi political prisoners. These reprisals have been triggered by individual complaints submitted to UN mechanisms or by the families' public solidarity campaigns.

#### FORMS OF VIOLATIONS

- Suspension of salaries or social benefits
- Denial of scholarships or employment opportunities to children
- Arbitrary raids and arrests of family members
- Direct threats of imprisonment or physical harm

#### DOCUMENTED EXAMPLES:

- Salary cut for Ghali Ajna, wife of political prisoner Mohamed Bani, following the submission of a complaint to the UN Committee Against Torture. See CAT/C/75/D/999/2020, <https://www.scribd.com/document/662444837/Le-Comite-des-Nations-Unies-contre-la-Torture-publie-sa-decision-finale-concernant-le-prisonnier-politique-Bani>
- The family of prisoner Naama Asfari faced threats and arbitrary interrogations after an international campaign supporting his case was launched and after decisions of the UN Torture Committee and the UN Working Group on Arbitrary Detention. See CAT/C/59/D/606/2014, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2f59%2fD%2f606%2f2014&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2f59%2fD%2f606%2f2014&Lang=en)
- Family of prisoner of conscience Al-Hussein Al-bashir Ibrahim faced harassment following visits by UN delegations to the region and as reprisals for his submitting of a complaint to the UN Working Group on Arbitrary Detention. See Opinion No 63/2024 concerning Al-Hussein Al-bashir Ibrahim, <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session101/a-hrc-wgad-63-2024-morocco-advance-edited-v.pdf>

- Family of Haddi Mohamed Lamine was threatened with the arrest of his younger brother following the submitting of complaints to the UN Torture Committee. See Opinion No. 23/2023 concerning the Gdeim Izik prisoners, <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session96/A-HRC-WGAD-2023-23-AEV.pdf>
- Salary suspended for the sister of prisoner Mohamed Bourial, with no legal justification, after the submitting of complaint and issuing of opinion by the UN Torture Committee. See CAT/C/72/D/923/2019, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2f72%2fD%2f923%2f2019&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2f72%2fD%2f923%2f2019&Lang=en)

## COMMON PATTERNS IN THESE VIOLATIONS

There are several common patterns in these violations. All victims are relatives of well-known activists supporting the right to self-determination for Western Sahara. There is an absence of any formal disciplinary or legal procedures. Professional and social isolation are used as tools of intimidation, creating unbearable living conditions. Manipulation of the legal system and judiciary are used to justify violations or reject appeals under claims of 'lack of jurisdiction.'

# Nicaragua

## 1. Anibal Toruño

The case of Mr. **Anibal Toruño**, of Radio Darío, was included in the 2020, 2022 and 2023 reports of the Secretary-General on allegations of threats following UN action on his case. In 2021, Mr. Toruño relocated outside the country due to concerns about his safety. Several of Mr. Toruño's close relatives and co-workers were the target of repeated acts of harassment, intimidation, and physical surveillance by police officers. On 15 February 2023 the Managua Court of Appeals issued a decision stripping Mr. Toruño and 92 other individuals of their nationality, declared them fugitives from justice, and requested the confiscation of their properties. This decision was not taken as part of a criminal trial or any other legal procedure. On 24 March 2023, the authorities confiscated a house belonging to Mr. Toruño's relatives, including all the belongings inside.

**In terms of follow-up, Anibal Toruño continues to face persecution. He remains one of the 94 people who were affected by banishment, property expropriation and denationalisation as well as being declared fugitives from justice. His family's property, including his children's ancestral home, has also been expropriated. His family members in Nicaragua continue to be persecuted.**

**Stalin Vladimir, spokesman for the regime, has specifically mentioned Anibal Toruño's name, and targeted him with false accusations.**<sup>249</sup>

<sup>249</sup> <https://www.canal4.com.ni/anibal-toruno-el-terrorista-vendido-en-cuerpo-y-alma-al-imperio-yanqui/>; see: <https://www.el19digital.com/articulos/ver/161019-anibal-toruno-otro-engendro-de-la-usaid-mendiga-en-costa-rica-para-sobrevivir>; <https://www.el19digital.com/articulos/ver/159146--anibal-toruno-el-terrorista-vendido-en-cuerpo-y-alma-al-imperio-yanqui>

Furthermore, Anibal Toruño's colleagues at Darío Medios Internacional continue to be persecuted, including Leo Catalino Carcamo, who was arrested and is the victim of forced disappearance. At the time of his capture, he was at home on November 22.<sup>250</sup>

On 29 September 2021, the Benelux countries raised the case of Mr. Anibal Toruño at the 48th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General.<sup>251</sup> Again on 28 September 2023, the Benelux countries raised his case at the 54th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General.<sup>252</sup>

## 2. Félix Alejandro Maradiaga

The case of Mr. **Félix Alejandro Maradiaga** was included in the 2019, 2022 and 2023 reports of the Secretary-General for an arrest warrant in 2018 and conviction in March 2022 and sentencing to 13 years in prison under Law No. 1055 in connection to his briefing to the UN Security Council in September 2018 (S/PV.8340, pages 4–5).

Mr. Maradiaga is a political scientist, was the executive director of the Institute for Strategic Studies and Public Policy (IEEPP) and a pre-candidate for the 2021 presidential elections.

On 5 September 2018, Maradiaga was invited by member States on the UN Security Council to give testimony in New York. On 24 September 2018, Nicaraguan authorities issued a capture order while he was still in meetings in New York. The government alleged terrorism and other fake charges. Prior, he had been gathering evidence on human rights abuses through his think tank and shared these reports to the UN. Because of this, his offices had been raided, and they were harassed between June and August 2018.

In 2019 Maradiaga met twice with previous High Commissioner Michelle Bachelet, and as a result there were reprisals against him and his family.

On 8 June 2021 he was arbitrarily detained and interrogated at the Prosecutor General's Office, during which it was said that his cooperation with the UN was part of a conspiracy against Nicaragua. This was included in the accusations against him, but the government never issued a public version of the accusation: they alleged that his engagement with and testimonies at the European Parliament, the UN, and the US Congress and other parliamentarians in Central America were part of a conspiracy against Nicaragua.

On 9 February 2023 Mr. Maradiaga and another 221 persons were arbitrarily deprived of their liberty and deported from Nicaragua based on an order from the Court of Appeals of Managua. Mr. Maradiaga, together with the others, was also arbitrarily deprived of his nationality and his records were reportedly erased from the Civil Registry, which has had multiple negative impacts on his human rights.

**In terms of follow up, the repression against Maradiaga and his family has continued, even though he has been in exile since February 2023, when he was unlawfully deported and declared stateless. The government has made him a victim of transnational repression**

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250 <https://www.laprensani.com/2024/12/20/derecho-humano-ni/3415803-leo-carcamo-el-periodista-retirado-que-sigue-desaparecido>

251 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/46/SP/39372\\_48\\_d17ee5ea\\_82fc\\_48a5\\_80a5\\_ada86809509f.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/46/SP/39372_48_d17ee5ea_82fc_48a5_80a5_ada86809509f.docx)

252 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221\\_60\\_6fbdd112\\_bb44\\_4040\\_8505\\_79e66c2446c5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221_60_6fbdd112_bb44_4040_8505_79e66c2446c5.docx)

through several channels, including through his immediate family, who have never been involved in politics, and have been turned into both hostages and victims.

The government cancelled and withheld the passport of Maradiaga's brother, Carlos Adán Maradiaga Blandón, after he attempted to travel to Nicaragua to see Maradiaga in the final months of his arrest. His brother is a legal resident of the United States, and when he attempted to leave the airport in Nicaragua in 2022, his passport was withheld. This practice has extended to several close and distant relatives simply for having the last name Maradiaga or for being related to Maradiaga's wife, Berta Valle. His wife's brother, Eduardo Valle Valle, was also prevented from traveling to Nicaragua, and airlines have banned his wife's parents, Reynaldo Ovalle and Berta Valle, from traveling to Nicaragua. Similarly, two of his siblings and their spouses were forced into exile due to constant harassment, most recently that of his sister, Ana Carolina Maradiaga Blandón, who had to leave Nicaragua just a few weeks ago.

One of the most serious attacks has been against his mother, María del Carmen Blandón. Along with Maradiaga, she owned a property in the municipality of Jinotega, which she acquired more than 40 years ago. In August 2024, the Property Attorney's Office in that municipality informed the tenants of his mother's house that the property had passed to the state. Neither that property nor any other belonging to his mother was mentioned in the illegal lawsuits against him, yet the confiscations and expropriations of their properties continue.

Furthermore, government agents showed up at the house where a tenant lives (Maradiaga's mother was renting it) to inform her that from now on, the monthly rent must be paid to 'them', who identified themselves as officials from the property prosecutor's office. Due to harassment and threats, Maradiaga's 73-year-old mother, a widow and cancer survivor, was forced into exile.

Another extremely important element is that Maradiaga's sister, Ana Carolina Maradiaga Blandón, who was the only person authorized to visit him when he was in prison, was forced into exile due to harassment. She and her husband, Alberto Arguello Sacasa, have been in the United States since September 2024.

Some more distant relatives have been accused and harassed simply for having the surname Maradiaga or for being linked to his wife, Berta. For example, some relatives who own small businesses have been targeted by media outlets linked to the Sandinista Front, simply because their businesses bear their surname. In other words, having the surname Maradiaga has become a reason for persecution. Recently, a half-brother also had to go into exile due to constant harassment.

Other siblings, cousins, and relatives have been forced into exile in retaliation against Maradiaga, with 15 members of his family now forced to leave the country.

The defamation, harassment, and insult campaigns continue at an intense pace.

In March 2022, the United States of America raised the case of Felix Maradiaga at the 49th session of the Human Rights Council under item 5.<sup>253</sup> On 26 September 2024, the Benelux countries raised his case at the 57th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary

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253 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/56/SP/43026\\_54\\_65658beb\\_c445\\_416b\\_b25b\\_f64cccf2686e.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/56/SP/43026_54_65658beb_c445_416b_b25b_f64cccf2686e.docx)

**General.**<sup>254</sup> The Benelux countries had also mentioned his case in September 2023 at the 54th session of the Human Rights Council,<sup>255</sup> on 17 October 2024 at the 79th session of the UN General Assembly's Third Committee during the interactive dialogue with the Assistant Secretary on Human Rights, and on 21 March 2024 at the 55th session of the UN Human Rights Council during general debate under item 5.<sup>256</sup>

### 3. Anexa Alfred Cunningham

In July 2022, **Anexa Brendalee Alfred Cunningham**, a Miskitu indigenous woman, lawyer and expert in Indigenous Law and Policy, and a citizen of Nicaragua travelled to Geneva to carry out her first official mission to the fifteenth session of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), two months after being appointed to EMRIP. On Alfred's way back to Nicaragua, the Sandinista government of Daniel Ortega and Rosario Murillo denied her entry and the airline did not allow her to board the plane.

There are reasonable grounds to believe that the ban on Mr. Alfred's entry into the country is a form of retaliation linked to her activities in defence of indigenous peoples' rights including her participation as an expert at the EMRIP.

Ms Cunningham's case was raised by the United Kingdom during the UN Human Rights Council 54th session in 2023 at the Interactive Dialogue on reprisals with the Assistant Secretary-General. On 12 October 2023, at the 78th session of the General Assembly's Third Committee, the United States raised 'deep concerns' over Nicaragua's government blockage of Anexa Alfred Cunningham.

The prohibition to enter Nicaragua, considering the political context and the human rights situation in the country, generates the well-founded fear that Ms. Alfred may be subject to future persecution for reasons related to her human rights work.

In March 2025, Ms Alfred's mandate as a member of EMRIP was renewed at the Human Rights Council's 58th session.

Ms. Alfred has been in Geneva since 10 July 2022 in exile with her two children.

## Philippines

### 1. Ms Cristina Palabay (Karapatan Alliance of People's Rights)

The cases of the **Karapatan Alliance of People's Rights**, a national alliance of human rights organizations, its Secretary General, Ms. **Cristina Palabay**, and its staff have been included since 2018 in the reports of the Secretary-General on allegations of red-tagging – i.e. the labelling as communists or terrorists – state-linked cyber-attacks, arbitrary arrests and charges in connection with their engagement with the United Nations. On 2 March 2023, Ms. Palabay and other Karapatan staff were acquitted of perjury charges levelled against them in 2019.

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254 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_419995e3-5a84-436d-acd6-ad459c94c214.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_419995e3-5a84-436d-acd6-ad459c94c214.docx)

255 [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221\\_60\\_6fbdd112\\_bb44\\_4040\\_8505\\_79e66c2446c5.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58221_60_6fbdd112_bb44_4040_8505_79e66c2446c5.docx)

256 <https://www.netherlandsandyou.nl/web/pr-un-geneva/w/benelux-reprisals>



On 17 November 2023, the judge presiding over the Quezon City Regional Trial Court Branch dismissed the petition for certiorari filed by the Prosecutor Office of Quezon City seeking to overturn the acquittal of the Karapatan Alliance, Ms. Palabay and its staff. On 14 December 2023, the General Prosecutor filed a motion for reconsideration of the judge's decision, which was denied. On 29 February 2024, Karapatan received a notice from the Office of the General Prosecutor stating that it was appealing the judge's decision before the Court of Appeals.

In terms of follow up, on December 22, 2024, former National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) spokesperson Lt. Gen. Antonio Parlade red-tagged Palabay, after Karapatan human rights workers in Palawan were wrongfully convicted of trumped-up charges.

On December 27, 2024, Palabay and her fellow respondents in the trumped-up perjury case, filed a joint memorandum at the Court of Appeals. Their acquittal was contested by the Office of the Solicitor General as well as the former and current National Security Adviser.

