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Rapport annuel du Haut-Commissaire des Nations Unies aux droits de l'homme et rapports du Haut-Commissariat et du Secrétaire général

Organes et mécanismes chargés des droits de l'homme

Coopération avec l'Organisation des Nations Unies, ses représentants et ses mécanismes dans le domaine des droits de l'homme

Rapport du Secrétaire général* **

Résumé

Dans le présent rapport, le Secrétaire général décrit les activités menées, les mesures prises et les bonnes pratiques appliquées dans le système des Nations Unies et ailleurs en ce qui concerne la lutte contre les actes d'intimidation et de représailles visant les personnes qui cherchent à coopérer ou ont coopéré avec l'Organisation des Nations Unies (ONU), ses représentants et ses mécanismes dans le domaine des droits de l'homme. Le rapport comprend des observations et des recommandations sur les moyens de combattre les actes d'intimidation et de représailles et de les prévenir, et des informations sur les allégations d'intimidation et de représailles reçues au cours de la période considérée, soit du 1^{er} mai 2023 au 30 avril 2024, ainsi que des renseignements sur la suite donnée aux cas mentionnés dans les rapports précédents.

* Il a été convenu que le présent rapport serait publié après la date normale de publication en raison de circonstances indépendantes de la volonté du soumetteur.

** Les annexes du présent rapport sont distribuées telles qu'elles ont été reçues, dans la langue de l'original seulement.



I. Introduction

1. Dans sa résolution 12/2, le Conseil des droits de l'homme s'est déclaré préoccupé par la persistance des signalements de cas d'intimidation et de représailles contre des particuliers et des groupes qui cherchent à coopérer ou ont coopéré avec l'ONU, ses représentants et ses mécanismes dans le domaine des droits de l'homme. Il a condamné tous les actes d'intimidation ou de représailles commis par des gouvernements et des acteurs non étatiques contre ces particuliers et groupes, et a invité le Secrétaire général à lui soumettre tous les ans un rapport sur les représailles alléguées, ainsi que des recommandations sur la manière de traiter cette question. Le présent document constitue le quinzième rapport établi en application de la résolution 12/2¹.

II. Activités menées dans le cadre de la lutte contre les actes d'intimidation et de représailles

2. Les représailles et les mesures de rétorsion dirigées contre des personnes coopérant ou ayant coopéré avec un large éventail d'entités des Nations Unies, au Siège ou sur le terrain, se sont poursuivies tout au long de la période considérée, de même que les actes d'intimidation visant à décourager toute coopération future avec ces entités ou toute participation à leurs travaux. Des cas concrets ou des tendances ont été examinés, au sein du système des Nations Unies, par le Secrétariat, notamment le Haut-Commissariat des Nations Unies aux droits de l'homme (HCDH), les bureaux extérieurs et les opérations de paix des Nations Unies, et des organes intergouvernementaux tels que l'Assemblée générale, le Conseil de sécurité, le Conseil des droits de l'homme et ses titulaires de mandat au titre des procédures spéciales, les organes créés en vertu des instruments internationaux relatifs aux droits de l'homme, et d'autres entités telles que le Mécanisme d'experts sur les droits des peuples autochtones, l'Instance permanente sur les questions autochtones et le Fonds de contributions volontaires des Nations Unies pour les victimes de la torture. L'Entité des Nations Unies pour l'égalité des sexes et l'autonomisation des femmes (ONU-Femmes) et le Conseil d'administration du Bureau international du Travail et son Comité de la liberté syndicale ont également examiné des cas concrets de représailles survenus au cours de la période.

3. La Sous-Secrétaire générale aux droits de l'homme, qui est la haute fonctionnaire de l'ONU chargée par le Secrétaire général de diriger les efforts menés à l'échelle du système pour lutter contre les actes d'intimidation et de représailles, a poursuivi sa collaboration avec les États Membres, les entités des Nations Unies, la société civile, ainsi que d'autres parties prenantes afin d'appeler l'attention sur ces tendances et cas concrets et de mettre en avant les principaux sujets de préoccupation.