Several anonymous Meta accounts continued to redtag Palabay during the election period.

## Russia

### 1. Johannes Rohr

**Johannes Rohr**, a German national, is a representative of the International Work Group for Indigenous Affairs (IWGIA in Copenhagen, Denmark), and the Institute for Ecology and Action Anthropology (INFOE in Cologne, Germany). Rohr has focused since the mid 1990s on the promotion and protection of indigenous peoples' rights in the Russian Federation. In the context of that work, he has engaged international human rights mechanisms (CERD, CESCR, CCPR, UPR, FNCM), and regularly submitted shadow reports, parallel reports, stakeholder submissions and others since 1997.

In late November 2018, Rohr attended the 7th UN Forum on Business and Human Rights, where he made several comments on the situation of indigenous peoples. During the session, representatives of the Russian mission were present and took the floor immediately after Rohr and disputed his comments.

On 19 December 2018, Rohr flew to Moscow for a work meeting and was denied entry to Russia at Domodedovo airport, despite having received a 12-month humanitarian visa a month earlier. Several hours later, the Federal Security Service (FSB) gave Rohr a document informing him that he is banned from the country until 23 January 2069, which would be his hundredth birthday. The document gives no reasons and refers to paragraph 27 of Federal Law 114, which contains a list of reasons a person holding a valid visa can be denied entry. The FSB staff did not provide reasons and advised Rohr to follow up with the Russian embassy in Berlin.

Rohr's unlocked mobile phone was taken from him for several minutes. Rohr spent the night and half of the next day together with approximately 10 people also awaiting deportation. There were no beds or mattresses provided, and food was extremely scarce. While a canister of water was provided, the only drinking vessels provided were dirty cups. The next day Rohr was flown back to Berlin.

In January 2019, Rohr submitted an inquiry to the FSB requesting information on the reasons for his deportation. He also filed a judicial complaint regarding the denial of entry. During the first hearing held at the Moscow City Court on 20 March 2019, the judge accepted the FSB argument that the reasons for the entry ban were a State secret but suspended the hearing given that the FSB did not provide the necessary documentation. During the second hearing held on 20 June 2019, Rohr's lawyers were reportedly denied access to the evidence and the FSB did not provide an explanation for the length of the visa ban. Rohr's appeal was rejected.

Because of the sequence of events, Rohr believes that he has been banned from entering Russia as a reprisal for his work on indigenous peoples' rights, in particular his participation and public statements at the UN Forum on Business and Human Rights.

In July 2019, Rohr received a written decision of the Moscow City Court to dismiss his claim to challenge the FSB decision. The decision reportedly did not provide an analysis of the circumstances of the case, but again referred to Article 27, para 1, item 1 of the Federal Law 114, which stipulates that entry can be denied in case of a threat to national security.

On 27 July 2019, Rohr's lawyer submitted an appeal to the Supreme Court. On 10 October 2019, he received a written notice informing him that the first appeal hearing would be held on 25 October 2019. He requested the hearing to be rescheduled due to the late notice, but the request was rejected. During the session held on 25 October, the Supreme Court rejected the appeal and thus Rohr has now exhausted all domestic remedies.

On 25 November 2019, the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, and the Special Rapporteur on the rights of indigenous peoples sent a communication to the government.<sup>257</sup>

**In terms of follow up, Rohr remains banned from entering Russia and unable to carry out his work in that regard. Though Russia has a sovereign right to determine its migration policies, in this case Russia has banned Rohr from entering Russia as a reprisal for his work on indigenous peoples' rights, in particular his participation and public statements at the UN Forum on Business and Human Rights.**

**In September 2024, Rohr filed an individual complaint with the United Nations Human Rights Committee, arguing that Russia violated his rights as enshrined in the ICCPR, trampling multiple clauses of Articles 13 and 19 of the Covenant. These protect individuals from arbitrary deportations and detention and guarantee their rights to hold and express their opinions, and to communicate with international bodies, including on matters relating to human rights.**

## **2. New legislation in Russia violating the right to access and communicate with international bodies and mechanisms**

On 28 April 2023, Article 284.3 was added to the Criminal Code of the Russian Federation it criminalises assistance in the enforcement or execution of decisions relating to the criminal prosecution of public officials or persons participating in armed conflicts on Russia's side issued by an international organisation to which the Russian Federation is not a member State, or by a foreign State body. Given the lack of legislative intent and the vague wording used, the law

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<sup>257</sup> Reference: AL RUS 8/2019, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=24932>

could be interpreted to intimidate those cooperating or seeking to cooperate with international organisations.

Clearly, the article aims at the decisions of the International Criminal Court (ICC). The ICC was expressly mentioned during the second reading of the bill,<sup>258</sup> and the Chairman of the State Duma, later noted that the law was adopted because of the 'unlawful<sup>259</sup>' actions of international organisations including the ICC. In the context of the arrest warrants issued by the ICC against Vladimir Putin and Maria Alekseyevna Lvova-Belova,<sup>260</sup> the word 'decisions' is broadened to not only refer to final judgements, but any type of order or act that an international organisation issues relating to criminal prosecution.

On 14 February 2024 Vladimir Putin signed the law amending provisions on property confiscation in the Criminal Code.<sup>261</sup> The amendments extend asset confiscation to those convicted under Article 284.3 of the Criminal Code for assisting in the execution of decisions by foreign state bodies or international organisations not involving Russia.<sup>262</sup>

The vagueness of the article can also be used to do an expansive interpretation and include any communication with an international organisation provided that Russia is not a State party to that particular organisation. This would include applications submitted to the European Court of Human Rights, as such decisions often implicate the obligation to prosecute and Russia is not a State member to the European Convention on Human Rights.<sup>263</sup> This raises concerns as UN bodies, including human rights mechanisms could be captured under this law, exposing human rights defenders who communicate and advocate for actions and accountability within the UN system.

Article 275.1 was introduced to the Criminal Code of the Russian Federation on 14 July 2022. It criminalises confidential cooperation with a foreign government, international or foreign organisation in order to assist them in activities knowingly directed against the security of the Russian Federation.<sup>264</sup> The official response from the Government of Russia to the bill noted that 'certain provisions of the bill contain evaluative and not clearly defined terms' in particular, 'activities directed against the security of the Russian Federation' which 'does not align with the constitutional requirements of clarity, certainty and unambiguity of legal norms.'<sup>265</sup>

**Given the ambiguous nature of the legislation, there is concern that it could be interpreted in a manner that serves to intimidate, restrict engagement and criminally prosecute individuals who communicate with international bodies, including the UN and related**

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<sup>258</sup> The transcript is available on the page of bill No. 232768-8 on the official portal of the Federal Assembly: <http://duma.gov.ru/news/56895> (in Russian).

<sup>259</sup> Quote from the official website of the State Duma, available here: <http://duma.gov.ru/news/56895/>

<sup>260</sup> Press Release. Situation in Ukraine: ICC judges issue arrest warrants against Vladimir Vladimirovich Putin and Maria Alekseyevna Lvova-Belova, 17 March 2023: <https://www.icc-cpi.int/news/situation-ukraine-icc-judges-issue-arrest-warrants-against-vladimir-vladimirovich-putin-and> (in Russian).

<sup>261</sup> The law on the 'Amendments to the Russian Federation Criminal procedure Code': <http://publication.pravo.gov.ru/document/0001202402140012?index=1> (Russian)

<sup>262</sup> Press release. Putin Signs Law Enabling Asset Seizure for Convictions Related to Desertion, Genocide, and 'Fake News' about Army.' Meduza, 14 February 2024 <https://meduza.io/en/news/2024/02/14/putin-signs-law-enabling-asset-seizure-for-convictions-related-to-desertion-genocide-and-fake-news-about-army>

<sup>263</sup> BBC News Russian, Gosduma uzhestochila Ugolovnyy kodeks. Komu grozit pozhiznennyy srok i opasno li teper' obrashchat'sya v YESPCH? [The State Duma has tightened the Criminal Code. Who faces a life sentence and is it dangerous now to apply to the ECtHR?], 18 April 2023, <https://www.bbc.com/russian/news-65317985> (in Russian).

<sup>264</sup> The federal law dated 14.07.2022 No. 260-FZ amending the Criminal Code is available on the official portal of the government of the Russian Federation: <http://publication.pravo.gov.ru/Document/View/0001202207140023> (in Russian).

<sup>265</sup> Quotes from the 'Official response of the Government of Russia' available on the page of the bill No. 130406-8 on the official portal of the Federal Assembly: <https://sozd.duma.gov.ru/bill/130406-8> (in Russian).

international organisations, and particularly given that it is a well-established practice of the Russian courts to maintain the criminal cases under Article 275.1 closed to public.

Radio Free Europe/Radio Liberty journalist Nika Novak is the first journalist sentenced under Article 275.1. On November 26, 2024, she was sentenced to four years in prison.<sup>266</sup> Based on the 'Perviy Otdel' report issued in December 2024, a total of 38 people were convicted under Article 275.1 in Russia that year.<sup>267</sup> Due to challenges of establishing the exact number of detained and sentenced citizens under article 275.1, investigators assume actual numbers are higher.<sup>268</sup>

These laws have chilling effects on victims, applicants, their representatives and human rights defenders seeking justice and advocating for accountability.

On 28 September 2023, Czechia,<sup>269</sup> Liechtenstein,<sup>270</sup> and Lithuania Poland and Ukraine<sup>271</sup> raised the measures to criminalise assistance to and cooperation with international bodies in Russia at the 54th session of the UN Human Rights Council during the interactive dialogue on the Secretary General's report on reprisals.

## Rwanda

### 1. Noel Zihabamwe

**Noel Zihabamwe** is an Australian citizen who moved to Australia from Rwanda on a humanitarian visa in 2006. Since then, he has become a highly regarded human rights advocate and leader, working with new migrants, refugees and culturally and linguistically diverse communities in community development and advocacy. Mr. Zihabamwe's case was included in the 2022 report of the SG.

On 5 November 2021, mandate holders addressed allegations of intimidation and harassment by government officials against Mr. Noël Zihabamwe and individuals associated with him following his engagement with the United Nations Working Group on Enforced and Involuntary Disappearances to establish the fate and whereabouts of his brothers, Mr. Antoine Zihabamwe and Mr. Jean Nsengimana (RWA 2/2021). Mr. Zihabamwe is a Rwandan human rights defender based in Australia and founder of the African Australian Advocacy Centre.

While Mr. Zihabamwe has faced numerous threats and intimidation from Rwandan government officials in the past, mandate holders expressed concern that the acts of intimidation appear to be related to the filing, on 4 June 2021, of complaints of enforced disappearance with the UN Working Group about his two brothers. The filing of the complaints was reported by Australia media and echoed by a Rwandan newspaper that allegedly portrayed Mr. Zihabamwe as being

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<sup>266</sup> Radio Free Europe/Radio Liberty, Case of Nika Novak: <https://about.rferl.org/advocacy/imprisoned-journalists/nika-novak/>

<sup>267</sup> Perviy Otdel 2024 Investigation: <https://dept.one/story/izmena-2024/> (Russian)

<sup>268</sup> Database published by Perviy Otdel on cases under articles 275, 275.1 and 276 [https://docs.google.com/spreadsheets/d/1ck\\_P8FVSjG71YI3TCryn1-n1zZOItVpRcqP5W3zOu\\_I/edit?gid=977030097#gid=977030097](https://docs.google.com/spreadsheets/d/1ck_P8FVSjG71YI3TCryn1-n1zZOItVpRcqP5W3zOu_I/edit?gid=977030097#gid=977030097) (Russian)

<sup>269</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/59546\\_60\\_9e993a89\\_768c\\_4645\\_8804\\_af603f9ae875.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/59546_60_9e993a89_768c_4645_8804_af603f9ae875.docx)

<sup>270</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/60447\\_60\\_9f801212\\_b5e3\\_46b6\\_aa7c\\_9d07406a5d7c.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/60447_60_9f801212_b5e3_46b6_aa7c_9d07406a5d7c.docx)

<sup>271</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58413\\_60\\_56f44fd8\\_3947\\_42ea\\_9853\\_17b193a63a5d.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/70/SP/58413_60_56f44fd8_3947_42ea_9853_17b193a63a5d.docx)

involved with Rwandan Alliance for National Pact (RANP), which the Government has labelled as a terrorist organisation. Furthermore, between 18 and 21 June 2021, several individuals associated with Mr. Zihabamwe were interrogated by the Rwanda Investigation Bureau, were refused medical treatment, and threatened and evicted from their homes. The Working Group transmitted the two cases to the Government of Rwanda on 15 October 2021 (RWA 2/2021).

In 2016, Mr Zihabamwe was approached by agents of the Rwandan government to recruit him to become an agent of influence in Australia for the government. Upon Mr Zihabamwe's refusal, he was subject to ongoing harassment from the Rwandan government and its representatives.

In August 2019, Zihabamwe shared the story of this harassment anonymously with the Australian Broadcasting Corporation as part of a broader article on Rwandan informants operating in Australia. A month later, Zihabamwe's brothers, Mr Nsengimana and Mr A Zihabamwe were abducted by Rwandan police while on a bus in Nyagatare District in the Eastern Province of Rwanda. Mr Zihabamwe's brothers have not been seen since the day of their disappearance, 28 September 2019.

Zihabamwe believes his brothers were abducted by the Rwandan Government in response to his refusal to act as an agent for them. Zihabamwe has approached the Rwandan police and Rwandan Investigative Bureau in relation to the disappearance of his brothers however the Rwandan Government continues to deny any involvement in their disappearance.

In June 2021, Zihabamwe filed a complaint with the UN-WGEID (United Nations Working Group on Enforced or Involuntary Disappearances) in relation to his brothers' disappearance. The ongoing harassment, smear campaign, and intimidation against Noel are intricately linked to his engagement with the UN-WGEID. This retaliatory onslaught intensified notably after Noel began advocating for his missing two brothers and engaging with the UN bodies.

Since his involvement with the UN-WGEID, Noel has been relentlessly targeted by Rwandan-owned or sponsored media outlets and pro-Rwandan government YouTubers. This year, the smear campaign reached new heights with the amplification of defamatory content through local newspapers sponsored by the Rwandan government and various social media platforms like YouTube, Facebook, and Twitter. These efforts are aimed at silencing Noel and obstructing his pursuit of justice for his disappeared siblings.

The media outlets identified in this campaign, such as Igihe.com, the Great Lakes Eye, Igicaniro Tv (YouTube), and Future TV (YouTube), have been actively publishing defamatory articles to tarnish Noel's reputation and credibility. Significantly, these defamatory narratives are widely disseminated by Rwandan supporters, particularly those residing in Australia and Rwanda, with backing from the Rwandan High Commissioner in Singapore and certain members of the Rwandan community abroad associated with the Rwandan Foreign Affairs Ministry.

Moreover, recent newspapers, published in both Kinyarwanda and English, depicted individuals posing as journalists who were security agents conducting coercive interviews with Noel's relatives and former neighbours. These coerced individuals were manipulated into making false statements suggesting that Noel's brothers had voluntarily fled to Uganda after selling their properties and bidding farewell to friends. Such orchestrated efforts serve to discredit Noel's claims and undermine his advocacy.

These retaliatory measures follow the publication of a damning Human Rights Watch (HRW) report in October 2023, titled 'Join Us or Die – Rwandan's Extraterritorial Repression', in which

Noel's testimony was featured as a victim. The report corroborated accounts from Noel's village regarding the forced abduction of his brothers by the Rwanda Investigative Bureau. Additionally, witnesses in Rwanda attested to the surveillance and harassment endured by Noel's family prior to his brothers' disappearance, resulting in the unjust imprisonment of their wives and children due to their association with Noel.

Furthermore, the research conducted by HRW revealed the systematic monitoring and pressure exerted by Rwandan embassy officials or members of the Rwandan Community Abroad (RCA), a network tied to the Ministry of Foreign Affairs and International Cooperation, on Rwandan asylum seekers and refugees. These individuals were coerced into returning to Rwanda or ceasing their criticism of the government. Criticism of the government or the RPF (Rwandan Patriotic Front) often led to online attacks by websites and social media accounts allegedly linked to Rwandan intelligence services, deterring Rwandans living abroad from speaking out against government injustices.

This sustained campaign of harassment and intimidation not only seeks to undermine Noel's efforts but also aims to instil fear within him and deter others from following his example. The psychological toll of such systematic persecution is profound, affecting not only Noel but also his entire family, who are subjected to surveillance, harassment, and imprisonment simply for their association with him and his advocacy work.

**In terms of follow up, 8 October 2024, the UNWGEID issued a press release renewing calls for Rwanda to reveal the fate and whereabouts of brothers Jean Nsengimana and Antoine Zihabamwe, who were taken off a bus by police in September 2019 and have not been seen or heard from since.<sup>272</sup> The UNWGEID noted that relatives of Mr. Nsengimana and Mr. Zihabamwe have relentlessly sought to ascertain the truth about their disappearance, even when faced with threats and reprisals for doing so. Following the issuance of the press release, a disturbing pattern of targeted online and media attacks against Mr. Noel Zihabamwe has once again intensified.**

As has happened repeatedly in the past, the moment Mr. Zihabamwe publicly raises concerns regarding the fate of his abducted brothers, he becomes the subject of a coordinated smear campaign. In the aftermath of the UN release, Rwandan government-aligned newspapers, YouTube channels affiliated with the regime, and regime supporters launched a wave of personal attacks aimed at discrediting him. These attacks, largely carried out on social media platforms and media outlets, are intended to intimidate and silence him.

Shortly after posting the UN statement on X (formerly Twitter), Mr. Zihabamwe's account was flooded with abusive messages, many of them from fake or anonymous profiles. He was falsely labelled a liar, with some users even calling for his expulsion from his country of residence. While he took steps to block some of these accounts, the harassment persisted, highlighting a deliberate and sustained attempt to suppress his advocacy for truth and justice.

This intimidation campaign has become a consistent and alarming pattern, occurring each time Mr. Zihabamwe speaks publicly about his brothers' enforced disappearance. Despite these attempts to silence him, he remains resolute in his call for answers.

**Mr. Zihabamwe calls on the United Nations and the international community to maintain and intensify pressure on the Rwandan government to account for the whereabouts and**

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<sup>272</sup> <https://www.ohchr.org/en/press-releases/2024/10/rwanda-must-provide-answers-fate-abducted-brothers-jean-nsengimana-and>



fate of his brothers, Jean Nsengimana and Antoine Zihabamwe. He further urges an end to the malicious social media and media-based intimidation tactics aimed at obstructing his search for justice and truth.

These ongoing attacks not only violate his fundamental rights to freedom of expression and protection from harassment but also serve to distract from the core issue: the need for transparency, accountability, and justice in cases of enforced disappearances.

#### IN SUMMARY:

**Social Media Campaign:** The smear campaign against Noel has expanded to social media platforms, where content aimed at discrediting him and his cause is widely disseminated. Rwandan supporters, predominantly based in Australia and Rwanda, actively participate in sharing defamatory content targeting Noel.

Several media outlets, including Igihe.com, the Great Lakes Eye, Igicaniro Tv (YouTube), and the Future TV (YouTube), have been identified as publishing defamatory articles and content aimed at tarnishing Noel's reputation and credibility

**Support from Rwandan Authorities:** The Rwandan High Commissioner in Singapore and select members of the Rwandan community abroad, operating under the Rwandan Foreign Affairs Ministry, are implicated in supporting and orchestrating the smear campaign against Noel.

## Saudi Arabia

### 1. Ms. Loujain Al-Hathloul

The case of **Ms. Loujain Al-Hathloul**, a woman human rights defender, was included in the 2019, 2020, 2021, 2023 and 2024 reports of the Secretary-General due to her disappearance, detention and torture following her engagement with the United Nations Committee on the Elimination of Discrimination against Women in March 2018. In June 2020, the Working Group on Arbitrary Detention found her detention arbitrary (A/HRC/WGAD/2020/33). In December 2020, Ms. Al-Hathloul was sentenced under national security related charges (SAU 3/2021). On 10 February 2021, she was released from prison on probation for three years and with a five-year travel ban. The Committee and special procedures mandate holders have addressed her situation repeatedly with the relevant authorities, including allegations of acts of reprisals for her cooperation with the United Nations.

On 27 March 2024, special procedures mandate holders addressed the ongoing travel ban against Ms. Al-Hathloul, after the expiration of the 2 year and 10 months travel ban mandated in her sentence of December 2020 (SAU 1/2024), to which the Government responded. The travel ban against her should have ended on 12 November 2023, but on 14 November, the officer in charge of the passport office in Riyadh could not confirm to Ms. Al-Hathloul that it had been lifted. Two days later, when she attempted to cross the Saudi-Bahrain border, she was informed that she was subject to a travel ban with no expiration date. Mandate holders noted that the two complaints she filed with the Saudi Human Rights Commission (SHRC), and upon SHRC's recommendation also with the Presidency of State Security through the Board of Grievances, remained unanswered. On 21 February 2024, Ms. Al-Hathloul visited the passport office in Riyadh and learnt that she was still subject to a travel ban.

During the interactive dialogue of the Universal periodic review of Saudi Arabia held on 22 January 2024, the Member State received a recommendation to refrain from reprisals against human rights defenders for interaction with United Nations human rights mechanisms<sup>171</sup> (A/HRC/56/4 paras. 43.65). Saudi Arabia accepted 273 recommendations fully and 24 partially, which did not include the latter (A/HRC/56/4/Add.1 paras. 3 and 25).

**In terms of follow up, in December 2023, al-Hathloul filed a judicial complaint against the Presidency of State Security, challenging her travel ban and calling for it to be lifted. However, when her complaint came before the Diwan al-Mazalem (Board of Grievances, an administrative court) nine months later, on 10 September 2024, the proceedings were perfunctory and failed to address her case. When the judge asked State Security for their response to al-Hathloul's complaint, they simply said they had not received the case documents. At that point the judge declared himself incompetent to hear the complaint and closed the case for lack of jurisdiction. On appeal, the judge upheld the ruling, meaning that Loujain does not have any legal remedy against this illegal travel ban anymore.**

**Her family also remains under a travel ban: After Loujain's HRC trip in February 2018, Loujain's family was put on a travel ban. They only found out when they tried to travel later, as some of the members of the family resided abroad but have been trapped inside since. They have raised the case to the PSS, HRC, MOI and other instances on many occasions, and the case is still pending with the HRC.**

**Ms. Al-Hathloul's case has been raised in the Human Rights Council three times by member States: by the Benelux countries at the 43rd session in 2020,<sup>273</sup> by Finland at the 45th session in 2020,<sup>274</sup> and by Liechtenstein at the 57th session in 2024.<sup>275</sup>**

## Sudan

### 1. Ms. Noon Kashkosh

On 10 September 2024 during the 4th meeting of the 57th session of the UN Human Rights Council during the Enhanced interactive dialogue with the Fact-Finding Mission (FFM) on the situation of human rights in the Sudan, Ms. **Noon Kashkosh**, a Sudanese lawyer and woman human rights defender, delivered the statement by the International Service for Human Rights. The statement highlighted the FFM's findings of violations of human rights and humanitarian law by the warring parties which include 'extrajudicial killings, arbitrary arrests, torture, enforced disappearances, all forms of conflict-related sexual violence, forced evictions, the use of starvation as a weapon of war against civilians, targeting of human rights defenders and volunteers in the Emergency Rooms, the use of emergency courts that issue sentences in violation of the right to fair trial, the indiscriminate air strikes by SAF and artillery shelling by RSF, and the internet and telecommunications shutdown.'

In his response, the representative of the government of the Sudan made a statement (in Arabic) in which he stated: 'the politicization of the work of NGOs in this form misuses the

<sup>273</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/33/SP/25086\\_42\\_ada6cfc0\\_57c2\\_4858\\_bf2c\\_Off15922185d.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/33/SP/25086_42_ada6cfc0_57c2_4858_bf2c_Off15922185d.docx)

<sup>274</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/37/SP/29204\\_44\\_0632af8f\\_5d93\\_4c96\\_8507\\_31756621\\_423b.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/37/SP/29204_44_0632af8f_5d93_4c96_8507_31756621_423b.docx)

<sup>275</sup> <https://www.llv.li/serviceportal2/diplomatische-vertretungen/genf/uno/2024/hrc57-9.9.-9.10.2024-/li-statement-hrc57-item-5-id-on-sg-report-on-reprisals-27-september-2024.pdf>

platforms of the UN and violates the decisions that govern the work of NGOs. Regarding the NGO that allowed its name and status to be used as a political front for some individuals who are wanted by the judiciary - we will file a complaint against them at the NGO Committee. And we refer to the fact that there are no emergency courts in Sudan. Rather, ordinary national courts investigate these crimes.’ We consider that this incident amounts to intimidation against Ms. Kashkosh and Mr. Said.

## Thailand

### 1. Angkhana Neelapaijit

The 2021, 2020, 2019, 2018 and 2017 reports of the Secretary-General drew attention to harassment, intimidation and an online smear campaign against human rights defenders who had documented cases of torture and ill-treatment by military in the Southern Border Provinces. Grant recipient Ms. **Angkhana Neelapaijit** were among those targeted (THA 6/2017). On 4 November 2020, Ms. Neelapaijit filed a civil case against the Office of the Prime Minister and Royal Thai Army seeking remedy for damages related to Internal Security Operations Command of the Thai Army’s alleged disinformation and smear campaign via the [pulony.blogspot.com](http://pulony.blogspot.com) website, which allegedly used public money to attack women human rights defenders. She petitioned to have the reported fake news, offensive content and disinformation removed.

Ms. Angkhana Neelapaijit has been a target of harassment and intimidation, particularly through online attacks. She faced severe online bullying following her cooperation with UN mechanisms, with alleged military-backed Information Operation (IO) campaigns against her escalating after the 2014 military coup. Every time she spoke out against enforced disappearance and human rights violations committed by State officers, she became the target of online smear campaigns involving fake news, dehumanization, sexual harassment, and hate speech, taking a significant mental toll on her. Despite filing three complaints with the Technology Crime Suppression Division (TCSD), police stations, and the Court of Justice. On 16 February 2023, the Court of Justice dismissed the case, the court ruled that;

*‘In the case where plaintiff, as women human rights defender, has had their human rights violated and is seeking compensation from both defendants as a form of remedy and redress for the violations, based on the Declaration on the Right and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, Thailand has yet to enact legislation granting victims of human rights violations the right to receive compensation from the state or designating a specific state agency responsible for providing such compensation. Therefore, both defendants have no obligation to compensate the plaintiffs.’*

A communication was sent by Special Procedures in this regard.<sup>276</sup> The case is now at the Appeal Court of Justice.