4. Les actes d'intimidation et de représailles liés à la coopération avec l'ONU ont fait l'objet de plusieurs résolutions consacrées à un pays particulier et résolutions thématiques adoptées par l'Assemblée générale et le Conseil des droits de l'homme². En octobre 2023, le Conseil, dans sa résolution 54/24, a pris note avec préoccupation de la dimension de genre et des spécificités et de la gravité des actes de représailles contre les femmes, en particulier celles qui coopèrent avec le Conseil de sécurité, et du ciblage de représentants des peuples autochtones lors de leur participation aux réunions de l'ONU. Se félicitant des évolutions positives et des bonnes pratiques, il a engagé toutes les entités des Nations Unies à redoubler d'efforts pour prévenir et combattre les actes d'intimidation ou de représailles.

5. Le 17 octobre 2023, dans une déclaration transrégionale sur les représailles prononcée devant la Troisième Commission, 80 États Membres et l'Union européenne se sont dits conscients du rôle crucial que jouaient la société civile et les défenseurs et défenseuses des droits humains dans les travaux des Nations Unies et de la responsabilité centrale des

¹ Voir les rapports précédents à l'adresse <https://www.ohchr.org/en/reprisals/annual-reports-reprisals-cooperation-un>.

² Voir, par exemple, les résolutions 77/227 et 77/228 de l'Assemblée générale et les résolutions 53/26, 54/1, 54/12, 54/20, 54/23 et 55/27 du Conseil des droits de l'homme.

Nations Unies dans la lutte contre les représailles et ont exprimé leurs préoccupations concernant les tendances mondiales recensées par le Secrétaire général³.

6. La présidence du Conseil des droits de l'homme a reçu des allégations d'intimidation et de représailles concernant cinq États, dont deux étaient membres du Conseil au moment des faits allégués. Les présidents successifs du Conseil ont maintenu la pratique consistant à examiner les allégations avec les représentants permanents des pays concernés.

7. Au cours de la période considérée, des États Membres se sont déclarés préoccupés par les actes de représailles visant des défenseurs et défenseuses des droits humains et des acteurs de la société civile signalés dans le cadre de l'Examen périodique universel, aux cinquante-quatrième et cinquante-cinquième sessions du Conseil des droits de l'homme.

8. Les titulaires de mandat au titre des procédures spéciales du Conseil des droits de l'homme ont continué à consacrer des communications, des déclarations et des rapports aux allégations d'actes d'intimidation et de représailles visant des personnes qui avaient coopéré avec eux et avec le système des Nations Unies dans son ensemble⁴. Le présent rapport contient de nouvelles allégations tirées de sept communications relatives à sept États (voir l'annexe I)⁵, ainsi que des informations portant sur la législation et sur la suite donnée à des cas concernant cinq États (voir l'annexe II)⁶. Les titulaires de mandat ont fait part des préoccupations que suscitaient les actes de représailles visant des personnes qui avaient coopéré avec l'ONU dans sept rapports⁷ et deux déclarations orales⁸ au Conseil des droits de l'homme, ainsi que dans deux rapports à l'Assemblée générale⁹. Ils ont également abordé cette question dans quatre déclarations publiques faites en relation avec des visites de pays¹⁰ et dans quatre communiqués de presse concernant quatre pays¹¹.

9. Le Comité des disparitions forcées, le Comité pour l'élimination de la discrimination raciale, le Comité pour l'élimination de la discrimination à l'égard des femmes et le Sous-Comité pour la prévention de la torture et autres peines ou traitements cruels, inhumains ou dégradants ont examiné des allégations de représailles. Le Comité contre la torture a mis en place des mesures de prévention ou de protection après que des acteurs de la société civile avaient fait part de leur crainte de subir des représailles en raison de leur coopération avec le Comité. Face aux allégations de risque de représailles, cinq organes conventionnels ont accepté de demander, à l'issue de l'enregistrement de communications émanant de

³ Voir <https://www.ireland.ie/en/un/newyork/news-and-speeches/news-archive/our-joint-statement-on-reprisals/> et <https://press.un.org/en/2022/gashc4355.doc.htm>.

⁴ A/HRC/55/69, par. 70 et 71.

⁵ Algérie, Chine, Égypte, Fédération de Russie, France, Philippines et Turkménistan. Voir les communications DZA 5/2023, CHN 5/2024, EGY 1/2024, FRA 1/2024, PHL 4/2023, RUS 3/2024 et TKM 1/2023. Toutes les communications mentionnées dans le présent rapport peuvent être consultées à l'adresse <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

⁶ Bahreïn, Émirats arabes unis, Iran (République islamique d'), Libye et République démocratique populaire lao. Voir les communications BHR 3/2023, IRN 12/2023, IRN 7/2024, LAO 3/2023, LBY 3/2023 et ARE 1/2024.

⁷ A/HRC/53/53, par. 19 ; A/HRC/53/38/Add.4, par. 63 ; A/HRC/54/51, par. 24 ; A/HRC/54/51/Add.2, par. 58 et 59 ; A/HRC/54/54, par. 111 et 112 ; A/HRC/55/50/Add.1, par. 98 et 101 ; A/HRC/55/69, par. 70 et 71.

⁸ Voir <https://webtv.un.org/en/asset/k11/k11sol9553> et <https://webtv.un.org/en/asset/k19/k19cghiu85>.

⁹ A/78/131, par. 102, 105 et 106 ; A/78/262, par. 22.

¹⁰ Voir <https://www.ohchr.org/sites/default/files/documents/issues/association/statements/20230926-EOM-SR-FOAA-Algeria-en.pdf>, <https://www.ohchr.org/sites/default/files/documents/issues/defenders/statements/20231205-eom-algeria-sr-defenders-en.pdf>, <https://www.ohchr.org/en/press-releases/2023/12/algeria-continued-restrictions-human-rights-defenders-undermine-social>, et <https://www.ohchr.org/en/media-advisories/2023/10/south-sudan-visit-un-expert-postponed>.

¹¹ Voir <https://www.ohchr.org/en/press-releases/2023/07/belarus-human-rights-situation-still-catastrophic-un-expert-says>, <https://www.ohchr.org/en/press-releases/2023/07/bangladesh-must-end-harassment-human-rights-defenders-un-experts>, <https://www.ohchr.org/en/press-releases/2024/03/china-un-experts-renew-calls-accountability-cao-shunlis-death>, et <https://www.ohchr.org/en/press-releases/2023/12/uae-un-expert-denounces-new-charges-brought-against-jailed-human-rights>.

particuliers, que des mesures provisoires soient prises ou ont renouvelé des demandes précédemment formulées en ce sens¹².

10. Dans le rapport qu'il a soumis en 2023 à l'Assemblée générale, le Fonds de contributions volontaires des Nations Unies pour les victimes de la torture a indiqué que ses bénéficiaires étaient de plus en plus exposés à des risques, notamment celui de subir des représailles, du fait de leur collaboration avec les mécanismes de l'ONU relatifs aux droits de l'homme, y compris le Fonds¹³.

11. ONU-Femmes a envoyé une enquête à 45 représentantes de la société civile qui étaient intervenues devant le Conseil de sécurité en 2023. Vingt-trois ont répondu, dont 5 ont déclaré qu'elles avaient subi des représailles liées à leur intervention. Dans son rapport de 2024 sur les violences sexuelles liées aux conflits, le Secrétaire général a recommandé au Conseil de sécurité de renforcer les mesures prises pour protéger les femmes invitées à lui faire des exposés¹⁴.

12. Dans son rapport de 2023 à l'Assemblée générale, la Rapporteuse spéciale sur la situation des défenseurs et défenseuses des droits humains a noté avec préoccupation que la hausse de la participation des femmes aux processus de paix, en particulier au niveau mondial, avait entraîné une augmentation des risques auxquels elles étaient confrontées et des attaques qu'elles subissaient, en particulier en ligne¹⁵.