In December 2022, the UN Working Group on Business and Human Rights urged the Thai Government to take action to stop businesses from using the legal system to silence academics,

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<sup>276</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28290>

human rights defenders, journalists and other civil society actors. SLAPPs, or Strategic Lawsuits Against Public Participation, are often used to intimidate reporters and rights advocates with the threat of endless legal action and costs.<sup>277</sup> Thammakaset Company Limited has filed defamation cases against Angkhana Neelapaijit, among other human rights defenders. The Court of Justice dismissed the case in August 2023; however, the company appealed. The process has been significantly delayed as the company requested a six-month extension to submit its appeal (which seems to me like a delaying tactic). At present the case of SLAPP is at the Appeal Court.

In the meantime, the Department of Special Investigation (DSI) ceased providing witness protection for Ms. Angkhana Neelapaijit since 2022, stating that she is safe and has not faced any harassment or reprisals. Ms. Angkhana Neelapaijit appealed the DSI's decision with the Criminal Court. The Court admitted her request, but advised the trial would be held in secret, the Court's hearing was not opened for observation by independent observers and human rights defenders. Despite a report of an incident in April 2022 after Angkhana was appointed as a member of the UN WGEID —where an unidentified assailant threw a pair of 9-inch-long scissors at Angkhana Neelapaijit's house in Bangkok. The Court, in October 2022, ruled in favour of allowing the DSI to discontinue witness protection for her. The Court cited the lack of concrete evidence of an ongoing threat, considering that the investigation into her husband's case had been closed for a long time.

**In August 2023, Special Procedures addressed the lack of accountability and protection measures for the online intimidation and harassment against two women human rights defenders, Ms. Angkhana Neelapaijit and Ms. Anchana Heemmina, despite a ruling by the Bangkok Civil Court on 16 February 2023 that recognized that they were affected by the online smear campaign, and that their work as women human rights defenders warrants State protection as per international human rights law and standards. The Court found that the posts published by the website Pulony.blogspot.com were not made in good faith but intended to smear the concerned victims and to inflict harm.**

The case of Ms. Angkhana Neelapaijit was reportedly not included in the 2022, 2023 and 2024 reports of the Secretary-General due to her appointment as a member of the United Nations Working Group on Enforced or Involuntary Disappearances (UNWGED). Ms. Angkhana Neelapaijit's membership on the UNWGED does not alter the fact that reprisals were perpetrated against her in relation to her engagement with the UN.

On 12 March 2024, a commemoration marking the 20th anniversary of Somchai Neelapaijit's disappearance was held with support from NGO colleagues. During the event, which was also attended by UN officials, an unidentified man and woman attended without registering and proceeded to take Ms. Angkhana Neelapaijit's photos, which they then shared with another individual via an online application. The individuals in question later shared that they were members of the ISOC (Internal Security Operations Command) tasked with gathering intelligence and reporting to their superior officers. Ms. Angkhana Neelapaijit complained about this to the Minister of Justice who is the Chair of the Committee on the Prevention and Suppression of Torture and Enforced Disappearance, as designated under the Act on Prevention and Suppression of Torture and Enforced Disappearance B.E. 2022 however until now there has been no investigation or response from the Ministry of Justice. Special procedures addressed the situation in a communication.<sup>278</sup>

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<sup>277</sup> <https://www.ohchr.org/en/press-releases/2022/12/un-experts-concerned-systematic-use-slapp-cases-against-human-rights>

<sup>278</sup> (<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=29148>)

# United Arab Emirates

## 1. Ahmed Mansoor

The case of **Ahmed Mansoor**, advisory board member of the Gulf Centre for Human Rights and Human Rights Watch's Middle East and North Africa Division, was included in the 2014, 2017, 2018, 2019, 2021, 2022 and 2024 reports of the Secretary-General. Mr. Mansoor suffered intimidation and reprisals for his collaboration with UN human rights mechanisms. In 2011, his detention was deemed arbitrary by the Working Group on Arbitrary Detention (A/HRC/WGAD/2011/64). In January 2021, special procedures mandate holders raised concerns about his imprisonment and alleged ill treatment and solitary confinement (ARE 1/2021).<sup>176</sup> to which the Government responded.

On 4 March 2024, in his global update to the Human Rights Council, the United Nations High Commissioner for human rights raised concerns over the new terrorist charges brought against the 84 individuals, including human rights defenders, journalists and others, highlighting that they are based on counter-terrorism legislation that contravenes human rights law. Mr. Ahmed Mansoor was among the 84 civil society members facing new terrorist charges and he was seen during the court hearings.

During the Universal periodic review of the United Arab Emirates held on 8 May 2023, the State was recommended to ensure that human rights defenders, including those sharing information with United Nations human rights mechanisms can work safely and effectively in the country, and that activists, lawyers, journalists and academics operate without fear of reprisals (A/HRC/54/15 para. 35.147 and 35.150). The United Arab Emirates accepted 198 recommendations, which did not include the latter (A/HRC/54/15/Add.1 para. 28).

On 4 March 2024, in his global update to the Human Rights Council, the United Nations High Commissioner for human rights raised concerns over the new terrorist charges brought against the 84 individuals, including human rights defenders, journalists and others, highlighting that they are based on counter-terrorism legislation that contravenes human rights law.

In December 2023 and 19 January 2024, mandate holders raised concerns, about the allegations received that the 84 were being tried with new terrorist charges under the 2014 Counter-Terrorism Law for calling for democratic reform in 2011, for which most of them had already served their sentences (ARE 1/2024).

**In terms of follow up, on 10 July 2024 Mr. Mansoor was convicted of establishing and managing a clandestine terrorist organization in the UAE known as the 'Justice and Dignity Committee.' The charges appear to come from the UAE's abusive 2014 counterterrorism law, which sets out punishments of up to life in prison and even death for anyone who sets up, organizes, or runs such an organization. He received a 15-year sentence. During a hearing on 4 March 2025, the State Security Department of the Federal Supreme Court in the United Arab Emirates (UAE) rejected the appeal and upheld the sentence.**

## 2. Mohamed al-Mansoori

The case of Mr. **Mohamed al-Mansoori** was included in the 2014 and 2024 reports of the Secretary-General, as one of the civil society activists on trial in the so-called UAE 94 case for peacefully calling for change in a peaceful way in March 2013. In 2013, his detention was deemed arbitrary by the Working Group on Arbitrary Detention (A/HRC/WGAD/2013/60) together with other 60 individuals.

On 4 March 2024, in his global update to the Human Rights Council, the United Nations High Commissioner for human rights raised concerns over the new terrorist charges brought against the 84 individuals, including human rights defenders, journalists and others, highlighting that they are based on counter-terrorism legislation that contravenes human rights law.

In December 2023 and 19 January 2024, mandate holders raised concerns, about the allegations received that the 84 were being tried with new terrorist charges under the 2014 Counter-Terrorism Law for calling for democratic reform in 2011, for which most of them, including Mr. Al-Mansoori, had already served their sentences (ARE 1/2024). Mandate holders raised further concerns about the severe penalties associated with the charges, including death and life imprisonment, under article 21 of the Counter-Terrorism Law). With respect to Mr. Al-Mansoori, mandate holders noted he had completed his ten-year imprisonment sentence in July 2023, remains detained and his whereabouts were unknown from 12 June 2023 until 1 December 2023. On 8 April 2024, the Government responded to mandate holders, denying allegations, and underlying adherence to rule of law and respect for fair trial rights in accordance with the Constitution.

**In terms of follow up, on 10 July 2024 Mr. al-Mansoori was convicted, receiving life imprisonment (25 years) ‘for the crime of establishing, founding and managing’ the Justice and Dignity Committee, allegedly ‘with the aim of committing terrorist acts on the country’s soil,’ according to the official WAM news agency. During a hearing on 4 March 2025, the State Security Department of the Federal Supreme Court in the United Arab Emirates (UAE) rejected the appeal and upheld the sentence.**

## United States of America

On 15 March 2019, then US Secretary of State, Michael Pompeo, announced that the US would revoke or deny visas to members of the ICC involved in investigations of alleged war crimes and crimes against humanity committed by US nationals in Afghanistan or elsewhere, and threatened to take other measures including economic sanctions.<sup>279</sup> Pompeo’s announcement followed threats made by then US National Security Advisor John Bolton in a 10 September 2018 speech to the Federalist Society. In that instance, Bolton explicitly threatened ICC judges, prosecutors, and personnel if they proceed with an investigation into alleged war crimes committed by US military and intelligence forces in Afghanistan, as well as any company or State that assists the ICC.<sup>280</sup>

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<sup>279</sup> Remarks to the Press, Michael R. Pompeo, Secretary of State, Press Briefing Room, Washington, DC, March 15, 2019, <https://www.state.gov/secretary/remarks/2019/03/290394.htm>.

<sup>280</sup> John Bolton made the remarks at the Federalist Society on 10 September 2018 <https://fedsoc.org/events/national-security-advisor-john-r-bolton-address>.



The Special Rapporteur on Human Rights Defenders and the Special Rapporteur on the Independence of Judges and Lawyers said threats against the International Criminal Court must stop. The UN press release mentions that the experts are in touch with the US authorities. The action by the Special Rapporteurs came on the heels of a letter sent to the UN experts on 20 March 2019 by the American Civil Liberties Union (ACLU), the International Commission of Jurists (ICJ) and ISHR underlining that the policy is a blatant effort to intimidate and retaliate against International Criminal Court personnel as well as lawyers and advocates seeking justice for victims of alleged war crimes and crimes against humanity, and urging them to take up the situation with the US.<sup>281</sup>

The intimidation continued. During a media briefing on 17 March 2020, United States Secretary of State, Michael Pompeo made remarks in relation to an ongoing investigation at the ICC. During the briefing, Secretary Pompeo spoke of the possible implication of US nationals in investigations conducted by the ICC Office of the Prosecutor, derogatorily referring to the ICC as a 'so-called court' and a 'nakedly political body'. Pompeo also named two members of the prosecution's staff and implied measures could be imposed on these individuals, and their families.

On June 11, 2020, then President Donald Trump issued an executive order authorizing asset freezes and family travel bans against ICC officials and potentially others who assist ICC investigations. In February 2021, more than 80 Non-Governmental Organizations, Faith-Based Groups, and Academic Institutions called for the Biden Administration to Repeal ICC Sanctions and engage constructively with the ICC.<sup>282</sup> On April 2, 2021, President Biden revoked the June 2020 order by then-President Donald Trump authorizing asset freezes and entry bans.<sup>283</sup>

In 2024, the threats against the International Criminal Court (ICC), its prosecutor, Karim Khan, his associates, and their families resumed over the decision to seek arrest warrants for senior Israeli officials accused of war crimes in Gaza. Republican Senator Tom Cotton said the announcement shows that the ICC is 'a farce'. 'My colleagues and I look forward to make sure neither Khan, his associates nor their families will ever set foot again in the United States,' Cotton wrote on X. Republican Congressman Anthony D'Esposito said the ICC was 'playing with fire', writing on social media that 'there will be serious consequences if they proceed.' Brian Mast, another Republican in the House of Representatives, said: 'America doesn't recognize the International Criminal Court, but the court sure as hell will recognize what happens when you target our allies.'

These latest threats build on earlier threats made by several Republican legislators sent to Khan in late April regarding potential arrest warrants against Netanyahu or other Israeli officials after reports began to circulate that such a request was imminent. 'Such actions are illegitimate and lack legal basis, and if carried out will result in severe sanctions against you and your institution,' they wrote in a letter made public this month. The letter was signed by a dozen top Republican senators, including Cotton, Mitch McConnell, Ted Cruz, Marco Rubio and Tim Scott. 'Target Israel and we will target you. If you move forward ... we will move to end all American support for the ICC, sanction your employees and associates, and bar you and your families from the United States. You have been warned,' it concluded.

Most recently, on 6 January 2025, President Trump signed an Executive Order which states that 'any effort by the ICC to investigate, arrest, detain, or prosecute protected persons [...],

281 <https://www.ishr.ch/news/reprisals-us-must-stop-threatening-international-criminal-court>.

282 [https://www.hrw.org/sites/default/files/media\\_2021/03/Call%20for%20the%20Biden%20Administration%20to%20Repeal%20ICC%20Sanctions\\_0.pdf](https://www.hrw.org/sites/default/files/media_2021/03/Call%20for%20the%20Biden%20Administration%20to%20Repeal%20ICC%20Sanctions_0.pdf)

283 <https://www.hrw.org/news/2021/04/02/us-rescinds-icc-sanctions#>

constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States', and declares a national emergency to address this 'threat'. It 'opposes and expects our allies to oppose' all actions by the ICC against the US, Israel or any other ally that has not consented to ICC jurisdiction.

## Venezuela

### 1. Franklin Caldera Cordero

The 2024 report of the Secretary General reported that in its 2023 report, the International Independent Fact-Finding Mission on Venezuela reported allegations of reprisals since 2021 against Mr. Franklin Caldera Cordero due to his cooperation with United Nations human rights representatives and mechanisms about his son, Lieutenant Franklin Caldera Ortiz. Mr. Caldera Cordero is the Coordinator of the Victims' Committee 'S.O.S. Libertad Family', an organization he founded after the arrest of his son for allegedly participating in an attack on a military base in what was known as Operation Aurora. Following the publication of the Fact-Finding Mission reports in 2021 and 2022, Mr. Caldera Cordero was under physical surveillance and received anonymous threatening calls, including death threats against him and his family. Similar threats also took place after his participation in a meeting with the High Commissioner for Human Rights in January 2023 and following his statement at the Human Rights Council in March 2023.

The Inter-American Commission for Human Rights issued precautionary measures in favour of Mr. Caldera Cordero in July 2023 noting threats against him and his relatives because of his public statements, engagement, and advocacy with United Nations representatives and mechanisms in the field of human rights.

**In terms of follow up, on 25 November 2024, the Inter-American Commission for Human Rights (IACHR) continued the precautionary measures referring to Mr Caldera Cordero. The IACHR extended the measures to apply to his son Mr Franklin Caldera Martínez, who was tortured during detention, and his wife Yuraima Martínez, victim of harassment and surveillance. The IACHR concluded that these acts are connected to the work of Mr Franklin Caldera Cordero. The Venezuelan authorities failed to respond to any of the requests for information from the IACHR on the implementation of the prior measures.**

**Mr Caldera Cordero has related that on 10 January 2025 while in Colombia, he was victim of a poisoning, which he considers to be an attempt to end his life.**

### 2. Human rights defenders who had travelled to Geneva to take place in the 5th periodic review of Venezuela by the Human Rights Committee

The 2024 report of the Secretary-General reported that on 10 October 2023, during the consideration of the fifth periodic report of Venezuela, experts of the Human Rights Committee noted that they had received reports that human rights defenders who had travelled to Geneva to participate in the review had been interrogated by the National Intelligence Service. The experts recalled that States parties should not engage in reprisals against civil society representatives who cooperated with the human rights treaty bodies and reminded the State

party of its obligation to protect the freedom and safety of those individuals once they had returned home.

**General threats against HRDs have continued. On 30 July 2024, the Attorney General's Office twitter account quoted Attorney General Tarek William Saab [threatening](#) human rights defenders engaging with UN mechanisms with arrest upon return to Venezuela.**

### 3. Suspension of the activities of the OHCHR Office in Venezuela

On 15 February 2024, the Venezuelan government [suspended the activities of OHCHR](#). The suspension was part of a broader strategy of repression against human rights defenders and should be considered to constitute a case of intimidation against human rights defenders and victims of violations.

In mid-January 2024 the government declared the activation of the civil-military police plan 'Furia Bolivariana' to allegedly confront coup or terrorist attacks/conspiracies, which the Centro de Justicia y Paz (CEPAZ) defines as 'a mechanism of repression, control and persecution.' As part of this plan, on 22 January Attorney General Tarek William Saab, an ally of President Nicolás Maduro, announced the arrest of more than 30 people for allegedly planning violent acts, including an assassination attempt against the President. Human Rights Defenders Rocio San Miguel's short-term enforced disappearance and detention should be understood in this context.

On 13 February the UN's Independent International Fact-Finding Mission on Venezuela (FFM) warned that the latest measures are not 'isolated incidents, but rather a series of events that appear to be part of a coordinated plan to silence critics and perceived opponents.' In September last year, the FFM warned that the government had intensified policies of crushing dissent, including through increased targeted attacks on democratic space and civil society such as unionists, independent media, political opposition and human rights defenders. Previous investigations by the FFM determined that these may amount to crimes against humanity.

The suspension of the activities of OHCHR has impacted the exercise of the right to unhindered access to, and communication with international bodies on matters of human rights and fundamental freedoms free from intimidation and reprisals. Firstly, by expelling the OHCHR team, access to them was made more difficult for victims and defenders. In addition, the suspension of the activities of OHCHR along with other recent events, such as the detention of Rocio San Miguel, have led to civil society organisations changing their plans, including regarding engagement with UN mechanisms.

Following the suspension, civil society in Venezuela issued a statement in the name of 200 organisations, and a separate [statement](#) was issued in the name of 25 national, regional and international NGOs.

On 15 February 2024, the Venezuelan NGO Cepaz [noted that](#) the suspension of the work of OHCHR from Venezuela, 'increases the lack of protection, not only for the victims of serious human rights violations, but also for the population in general.'

In 2024, the Secretary-General report on reprisals documented the decision of the Government to suspend OHCHR's activities in the country in February 2024, which resulted in human rights defenders and civil society organizations restricting their human rights activities.

This included suspended travel plans abroad, including advocacy trips to engage with United Nations bodies and mechanisms, and several human rights defenders who had travelled abroad deemed that it was not safe to go back to Venezuela, noting the suspension of the work of OHCHR in-country as one of the factors deterring their return. e able to restore its full presence.

**In terms of follow up, the High Commissioner for Human Rights said in December 2024 that OHCHR has begun to resume its operations in the country in recent weeks but up to the date only one member of the team of 14 has returned to Caracas. OHCHR is awaiting the response of the Venezuelan government to its proposed MOU for the next year.**

## 4. NGO law

The 2024 report of the Secretary-General on reprisals included follow up information on the proposed Bill on the control, regularization, performance, and financing of non-governmental and related organizations, which had also been included in the 2023 report, noting its impact on the ability of civil society groups to carry out their work, including their cooperation with the United Nations. In the 2024 report, the Secretary-General documented that mandate holders, the International Independent Fact-Finding Mission on Venezuela, and OHCHR continued to express concerns about the bill and urged the Government to refrain from its adoption, which could hinder the delivery of aid and life-saving humanitarian assistance. On 9 January 2024, the President of the National Assembly announced a public consultation on the content of the bill to facilitate a second discussion that could ultimately lead to its approval. On 12 January the National Assembly resumed the discussion of the bill.

**In terms of follow up, on August 15, the Venezuelan National Assembly approved the Bill. The High Commissioner noted in December 2024 that Restrictive legislation, such as the Simón Bolívar Law and the NGO Law, risk seriously infringing on the exercise of fundamental freedoms of expression, assembly, association, and political participation.<sup>284</sup> In accordance with the law, NGOs have been required to update their registration by 14 February. NGOs that don't register face potential prosecution while those that have complied face the possibility of being more closely monitored. The Simón Bolívar Liberator Law against the Imperialist Blockade and in Defence of the Bolivarian Republic of Venezuela', approved on 28 November provides for sanctions of up to 30 years in prison for direct or indirect collaboration with governments, entities or individuals that promote, implement or support international sanctions against the Venezuelan state. It has clear implications for those that engage with international human rights mechanisms and bodies.**

## 5. Lourdes Afiuni

The case of judge **Lourdes Afiuni** was included in the 2021, 2020 and 2019 reports of the Secretary-General, as well as in previous reports since 2010 on allegations of arbitrary detention and ill-treatment following a decision passed in her capacity as judge on the basis of a Working Group on Arbitrary Detention opinion (No. 10/2009). On 4 July 2019, Afiuni was granted a conditional release.<sup>285</sup> Judge Afiuni was held in prison for 14 months. She was granted house arrest for health reasons in 2011, and two years later granted parole with the condition of not leaving the country and not using social media.

<sup>284</sup> <https://www.ohchr.org/en/statements-and-speeches/2024/12/high-commissioners-update-human-rights-council-venezuela>

<sup>285</sup> See A/HRC/14/19, paras. 45-47, A/HRC/18/19, paras. 87-90, A/HRC/21/18, paras. 68-69, A/HRC/24/29 and Corr.1, paras. 46-48, A/HRC/27/38, para. 46, and A/HRC/30/29, annex, para. 7.

On 21 March 2019, Judge Afiuni was sentenced to a further five-year imprisonment for corruption, a move that was condemned by the Special Rapporteur on the independence of judges and lawyers as another act of reprisal against her. On July 8, 2019, Judge Afiuni received an official notification from the Seventeenth Court of First Instance dated July 4, 2019, announcing that she was granted the cessation of one of the precautionary measures: the obligation to appear regularly before the courts. However, her freedom was conditional and partial as she is still prohibited from leaving the country, communicating with the press, and using social networks. On 18 October 2019 the conviction for corruption and the sentence of five years imprisonment was confirmed by the Court of Appeal. Afiuni's lawyers appealed the decision before the Supreme Court and the sentence was also confirmed by that court in August 2020.

On 8 November 2020, the Criminal Cassation Chamber of the Supreme Court resolved to dismiss Afiuni's appeal for being allegedly 'manifestly unfounded' and confirmed her five-year imprisonment sentence. The Judge is yet to determine whether her sentence has been fully served. On 25 January 2021, Special Procedures mandate holders addressed the alleged judicial harassment against Afiuni in relation to the exercise of her jurisdictional function as Judge of the 31st Control Court of the Metropolitan Area of Caracas. Mandate holders stated that Afiuni's punishment represents an emblematic case that reportedly results in a generalised fear among the country's judges to issue rulings contrary to the Government's will and reiterated her targeting due to the UN Working Group opinion (VEN 11/2020).

Maria Lourdes was diagnosed with mouth cancer in September 2020. She had very invasive surgery to have part of the cancer removed and is currently under chemotherapy and radiotherapy treatment.

Once the five-year sentence was confirmed before all instances, the case file was sent back to First Instance to Execution Court Number 3 of the Metropolitan Area of Caracas. On December 7, 2020, the Court mentioned above issued an Order for the execution of the sentence, which establishes, among other things, that Maria Afiuni was sentenced to prison for five years. According to that ruling, Judge Afiuni has only served three years, six months, and five days behind bars, for which she remains to serve a sentence of one year, five months, and one day in prison. Without considering the years that she has been subjected to restrictive measures of freedom, even though reiterated jurisprudence does take it into account. However, the Court agreed to offer her an alternative benefit of serving her sentence in freedom if she complies with specific requirements in the law (including passing a psychological exam and finding a job, among other things).

On the other hand, the defence submitted before the aforementioned court proof of examinations and medical reports regarding her cancer condition, whereby she underwent emergency medical intervention on September 19, 2020, and chemotherapy and radiotherapy in the first quarter of 2021.

Once she recovered, she went to the execution court to request a travel permit to treat the disease in the United States on March 17, 2022. On that date, the execution court denied her permission, reiterating that she had not taken the psychosocial examinations to opt for an alternative sentence. On April 11, 2022, Judge Afiuni submitted to the examinations

and interviews before the Penitentiary Ministry. She is awaiting the results, which will take approximately two business months to be published.

**In terms of follow-up, the situation has not improved. Afiuni is still awaiting the results of the penitentiary tests, which should have taken around two business months, and the preventive measures - international travel ban and prohibition to speak to media - still remain. Judge Afiuni is still waiting for the results of the medical examinations from 2022. She was not allowed to vote in the presidential elections because she was disqualified from voting (due to her ongoing trial). All previous restrictions remain in place.**

## **6. Fernando Alban**

In September 2018, **Fernando Alban**, a councilman of Primero Justicia—a dissident Venezuelan political party—joined an opposition delegation headed by former President of the National Assembly Julio Borges in New York, in the framework of the General Assembly of the United Nations. Alban was arrested upon his return to Venezuela, tortured, and died in custody under suspicious circumstances 72 hours later. Alban’s family members and members of his party believe that his arbitrary detention upon arrival in Caracas was the result of reprisals for his participation in advocacy meetings in New York in the framework of the General Assembly.

There is still no independent, formal and credible response from the responsible authorities in Venezuela to what happened. Initially, an investigation into Alban’s death by the Office of Prosecutor was started but in the end two officials of the SEBIN were tried for breach of the obligations to keep custody over a person under their charge. Because Alban is not considered a victim of the ‘breach of duty’, his lawyers have no access to the files. The original complaint about Alban’s death remains at the Prosecution Office, but no investigation has taken place. In December 2018, a request was made to the Prosecutor’s Office and the Ombudsman for an independent investigation, but it was never processed and was not assigned a complaint number. Furthermore, Alban’s lawyer, Ramón Alfredo Aguilar remains under surveillance by the Directorate General of Military Counterintelligence (DGCIM). On March 28, 2019, a complaint was submitted electronically to the Venezuelan ombudsman regarding these acts of persecution and harassment against.

This case remains unresolved. No response has been received to this complaint, and the lawyers who submitted it have not been contacted.

On December 15, 2021, in a press conference, the Attorney General reported that two Sebin officials were sentenced to 5 years and 10 months in jail for the murder of Alban. The Prosecutor added that the officers admitted the facts. That same day, Alban’s widow published a statement on her Twitter account, in which she reiterated that she and her family have not found justice.

On March 18, 2022, during the oral update presented by the Fact-Finding Mission appointed by the UN Human Rights Council to study human rights violations in Venezuela, it was reported that: (i) in December 2021, a detective and an inspector of SEBIN were convicted of culpable homicide and other lesser charges, to which they pleaded guilty, in connection with the death of Fernando Albán in 2018. (ii) Each of these low-level officials was sentenced to 5 years and 10 months in prison. (iii) In February 2022, the Tenth Chamber of the Criminal Court of Appeals of Caracas reduced the sentence imposed to 2 years and 8 months. The officers were released.

**In terms of follow up, there has been no improvement. Alban’s son and daughter, his widow and his lawyer were subsequently persecuted as part of the policy of State persecution.**



**His legal team has not been able to return to the country because of that persecution and fear of further reprisals.**

## **7. 'Misión Verdad'**

Following the presentation of the report of the UN Independent International Fact-Finding Mission on Venezuela (the FFM), which denounced the commission of crimes against humanity in the country, a portal with apparent governmental backing, '**Misión Verdad**', began a campaign of harassment and accusations against civil society organisations. The social network account 'Misión Verdad' (Truth Mission) has carried out a campaign to criminalise, harass, and stigmatise various Venezuelan non-governmental organisations, accusing them of providing the FFM with false information. The head of one of those organisations, Control Ciudadano (Citizen Control), Rocio San Miguel, was short-term forcibly disappeared and arrested on the 9th February. Impunity regarding the reprisal carried out against Control Ciudadano, as well as other kinds of threats and attacks against the organisation and other civil society organisations, facilitates the commission of other frequently graver violations.