13. La Banque mondiale a continué de s'employer à suivre les allégations crédibles de représailles dans le contexte des projets qu'elle soutient et à réagir à ces allégations. En juin 2024, le Panel d'inspection avait été saisi de 170 demandes d'inspection, correspondant à 147 affaires, dont 60 (41 %) concernaient des allégations de représailles, 72 (49 %) des demandes de traitement confidentiel et 46 (31 %) des allégations de représailles et des demandes de traitement confidentiel, ce qui fait apparaître une augmentation des allégations de représailles et des demandes de traitement confidentiel et confirme la tendance à la hausse observée ces dernières années, qui ressort également du rapport de décembre 2021 du Panel d'inspection sur les cas de représailles¹⁶.

III. Mesures prises et bonnes pratiques

14. En mars 2024, la Sous-Secrétaire générale aux droits de l'homme a adressé aux États Membres un questionnaire sur les bonnes pratiques en matière de prévention et de lutte contre les représailles liées à une coopération avec l'ONU. Dans le domaine de la prévention, deux États Membres ont indiqué que leur cadre juridique était ancré dans les droits de l'homme, et l'un d'eux a indiqué que sa législation pénale contenait des dispositions particulières visant à assurer la protection des journalistes contre les menaces et les agressions. Le même État Membre a indiqué qu'il avait adopté une stratégie pluriannuelle visant à garantir à la société civile un environnement favorable, et le plan de mise en œuvre correspondant, qui prévoyait notamment la tenue de consultations avec la société civile au sujet des menaces et des attaques dont ses membres faisaient l'objet en raison de leur action en faveur des droits de l'homme, l'accent étant mis sur la prévention. Il a également indiqué qu'il avait récemment décidé d'établir un conseil, composé de représentants de la société civile et de l'État, qui serait chargé de mettre en place un environnement favorable et de servir de forum de participation et de concertation.

15. Les États Membres ont également décrit les bonnes pratiques favorisant la coopération de la société civile avec l'ONU. Un État Membre a indiqué qu'il encourageait les visites officielles des titulaires de mandat au titre des procédures spéciales et un autre qu'il accueillait des entités, fonds et programmes des Nations Unies. Un État Membre a indiqué qu'il coopérait avec la société civile au suivi de l'application des recommandations formulées

¹² HRI/MC/2024/2, par. 23, 24 et 44.

¹³ A/HRC/55/32, par. 23.

¹⁴ S/2024/292, par. 93 e).

¹⁵ A/78/131, par. 6, 105 c) et 106 g), h) et i).

¹⁶ Voir https://www.inspectionpanel.org/sites/default/files/publications/Emerging-Lessons-Series-07-Intimidation-and-reprisals-in-IPN-Cases-Dec2021_0.pdf.

par les mécanismes des Nations Unies relatifs aux droits de l'homme. Un autre a indiqué que ses forces armées avaient adopté des politiques et établi des lignes directrices qui interdisaient expressément les représailles contre les particuliers ou les groupes qui coopéraient avec l'ONU.

16. Un État Membre a indiqué que pour répondre aux préoccupations en matière de sécurité, il était préférable de prendre des mesures d'atténuation des risques plutôt que d'empêcher les représentants de la société civile menacés de représailles de participer aux réunions de l'ONU. Il a donné l'exemple d'une réunion de haut niveau qu'il avait coorganisée, indiquant que des consultations informelles avaient été organisées avec les parties prenantes afin d'évaluer les risques liés à leur participation, d'informer pleinement les personnes qui souhaitaient participer de la nature de leur participation et de recueillir leur consentement. Le même État Membre a indiqué que les intervenants appartenant à la société civile recevaient, dans le cadre d'une réunion parallèle, une formation leur expliquant comment signaler des actes d'intimidation ou de représailles subis pendant ou après leur coopération avec l'ONU.