**In terms of follow up, we urge Venezuela to**

- 1. immediately release Rocio San Miguel,**
- 2. publicly express - at the national level - its commitment to protect human rights defenders, and**
- 3. publicly condemn any intimidation or reprisals against human rights defenders engaging at the UN, including by non-State actors.**

## **Vietnam**

### **1. Closing of Vietnamese Civil Society**

In 2024, **Vietnam's civil society space** continued to shrink under increasingly repressive measures, solidifying a hostile environment for activists, independent organizations, and journalists. The government intensified its use of vague and overly broad legal provisions, such as Articles 117 and 331 of the Penal Code, to target writers, journalists, and human rights defenders for peaceful expression. These two articles were enacted with the purpose of prohibiting free expression and freedom of the press. PEN America's research found that 22 writers were imprisoned in Vietnam in 2024 for their writings.

In November 2024, the Vietnamese government passed Decree 147/2024, including expanded surveillance capabilities and stricter controls on online content, further curbing digital freedom. The passage of Decree 126 in November 2024 further tightens government control over civil society by making it harder to establish associations, restricting funding sources, and expanding state oversight, effectively dismantling independent civic spaces and silencing dissent. Combined with the continued suppression of labour rights and arbitrary arrests of activists, these developments underscore a deliberate strategy to dismantle platforms for dissent and critical discourse in Vietnam.

## 2. Pham Doan Trang

The case of Ms. **Pham Doan Trang**, a blogger, journalist, and democracy activist, was included in the 2022 and 2023 reports of the Secretary-General on allegations of long-term arbitrary detention and lengthy sentencing for sharing reports on the human rights situation in the country with the United Nations and other international actors. She is serving a nine-year prison sentence for allegedly 'distributing anti-state' information. Trang was the subject of several communications by special procedures mandate holders and an Opinion by the Working Group on Arbitrary Detention in 2021, which found her deprivation of liberty arbitrary. On 2 November 2022, special procedures mandate holders addressed Ms. Trang's detention, including alleged restriction of her right to family visits and her deteriorating health status (VNM 6/2022). On 7 September 2022, Ms. Trang was allowed to meet her mother and brother for the first time since her arrest in October 2020. On 1 October 2022, without any prior notification to her family, Ms. Trang was transferred to An Phuoc prison, in Binh Duong province. In October 2022, Ms Trang's family was allowed to visit her. Ms. Trang is not receiving adequate health care in detention (VNM 6/2022).

Trang is being held in a prison located 900 miles from her home, where her family can only pay infrequent visits. During Trang's imprisonment, her health has significantly declined due to the lack of medical treatment. She now walks with a permanent limp, which resulted from police beating during an environmental protest in 2015. Trang will be this year's recipient of PEN America's Barbey Freedom to Write Award, given by the literary and free expression organisation to a 'jailed writer of conscience.'

**The Vietnamese government has deliberately isolated Pham Doan Trang as a form of reprisal for her cooperation with the United Nations in exposing human rights violations, particularly her reporting on the 2016 Formosa incident. Authorities continue to deny her access to political, social, and international news, allowing her to watch only agricultural programs—an intentional tactic to mentally and emotionally punish her by depriving her of intellectual engagement and connection to the outside world.**

**She relies solely on her brother's monthly visits to learn about current events; otherwise, she remains completely unaware of both domestic and international news. While her family reports that her health is not worsening, she continues to experience persistent leg pain.**

**In 2023, Pham Doan Trang's lawyer, Dang Dinh Manh, was forced to flee Vietnam after facing police harassment and a public search notice for his legal defence work in political cases. His forced departure alongside two other Vietnamese human rights lawyers underscores the shrinking space for independent lawyers in Vietnam, the government's relentless crackdown on those defending human rights and the impact on due process rights for those in the crosshairs of the government.**

**The Benelux countries and the United Kingdom raised her case on 26 September 2024 at the 57th session of the UN Human Rights Council during the interactive dialogue on the report on reprisals with the Assistant Secretary General.<sup>286</sup> The Benelux countries also raised her case at the 69th session of the UN General Assembly's Third Committee and on 24 March 2025 at the 58th session of the Human Rights Council during general debate under item 5.<sup>287</sup>**

<sup>286</sup> [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_419995e3-5a84-436d-acd6-ad459c94c214.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_419995e3-5a84-436d-acd6-ad459c94c214.docx) and [https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81\\_18842083\\_26a5cd34-081b-40aa-b0e5-22ce4a28ea2c.docx](https://hrcmeetings.ohchr.org/HRCSessions/HRCDocuments/81/SP/81_18842083_26a5cd34-081b-40aa-b0e5-22ce4a28ea2c.docx)

<sup>287</sup> <https://www.netherlandsandyou.nl/web/pr-un-geneva/w/hrc58-benelux-reprisals>

### 3. Pham Chi Dung

The case of Mr. **Pham Chi Dung**, chairperson of the Independent Journalist Association of Vietnam (IJAVN) and a human rights defender was included in the 2021, 2020 and 2014 reports of the Secretary-General due to travel restrictions that prevented him from participating in an NGO side event in Geneva at the margins of the second cycle of the UPR of Viet Nam (VNM 5/2014). In January 2020, special procedures mandate holders addressed his November 2019 arrest and detention (VNM 5/2019269). On 17 September 2020, mandate holders expressed concerns that neither Mr. Pham Chi Dung's family nor his lawyer have been allowed to meet or communicate with him since his arrest, and that authorities had refused to accept the lawyer of his choosing (VNM 3/2020).

On 5 January 2021, Mr. Pham Chi Dung was sentenced to 15 years in prison and five years on probation. The Spokesperson of the High Commissioner for Human Rights expressed concerns at the lengthy pre-trial detention and severe sentence handed down on crimes against national security. The Spokesperson also expressed concerns that individuals who try to cooperate with the UN's human rights bodies are subjected to intimidation and reprisals, potentially inhibiting others from sharing information about human rights issues with the UN. On 14 January 2021, mandate holders publicly addressed Pham Chi Dung's sentence as part of an increase in prosecutions, arbitrary detention, reprisals, ill-treatment and unfair trials targeting independent journalists, bloggers, pro-democracy activists and human rights defenders in Viet Nam.

**In terms of follow up, Pham Chi Dung continues to endure harsh conditions in detention. While he is reportedly allowed to read Nhan Dan (The People), the official newspaper of the Communist Party of Vietnam (CPV), his access to independent or alternative sources of information remains severely restricted. This policy reinforces the state's effort to control and monopolize narratives, even within the confines of prison walls.**

**In a troubling development, independent media platforms for Vietnamese citizens and dissidents like Mr. Pham Chi Dung and Mr. Nguyen Tuong Thuy has been further weakened by the U.S. government's decision to cut funding for the U.S. Agency for Global Media (USAGM), who were contributors to Voice of America (VOA) and Radio Free Asia (RFA). This funding reduction has led to the shutdown of critical platforms like VOA and RFA, which have long provided independent and reliable news to Vietnamese audiences and an access point for news on human rights in Vietnam. The loss of these platforms not only diminishes the availability of unbiased reporting but also leaves dissidents without crucial support and external platforms to highlight their plight.**

### 4. Nguyen Tuong Thuy

The case of Mr. **Nguyen Tuong Thuy**, a prominent independent journalist and member of the Independent Journalists Association of Vietnam (IJAVN), was included in the 2021 and 2022 reports of the Secretary-General due to police action to prevent him from meeting with UN representatives in 2018 (VNM 3/2020). The incident was not publicly reported at the time for fear of further retribution. In January 2021, Mr. Nguyen Tuong Thuy was sentenced to 11 years in prison and three years on probation.

**In terms of follow up, Nguyen Tuong Thuy continues to face severe reprisals for his work defending free expression and seeking justice.**

Mr. Thuy has tirelessly pursued a petition for a retrial or a public discussion about his verdict, highlighting significant irregularities in his case. The evidence used to convict him consisted solely of internet articles, with no documents or physical evidence collected by police during his arrest. This clear fabrication of evidence led to his unjust conviction. Despite numerous petitions, his case remains unresolved, raising serious concerns about the Vietnamese judicial system's commitment to justice and due process.

Moreover, Mr. Thuy suffered extreme physical abuse during his arrest. Police officers broke his hand to force him to disclose his device password. As a result, his hand is now permanently disabled, leaving him in constant pain. This brutal treatment is a stark example of the inhumane tactics used to silence dissenting voices in Vietnam.

These actions not only constitute a violation of Mr. Thuy's fundamental rights but also reflect the broader systemic issues of reprisal, mistreatment, and suppression of free expression in Vietnam. His case urgently requires international attention and advocacy to hold Vietnamese authorities accountable for their human rights violations.

In a troubling development, independent media platforms for Vietnamese citizens and dissidents like Mr. Pham Chi Dung and Mr. Nguyen Tuong Thuy has been further weakened by the U.S. government's decision to cut funding for the U.S. Agency for Global Media (USAGM), who were contributors to Voice of America (VOA) and Radio Free Asia (RFA). This funding reduction has led to the shutdown of critical platforms like VOA and RFA, which have long provided independent and reliable news to Vietnamese audiences and an access point for news on human rights in Vietnam. The loss of these platforms not only diminishes the availability of unbiased reporting but also leaves dissidents without crucial support and external platforms to highlight their plight.

## Yemen

### 1. Mwatana Organization for Human Rights

**Mwatana Organization for Human Rights** is an independent Yemeni organisation engaged in defending and protecting human rights and operates through field investigation and research.<sup>288</sup> The case of the Mwatana Organization for Human Rights, a Sana'a-based civil society organisation, and members of its staff, was included in the 2019, 2021, 2023 and 2024 reports of the Secretary-General on due to detention and prevention of travel following engagement with the United Nations Security Council and United Nations human rights mechanisms (SAU 8/2018; YEM 4/2018). On 25 January 2022, the head of Mwatana, Ms. **Radhya al-Mutawakel**, briefed the Security Council on the situation in Yemen and was subjected to a smear campaign following her participation.

Mwatana for Human Rights Team faced at least 33 acts of retaliation in 2024 from conflicting parties against its staff due to the nature of their work. These acts aimed to restrict the team's operations and prevent them from fulfilling their responsibilities related to monitoring and documenting violations, providing legal support to victims of arbitrary detention, enforced disappearance, torture, and other activities and programs implemented by the organization. This figure does not include incidental incidents such as the team being present in conflict

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<sup>288</sup> Mwatana for Human Rights, available at: <https://www.bing.com/newtabredir?url=https%3a%2f%2fmwatana.org%2fen%2f>

zones, minefields, traffic accidents, or other similar risks. Additionally, it excludes cases limited to summonses from security agencies for inquiries about the organization's work and mechanisms, which did not involve direct threats to staff or attempts to hinder their duties.

These risks included arbitrary detention, restrictions on freedom of movement, travel bans, threats of detention or liquidation, summonses and interrogations, and other forms of harassment. The Ansar Allah (Houthi) group was responsible for 18 retaliatory acts against the Mwatana team during the year, while the internationally recognized government was accountable for 9 acts of retaliation. The Southern Transitional Council was responsible for at least 6 retaliatory acts against the team, out of the total acts of retaliation directed at them throughout the year.

Incidents of direct and indirect threats, including threats of liquidation, detention, and enforced disappearance, accounted for 20 of the 33 mentioned incidents. The remaining 13 incidents were distributed as follows: two cases of arbitrary detention, two cases of summons and interrogation, five cases of restrictions on freedom of movement and travel bans, one case of detention, and three cases of other harassment.

Some examples of the retaliatory acts faced by the organization's team during 2024 include:

- On the morning of Friday, September 13, 2024, the Ansar Allah (Houthi) group prevented the Chairperson of Mwatana for Human Rights Organization, Radhya Al-Mutawakel, and her Vice, Abdulrasheed Al-Faqih, from traveling through Sana'a International Airport for the second time without legal justification. They were on a work mission as part of an advocacy campaign involving several European capitals.
- On Sunday, September 29, 2024, around 11:00 AM, a lawyer of Mwatana for Human Rights Organization in Al-Hudaydah Governorate was subjected to arbitrary detention by the Ansar Allah (Houthi) group while she was at the Al-Hamdi Police Station in the Al-Hali district to document the arbitrary detentions of civilians during the September 26 events. During this time, her notebook was confiscated. The Houthi group then asked the lawyer's husband to bring her laptop and work phone, and when he refused to comply, he was threatened with a home invasion, which forced him to hand over the requested items. Later that evening, the lawyer was transferred to the Al-Ra'ini Police Station, known as the Family Protection Unit, where she remained detained until the evening of Monday, September 30, 2024. She was then ordered to be transferred to the Central Prison by the Counter-Terrorism unit, where she stayed until she was released on Tuesday, October 1, 2024, around 8:15 PM. The Ansar Allah (Houthi) group also searched her laptop and phone, printing all the forms and documents stored on them. Months after this incident, the lawyer felt compelled to resign out of fear of further harm and detention, as well as due to the increased restrictions on her work in the governorate.
- On Monday, September 30, 2024, around 12:00 PM, a representative from the security and intelligence agency, appointed by the Ansar Allah (Houthi) group as the Deputy Minister of Endowments, visited the headquarters of the Mwatana Organization. He sought to meet with one of the lawyers at the center, who provides legal support and advice to victims of arbitrary detention, enforced disappearance, torture, and procedural justice violations. During the meeting, which was attended by the legal support director, the security representative requested the lawyer to communicate with the family of one of the victims the organization is following, asking them to withdraw their case, as the perpetrator is his brother. During this

encounter, the security representative directly threatened the lawyer with detention, stating that the head of security and intelligence in Sana'a, who previously worked in Hajjah Governorate, had instructed him to detain her due to her work with victims of violations.

- On Wednesday, February 14, 2024, around 11:00 AM, in the Al-Dhahir district of Ibb Governorate, the Ansar Allah (Houthi) group restricted the freedom of movement for three female employees of the Mwatana for Human Rights Organization. The central team of the organization conducted a visit to Ibb, located south of the capital, Sana'a. The team departed around 6:00 AM from Sana'a, and the employees were forced to wear face coverings (niqab) for fear of being targeted at the checkpoints leading into the capital. At several points, they had to pretend to be not unwell to Allow them to pass. During the journey, the director of the Research and Studies Unit and the trip leader contacted a hotel to reserve rooms for their stay. Initially, the hotel welcomed the team and requested copies of their identification. However, as the team approached the governorate, the hotel called back to request Mahram (a first-degree male relative) to allow them to stay, as the criminal investigation department in the area strictly prohibits women from entering hotels without a Mahram. The employees then brought a male relative of one of them, and the hotel manager initially agreed. However, an hour and a half after the employees settled into their rooms, they were asked to leave the hotel due to the criminal investigation department's refusal to allow their presence. The hotel manager expressed concern that the entire hotel could be shut down if he did not comply with the orders. This forced the employees to leave the hotel and spend some time on the street looking for another place to stay. After some intervention, the employees were able to secure accommodation in another hotel without the knowledge of the criminal investigation department until their mission was completed.
- On Thursday, June 27, 2024, around 11:00 PM, a lawyer of Mwatana Organization in Aden, which is under the control of the Southern Transitional Council, found a handwritten threat note on the front of his car. The note read, 'Your end is near, agent. There is no victor but God', and it was accompanied by a bullet from an assault rifle. The following morning, the lawyer discovered that the rear window of his car had been broken, which forced him to stop working and take an open-ended leave. He arranged for surveillance cameras to be installed near his home and temporarily moved to Al-Mukalla in Hadhramaut Governorate for his safety.
- On Thursday, October 3, 2024, around 10:00 AM, a field researcher of Mwatana Organization in Marib was subjected to arbitrary detention while returning from the city of Marib to the Sirwah district. He was stopped at a military checkpoint belonging to the police under the Ansar Allah (Houthi) group and was transferred to the security department in the Wasit area of the Al-Jawbah district. He remained detained for 6 hours until he was released after the intervention and guarantee of a well-known individual from the Sirwah district.
- On Sunday, March 3, 2024, around 11:30 AM, two armed men affiliated with the local authority of the internationally recognized government in Taiz Governorate stopped researchers from the Mwatana Organization while they were conducting a field visit to one of the displacement camps to collect data on the conditions of the camps and the violations faced by the displaced individuals. The armed men forcibly confiscated the data collection forms, notebooks, and pens from the researchers, threatening



them under the pretext of not coordinating in advance with the local authorities and entering the area without a permit.

In addition to the direct acts of retaliation perpetrated by conflicting parties against Mwatana for Human Rights team in 2024, the organization faced a widespread campaign of defamation, smear tactics, and incitement aimed at undermining its work. This campaign targeted the chairpersons of Mwatana, her Vice, and several employees, and it lasted for several months.

Many of Mwatana for Human Rights' partners faced harassment and pressure from conflicting parties, especially in areas controlled by the internationally recognized government and the Southern Transitional Council. This was due to their dealings or cooperation with Mwatana, which included the summoning of some leaders of friendly organizations for interrogation and threats to cease their collaboration with Mwatana and its team.

## 2. Detention of Aid Workers, crackdown on civil society

Since May 31, 2024, Houthi de facto authorities have detained dozens of Yemeni employees from UN agencies, and international and local NGOs. This unprecedented wave of arrests, described as the first of its kind in Yemen, highlights an alarming crackdown on humanitarian and civil society efforts in the country.<sup>289</sup>

The Houthi de facto authorities allege that these detentions are part of dismantling an 'American-Israeli spy network', an accusation primarily targeting former US embassy employees and workers from international organizations detained between 2021 and 2023. These claims have been supported by coerced 'confession' videos, which have been criticized for lacking credibility and fairness.

The recent detentions have intensified incitement against aid and civil society workers, with public campaigns and hotlines urging citizens to report 'suspicious activities'. This crackdown threatens the safety and operations of humanitarian efforts in Yemen, with potential further detentions looming.

Human rights organizations and Yemeni activists urge robust advocacy and legal support for the detainees. The Justice4Yemen Pact coalition calls for immediate action to secure the release of those unjustly detained and to protect the vital humanitarian work being carried out in Yemen.

Some examples include:

In some of the alleged 'confession' videos aired by Saba.ye, detainees admit to having conducted intelligence operations on behalf of humanitarian agencies. For example, Abdul Mu'in Azzan says that he worked with the UN's office of the high commissioner of human rights 'in its wide-ranging intelligence activity for the benefit of the American CIA.' He says the UN's OHCHR gathers information on Houthi missile and drone capabilities, launching sites, and troop locations on the front lines. He added that OHCHR field monitors collect intelligence under the pretext of monitoring human rights violations and protecting civilians. Finally, Azzan said that he supplied the Israeli Mossad with information gathered from OHCHR's database, including the locations and coordinates of government and Ansar Allah headquarters, as well as officials' houses.

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289 <https://justice4yemenpact.org/articles/incident-report-11-crackdown-on-aid-workers-in-yemen-unprecedented-detentions-by-houthi-de-facto-authorities/>

In this context, the recent wave of arrests targeting employees of UN agencies and international NGOs could be an attempt to pressure these organizations not to relocate from Sana'a to Aden. An unnamed official inside UN OCHA told news website al-Nkkar that the arrests 'are a form of pressure on the UN agencies to stop any intention of moving from Sana'a to Aden.' This analysis was echoed by the head of the NGO Masar. UN agencies' activity is an important source of hard currency in northern Yemen, while the Houthi's diversion of a significant portion of humanitarian aid, to shore up political power and punish dissent, is well documented.

### 3. Watch for Human Rights and Akram al-Shawafi

#### BACKGROUND

The case of Mr. **Akram al-Shawafi** and his co-workers at **Watch for Human Rights**, documenting and reporting violations in the Ta'izz's Governorate, was included in the 2020, 2021 and 2022 reports of the Secretary General, in relation to threats and attacks for the organization's engagement with the Group of Experts and the Security Council Sanctions Committee Panel of Experts on Yemen.

At the time, Watch for Human Rights and Mr. Akram al-Shawafi continued to document serious crimes and human rights violations on the Yemeni Saudi border, including sexual abuse and child trafficking, and to report them to the United Nations. In January 2022, following the killing of a key witness in December 2021 and contact with the United Nations Panel of Experts, Mr. Akram al-Shawafi received an anonymous call urging him to stop documenting human rights violations and leave the region as soon as possible. In February 2022, while Mr. Al-Shawafi was driving with his family, their car was blocked by a group of gunmen near his area of residence. The attackers allegedly threatened him and said they were watching every movement and that of his family members. Mr. Akram al-Shawafi has filed reports with the police for both incidents but has thus far been unable to get a copy of the registration of his complaint filed.

**In terms of follow up, a defamation campaign against Watch for Human Rights continues to be conducted by individuals affiliated with the Yemeni government and the Saudi led coalition for their work documenting human rights violations in Yemen and their engagement with the UN and its mechanisms. A Yemeni resident of the Netherlands is leading this campaign on social media. This person is believed to be coordinating with the Saudi led coalition to discredit the human rights work of independent civil society, harassing and defaming civil society organizations. These campaigns aim to discredit the individuals, organizations' reputations and defund them and come within a wider and sustained crackdown by all parties to the conflict in Yemen. Watch for Human Rights' office remains closed because the Yemeni authorities continue to hamper the renewal of the working permit of the organization and the threats the employees face. The organization has also suspended its work in the Houthi controlled areas due to threats and intimidation faced by their staff when monitoring and documenting violations.**

Following the threats, harassment and intimidation campaigns against Akram al Shawafi for his human rights work,<sup>290</sup> he fled to Egypt in July 2022. He remains in Egypt where he was the victim of a house robbery in January 2024 where work hard drives and phones containing documentation were stolen. He was also the victim of an assault by three unknown individuals in October 2024 who stole his bag containing his work laptop and hard drives containing the archival material of the documentation of the organization. He was beaten and hospitalised.

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<sup>290</sup> 2022 report of SG: 'In January 2022, following the killing of a key witness in December 2021 and contact with the United Nations Panel of Experts, Mr. Akram al-Shawafi received an anonymous call urging him to stop documenting human rights violations and leave the region as soon as possible. In February 2022, while Mr. Al-Shawafi was driving with his family, their car was blocked by a group of gunmen near his area of residence. The attackers allegedly threatened him and said they were watching every movement and that of his family members. Mr. Akram al-Shawafi has reportedly filed reports with the police for both incidents but has thus far been unable to get a copy of the registration of his complaint filed.'

# CONCLUSIONS AND RECOMMENDATIONS

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## Recommendations to States

- States must refrain from intimidation and reprisals against those who cooperate or seek to cooperate with the UN or regional human rights bodies and mechanisms.
- States must investigate and ensure that any allegations of such acts, whether perpetrated by State or non-State actors, are subject to a full, independent and impartial investigation, and ensure that perpetrators are held accountable, and victims are provided with effective remedies.
- States should develop and implement a comprehensive suite of measures to ensure that all persons are able to exercise, individually or in association with others, the right of unhindered access to, and communication with, international human rights bodies and mechanisms and ensure protection from any form of intimidation or reprisal associated with such cooperation, including by: (a) adopting legislative provisions that specifically enshrine this right and prohibit intimidation or reprisals; and (b) reviewing and repealing legislative provisions that may hinder, restrict or impair the enjoyment of this right.
- States should consistently and publicly acknowledge the vital role played by human rights defenders in establishing and safeguarding democratic institutions and processes, as well as the rule of law, and in the promotion and protection of human rights.
- States should cooperate fully, substantively and promptly with the UN's human rights mechanisms and bodies in cases of alleged intimidation or reprisals, including by providing good faith undertakings to prevent and investigate cases and to report back to the relevant body or mechanism — including the Human Rights Council, its Special Procedures, the General Assembly and the Assistant Secretary-General — as to investigative, protective, prosecutorial and remedial steps taken.
- Candidate States for membership of the Human Rights Council should include in their pledges a commitment to ensuring that civil society organisations can conduct their work—including expressing views critical of State authorities—without undue restriction or fear of reprisal, harassment or intimidation.
- Members of the General Assembly, as States electing the members of the Human Rights Council, should not support any candidate State for membership that has engaged in systematic or widespread reprisals or that has failed to investigate and pursue accountability for cases of reprisals.

- States should hold other States accountable by raising specific cases of intimidation and reprisals in the Human Rights Council. In particular, States should use item 5, and the interactive dialogue at the Human Rights Council called for in resolution 36/21 to ensure adequate attention is focused on the Secretary-General's report on reprisals and to share good practices, challenges and lessons learned and effectively hold other States accountable when the report is presented to the Council.
- States should consider making voluntary contributions and otherwise support and enable the work of the senior official on reprisals.
- States should request that the Secretary-General's report on reprisals be presented at the Third Committee of the General Assembly.
- States should provide OHCHR with adequate resourcing to strengthen its capacity for data collection and analysis on cooperation.
- Member States that use intimidating tactics to deter cooperation with UN mechanisms need to be more thoroughly investigated and held accountable. This accountability needs to look beyond the high-profile severe attacks and reprisals, and the visible actions States take in New York or Geneva-based forums. States also need to be called to account for quieter approaches they are using inside their country every day to sustain an atmosphere of fear and inhibition.
- States should encourage and fund OHCHR to expand its field presences; and apply greater political pressure to rights-abusing States who refuse to allow such monitoring or seek to cut resources to support it. OHCHR (or DPKO) human rights monitoring presences help to overcome the remoteness of the UN's human rights system and can provide a more accessible and trustworthy way to bring a local human rights problem to the UN's attention.
- States should demand the implementation of the UN's Human Rights Up Front (HRUF) doctrine by UN Country Teams witnessing human rights abuse and intimidation.
- All Member States should issue standing invitations to Special Procedures and facilitate country visits, and they should encourage other States to do so as well. States should be held accountable whenever they prevent access to such visits or impede contacts with the experts on the ground.
- States should make non-cooperation more politically costly, for instance, by opposing the election of uncooperative States to the Human Rights Council or other human rights-related bodies.

## Recommendations to human rights actors, including the UN, NGOs, academics, States

- Study and understand the psychological dynamics that underlie individual decisions about risk-taking.
- Encourage much more impact analysis that assesses the positive outcomes resulting from the use of UN human rights mechanisms and disseminate and popularise any impact analysis that exists. The system needs to give people on the ground a basis for making judgments about whether to go to the trouble of engaging.
- Develop and strengthen new tactics for raising awareness about UN mechanisms in more closed and repressed countries. The more repressive the situation, the less information is available to people about the potential of UN mechanisms.
- Acknowledge the structural inequities that make it more difficult for some victims and activists to access UN mechanisms and make an extra effort to compensate for them, by encouraging engagement and offering protection to those who are more isolated or marginalised.
- Improve the collection and management of data on all human rights abuses. This demands more collaboration among UN, NGO and academic data-based efforts that enable quantification and comparative ranking of abuse levels.
- Use data on abuses together with data on cooperation with the UN to identify countries where there is high abuse and low cooperation as well as those with high abuse and high cooperation. Best practice research should then extract lessons learned from countries with high levels of abuse and high levels of cooperation that may assist countries where intimidation has been more successful in sustaining inhibition.
- Recognise and prioritise intimidation as an invisible harm needing more careful measurement. Investigations going beyond high-level severe abuses should assess the more subtle and pernicious forms of intimidation that are more prevalent and have a constant inhibiting effect on the broader population.
- Implement careful survey-based studies to document the prevalence and patterns of incidents of State intimidation, as well as the consequent levels of inhibition of human rights action, resulting in a more quantified understanding of the scale of the problem. Where possible this could be a joint initiative involving the UN, NGOs and relevant and qualified academic institutions.
- Take advantage as much as possible of existing measurements of political space, civil liberties, and freedom, acknowledging some of the limitations of this existing data. These broader patterns of 'closed space' are linked to the dynamics of intimidation faced by local human rights actors and can serve as proxy measurements.