17. Plusieurs États membres ont mis en place des programmes de protection de la société civile dont peuvent également bénéficier les personnes menacées pour avoir coopéré avec l'ONU. Cinq États membres coopèrent avec la Rapporteuse spéciale sur la situation des défenseurs et défenseuses des droits humains afin de faciliter l'octroi de visas temporaires aux défenseurs et défenseuses en danger. En outre, deux États Membres ont récemment mis en place une procédure spéciale pour permettre aux défenseurs et défenseuses des droits humains en danger d'obtenir des visas et huit ont élaboré des programmes complets pour accueillir les défenseurs et défenseuses des droits humains en danger pendant des périodes spécifiques¹⁷. Un autre État Membre a mis en place un programme spécial offrant un abri sûr et une résidence permanente à des défenseurs et défenseuses des droits humains fuyant des persécutions dans leur propre pays ; chaque année jusqu'à 250 défenseurs et leur famille bénéficient de ce programme¹⁸.

18. Dans le contexte de l'élection des membres du Conseil des droits de l'homme pour le mandat 2023-2025, deux États Membres candidats se sont engagés de leur propre chef à soutenir les initiatives visant à prévenir et à combattre les actes de représailles contre les acteurs de la société civile qui coopèrent avec l'ONU ainsi que les mesures tendant à renforcer la participation des organisations de la société civile aux travaux du Conseil¹⁹.

19. Dans sa résolution de 2023 sur la coopération avec l'Organisation des Nations Unies, ses représentants et ses mécanismes dans le domaine des droits de l'homme, le Conseil des droits de l'homme s'est félicité des bonnes pratiques adoptées par les États membres et l'ONU pour prévenir et combattre les actes d'intimidation et les représailles²⁰. En particulier, le Conseil s'est félicité de la nomination de coordonnateurs au sein de plusieurs entités des Nations Unies et de l'adoption de protocoles ou de directives concernant les représailles qui prévoyaient une répartition claire des responsabilités et des processus graduels visant à établir la réalité des allégations ou à les vérifier et à déclencher une réaction adaptée, à partir d'un ensemble d'outils prévisibles, et qui offraient la souplesse et la créativité nécessaires pour réagir au cas par cas. Il s'est aussi félicité de l'accent mis sur la prévention fondée sur une politique de tolérance zéro à l'égard des actes de représailles, sur des messages clairs de la direction des entités des Nations Unies et sur la sensibilisation du personnel de l'Organisation, des États Membres et des interlocuteurs concernés de la société civile. Le Conseil a souligné qu'il importait de diffuser et de mettre à profit les bonnes pratiques appliquées pour prévenir et combattre les actes de représailles contre les personnes qui coopèrent avec l'Organisation.

20. Ayant reçu des informations indiquant une augmentation des menaces et des actes d'intimidation et de représailles contre les représentants de peuples autochtones qui participaient aux sessions de l'Instance permanente sur les questions autochtones, le Service

¹⁷ Voir <https://fra.europa.eu/en/publication/2023/human-rights-defenders>, p. 43.

¹⁸ Voir <https://www.canada.ca/en/immigration-refugees-citizenship/news/2021/07/providing-protection-to-human-rights-defenders-at-risk.html>.

¹⁹ Voir A/78/66 et A/78/94.

²⁰ Résolution 54/24 du Conseil des droits de l'homme.

des peuples autochtones et du développement – Secrétariat de l'Instance permanente sur les questions autochtones de la Division du développement social inclusif du Département des affaires économiques et sociales et le Haut-Commissariat des Nations Unies aux droits de l'homme (HCDH) ont mis en place un système de recensement, de signalement et de traitement des allégations ainsi qu'un cadre de suivi. Le système a été mis en place en 2024 à la vingt-troisième session de l'Instance. Une déclaration de tolérance zéro à l'égard des représailles a été publiée sur le site Web de l'Instance permanente, accompagnée des adresses électroniques via lesquelles de tels faits peuvent être signalés.

21. Le premier jour de la session, le Président de l'Instance permanente a prononcé une déclaration dans laquelle il a condamné tout acte d'intimidation ou de représailles commis contre des représentants des peuples autochtones en raison de leur participation aux travaux de l'Instance et a communiqué des informations sur le nouveau système de signalement. Préoccupée par les mesures d'intimidation employées contre des dirigeants autochtones et des défenseurs autochtones des droits humains qui avaient participé à sa session de 2024, l'Instance permanente a indiqué qu'elle affinerait ses procédures pour suivre les cas de représailles à l'égard des participantes et participants et y remédier²¹.