## Recommendations to UN Bodies and Mechanisms

- UN bodies and mechanisms must recognise and act in conformity with their legal obligation to respect and protect the right of all persons to communicate with the body or mechanism in all aspects of its work and should take all necessary steps to prevent, protect against, and promote accountability for any alleged acts of intimidation or reprisals.
- UN bodies and mechanisms should be explicit regarding their condemnation of intimidation and reprisals against those who seek to cooperate and cooperate with them.
- Where relevant, bodies and mechanisms should follow the developing practice of designating a reprisals focal point or rapporteur to coordinate and strengthen the prevention of reprisals as well as ensure effective follow up to allegations.
- Where States fail to adequately investigate and ensure accountability in relation to credible allegations of intimidation and reprisals, the UN should ensure an international, independent investigation into the case, including through pressure or mandates by the Secretary-General, the High Commissioner for Human Rights, the Special Procedures of the Human Rights Council and the Human Rights Council itself.
- The UN human rights bodies and mechanisms should systematically gather evidence of incidents in which citizens were deterred in any way from cooperating during country visits, including violent as well as more subtle intimidations, and should publicise these obstacles and hold States accountable.

## Recommendations to the OHCHR and UN human rights mechanisms

- Strengthen the feedback mechanisms so that those who use UN mechanisms receive prompt and adequate feedback about the progress of their case or information. Sometimes people make a substantial effort (and take risks) to provide information to the UN but can then feel like it has disappeared into a black hole. The UN mechanisms that are more systematic and rigorous about feedback are more likely to build trust and encourage further engagement.
- Recognising that many victims and defenders consider any attention paid to their plight by the UN to be potentially protective in its impact, the UN mechanisms that rely on cooperation should implement more rigorous follow-up advocacy for those at risk to ensure that this protection is real and not just imagined, at both the case level and the policy level.
- Systematically track individual and civil society engagement with the Human Rights Council, Universal Periodic Review, Special Procedures, treaty bodies, field presences, country visits and other UN modalities of contact. This data should include tracking attempts to cooperate with the UN and not limit itself to the subset of cases that UN mechanisms acted on.
- If adequate financial and human resources for an exhaustive data-gathering initiative on cooperation are not forthcoming, the ASG and OHCHR could begin by creating a partial database for the mechanisms for which gathering the data is most feasible.
- Once this data on cooperation is collated, produce a summary report each year analysing how many citizens of different countries are trying to make use of the UN system and enabling comparisons to assess whether that engagement is increasing or decreasing.
- Encourage all States to develop and implement stronger domestic policies and practices for the protection of human rights defenders and the investigation of threats and intimidation.
- Where there is no substantial UN human rights presence, other UN agencies should develop relationships with human rights defenders, help them to use UN human rights mechanisms, and offer follow-up and protection (through advocacy or other support) to those who do. When human rights monitoring is needed, the UN Country Team has an obligation to seek to fill this need, even when a country is blocking access to OHCHR.

## Recommendations to the Assistant Secretary-General in relation to operationalisation of her mandate as the senior official on reprisals

- Ensure that the position is visible and accessible to rights holders.
- Develop a public facing policy or working method so that rights holders and victims know where and how to submit information and what they can and cannot expect as a response and in terms of follow up.
- Ensure that rights holders and victims are kept regularly apprised of the status of their case – lack of transparency, information, and updates is a common feature of the various human rights communications mechanisms and procedures that needs to be addressed.
- Actively seek inputs and information on allegations of reprisals from the various UN bodies and agencies.
- Compile and maintain a publicly accessible database of cases and correspondence (with the consent of rights holders and victims), bringing greater visibility to cases and enabling follow-up by NGOs and States, including under the Item 5 General Debate at each Human Rights Council session.
- Use the interactive dialogue at the Human Rights Council called for in resolution 36/21 to ensure adequate attention to the Secretary-General's report on reprisals and to share good practices, challenges and lessons learned and effectively hold States accountable.
- The burden should be shifted away from the victims to navigate the bureaucratic reporting requirements and proactively submit information by a specific deadline. Ideally, once a case has been documented, the burden should shift to the system to follow it up until it's resolved.

## Recommendations to the Secretary-General

- Uphold the moral authority and values of the UN by speaking out strongly and consistently against attacks on defenders and restrictions on civil society space and in support of vibrant, independent civil society at the UN. Such statements are important to show solidarity with defenders and increase public awareness and support for their work.
- Ensure that all UN staff, particularly senior staff, understand and champion the legitimate and important work of human rights defenders and provide all necessary protection and support to defenders at risk.
- Recognise that the work of human rights defenders is essential to international peace and security and that widespread and systematic attacks and restrictions on defenders may undermine international peace and security.
- Ensure that the Secretary-General's report, and the presentation thereof, includes all open or unresolved cases, including those in which the State has not responded or provided any follow up information. This is crucial to addressing the current situation in which some States do not respond in the knowledge that if they remain silent long enough the case will no longer be included in the report.
- The UNSG, ASG, OHCHR and other UN actors must resist member State pressures to censor or expunge any critique from UN documents or statements. UN actors who make unacceptable compromises to avoid friction with powerful member States need to be held accountable for not upholding UN principles.
- Recognise that systematic attacks and restrictions on human rights defenders may be an early warning sign of more widespread gross and systematic violations and take steps to promote prevention when such signs arise, including by bringing such situations to the attention of the Security Council through Article of the UN Charter.
- Adopt an UN-wide policy on the participation, promotion and protection of human rights defenders.
- The report's structure should be tweaked to separate positive developments or resolved cases from negative developments because as it reads now, a State that has taken positive steps is listed alongside perpetrators.

## Recommendations to the Human Rights Council

- To more effectively prevent reprisals, the Human Rights Council as a whole and/or its President and Bureau should provide guidance that clearly outlines the steps that the Human Rights Council will take upon receipt of information about credible risks of reprisals to ensure consistency of action across different terms of the presidency and memberships of the bureau.
- When acts of intimidation, harassment and reprisals occur during or in connection with Human Rights Council sessions against individuals who are seeking to participate, or participating, in Human Rights Council sessions or events, the Human Rights Council, acting through the President, has a responsibility to investigate and publicly denounce such acts, to ensure the integrity of its processes.
- The President, in consultation with the Bureau, should continue to follow up on cases of alleged reprisals brought to their attention. This should include:
  - Investigating the allegation.
  - Where the allegation is verified and the safety of the defender will not be put at risk, sending a communication to the State concerned which (a) strongly condemns the allegations; (b) sets out what steps are required to prevent recurrence and provide an effective remedy; and (c) requests the State to report back urgently on the steps and measures taken in this regard.
  - Following up on all communications with States in this context; and
- In accordance with the Human Rights Council's mandate to perform its work in a transparent manner, keeping and making publicly available the minutes of any relevant meetings, together with letters of allegation and correspondence on cases where requested by the victim or their representatives.
- The HRC President and Bureau adopt a two-step approach, similar to that of UN Special Procedures communications, depending on the urgency of the case: Urgent Appeals are sent to States privately and then published after 48 hours in the public communication database; and Letters of allegations are sent to States privately and then published after 60 days in the public communication database.
- When appropriate, the President of the Human Rights Council and the Bureau should publicly identify and denounce specific instances of reprisals by issuing formal statements, conducting press-briefings, corresponding directly with the State concerned, and publicly releasing such correspondence with and from victims and States where requested by the victim or their representatives.
- The President of the Human Rights Council and the Bureau should also automatically submit cases brought to their attention to the Office of the Secretary-General for consideration for the annual report.
- The Human Rights Council should adopt resolutions that publicly and unambiguously identify and condemn reprisals, calling on States to uphold their human rights obligations by investigating, ensuring accountability, providing appropriate remedies and reporting back to the Human Rights Council on measures taken.

- To better ensure effective investigation and accountability, the Human Rights Council should seek information concerning actions taken by States to prevent and ensure accountability for reprisals, assess States' compliance with international human rights obligations, and call on States to take further action where they fall short of meeting those obligations.
- The Human Rights Council should require a State concerned to report back by including the discussion of its response to the risk or allegation of reprisals in Item 5 statements and in its next Universal Periodic Review report.
- The Human Rights Council should adequately monitor the very concerning pattern of attacks of a personal nature against mandate holders and Commissions of Inquiries and make clear that attacks of this kind will not be tolerated. These attacks constitute an attack on the Council itself.
- The Human Rights Council should consider strengthening the mandate of the senior official on reprisals, including by requesting more regular reporting, and that the senior official present the annual report of the SG on reprisals to the General Assembly and engage in an interactive dialogue on it.



## Recommendations to the Special Procedures

- Special Procedures should ensure full and prompt investigations of allegations of intimidation and reprisals that consider the victim's protection needs and the respective roles of different parts of the UN. This should include private and/or public discussion with the State concerned to ensure they uphold their obligations to protect against violations.
- Special Procedures should also undertake specific efforts to work with all involved stakeholders, including the State concerned, to ensure non-recurrence and remedy for reprisals. In some cases, this might require extensive engagement and follow-up for meaningful action to occur.
- Special Procedures should continue to use public communications as a critical tool in raising the political costs of reprisal for States who would otherwise not be exposed.
- Special Procedures should work with Assistant Secretary-General for Human Rights, Andrew Gilmour, in his role as senior official on reprisals, to ensure a coherent and coordinated UN-wide response to acts of intimidation and reprisal.
- Special Procedures should create and maintain a comprehensive record of all cases of intimidation and reprisals against individuals and groups cooperating with Special Procedures, update the record regularly, and ensure that relevant cases are publicly accessible.
- Special Procedures should communicate cases to the President of the Human Rights Council under Items 3 or 5, so that unresolved or outstanding cases can be discussed in the context of the General Debate under those Items.
- To allow for effective follow up on communications, including related to intimidation or reprisals, State responses should be translated and made public in a timely fashion.

# Recommendations to the Treaty Bodies

All Treaty Bodies should adopt the San José Guidelines on reprisals without further delay.

- Treaty bodies should implement the best practices identified in the Note by the secretariat on the Role of treaty body focal points or rapporteurs on reprisals including:
- Raising concerns with State party authorities through written communications and follow-up
- Using early warning and urgent action procedures where appropriate and relevant
- Raising concerns during dialogues with the State party and in concluding observations, lists of issues, lists of issues prior to reporting, and general comments
- Coordinating with other procedures
- Including information on cases of reprisals in reports to the General Assembly and the Economic and Social Council
- Using protection and interim measures where relevant and appropriate
- Undertaking awareness-raising activities
- Reminding States parties of their primary obligation to prevent or refrain from acts of reprisal in the context of State party reviews
- Making information on reprisals available to the public, including communications with States parties, guidelines or policies, press releases, or other public statements.
- Using media to highlight specific cases or generalised practices of reprisal.
- Those Treaty Bodies that have adopted the San José Guidelines should work to ensure they are fully and effectively implemented.
- The Treaty Bodies' webpage on reprisals should include information regarding cases received, communications sent to States concerned, responses received and follow-up communications, while seeking to protect the confidentiality of victims when required.
- The annual meeting of Chairpersons should review all cases of reprisals across all Treaty Bodies, assess actions taken by States and the Treaty Body concerned and coordinate on follow up to cases.
- Treaty Bodies should share the information they receive on reprisals with the Secretary-General to feed into his reports on reprisals.

## Recommendations to the Security Council

- Act in conformity with its moral obligation to respect and protect the right of all persons to communicate with it and its mandated peace operations, and should take all necessary steps to prevent, protect against, and promote accountability for any alleged acts of intimidation or reprisals.
- Be explicit regarding its condemnation of intimidation and reprisals against those who seek to cooperate and cooperate with it and its peace operations.
- Include references to civil society, human rights defenders, and the risks of intimidation and reprisals in Security Council mandates, to more systematically consider the issue across the work of the Security Council, and consider threats against defenders, including intimidation and reprisals, as early indicators of conflict and instability.
- Contribute through public statements or language in relevant documents to a positive narrative about civil society representatives, including human rights defenders and victims, and their work, including as they contribute to the attainment of peace and security, with a view to ensuring an enabling environment.
- Where relevant, address issues of reprisals and the imperative of prevention, investigation, accountability, and remedy for acts of intimidation or reprisal in resolutions, decisions and statements.
- Consider raising the issue of reprisals in consultations and briefings with a view to increasing awareness and discussion of the issue.
- Raise the issue of intimidation and reprisals in the open debate on working methods with a view to ensuring that preventing and addressing reprisals are addressed in the compendium of working methods by the Informal Working Group on Documentation and other Procedural Questions (IWG).
- Raise specific cases of intimidation or reprisals, including publicly, to increase the political cost for perpetrating States committing them.
- Include an item on reprisals in its annual report and discuss means to prevent and address intimidation and reprisals in its debates on working methods.
- Consider adopting a public policy or guidance document on preventing and addressing intimidation and reprisals.
- Document cases of reprisals to systematically record knowledge of past instances of reprisals and actions taken to address them.
- Engage with the Assistant Secretary-General on strategies to prevent and address intimidation and reprisals. Submit cases to the annual report of the Secretary-General.



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