22. Sur recommandation du Conseil d'administration du Fonds de contributions volontaires des Nations Unies pour les peuples autochtones, le secrétariat du HCDH a élaboré un protocole sur l'intimidation et les représailles contre les bénéficiaires du Fonds. Le protocole contient des orientations destinées à aider le personnel du secrétariat à collaborer étroitement avec les bénéficiaires afin de recenser, prévenir et combattre les actes d'intimidation et de représailles résultant de leur coopération avec l'ONU par l'intermédiaire du programme du Fonds. Parmi les mesures prises, le HCDH aide les futurs bénéficiaires à évaluer les risques qu'ils fassent l'objet d'actes d'intimidation et de représailles pour leur coopération avec l'ONU, notamment les risques et possibilités liés au partage d'informations sur les médias sociaux au sujet de leur participation au programme du Fonds. Dans le cadre de la formation préparatoire des bénéficiaires, le HCDH a également conçu un module consacré à la question de l'intimidation et des représailles, comprenant un exercice de cartographie des risques liés à la participation au programme du Fonds et une réflexion sur de possibles stratégies d'atténuation.

23. Des représentants de peuples autochtones ayant subi des actes d'intimidation et de représailles pour leur participation à de précédentes sessions du Mécanisme d'experts sur les droits des peuples autochtones, celui-ci a exhorté le Conseil des droits de l'homme à demander aux États de se comporter avec intégrité et respect envers tous les participants qui assistaient ou étaient associés à une de ses réunions et de garantir qu'ils observeraient les normes éthiques et professionnelles les plus élevées. Le Mécanisme d'experts a également exhorté le Conseil à réaffirmer fermement que tout acte de harcèlement et de représailles contre les participants était inadmissible et qu'il y serait répondu rapidement²². En 2023, le secrétariat du Mécanisme d'experts a élaboré une note d'orientation interne relative au recensement des allégations d'intimidation et de représailles et à la détermination des mesures de suivi à adopter.

24. Au douzième Forum sur les entreprises et les droits de l'homme, le Groupe de travail sur la question des droits de l'homme et des sociétés transnationales et autres entreprises et le HCDH ont mis à l'essai un système visant à renforcer l'action menée par le Forum contre les représailles, en mettant l'accent sur la prévention. Dans sa déclaration d'ouverture, la Présidente du Groupe de travail a souligné que le Forum devait rester un espace sûr et inclusif qui permette un dialogue constructif entre toutes les parties prenantes, sans discrimination ni intimidation²³. Le Forum a publié une note d'information contenant un message de tolérance zéro à l'égard des représailles et expliquant comment signaler des faits, tandis que le HCDH a sensibilisé le Forum à cette question et a également examiné celle-ci avec des représentants des États, des entreprises et de la société civile, y compris des représentants des peuples autochtones. Le HCDH a également recensé des mesures d'atténuation des risques à adopter pour répondre aux besoins de protection particuliers de certains participants et a mis en place

²¹ E/2024/43-E/C.19/2024/8, par. 64 et 89.

²² A/HRC/54/64, par. 27 et 28.

²³ Voir <https://webtv.un.org/en/asset/k1u/k1uniy7i13> (2:07:21).

un système pour recevoir, traiter et documenter les allégations, comprenant la désignation de coordonnateurs au sein du Groupe de travail et du secrétariat du HCDH et la coordination avec les bureaux régionaux et de pays du HCDH.

25. Le 8 novembre 2023, la Division des affaires du Conseil de sécurité du Département des affaires politiques et de la consolidation de la paix et le HCDH ont tenu une session conjointe sur la participation et les intervenants de la société civile participant aux réunions du Conseil de sécurité dans le cadre du programme d'initiation des nouveaux membres du Conseil. Il y a été question du cadre de la participation de la société civile aux réunions du Conseil de sécurité, des possibilités et des risques de subir des actes d'intimidation et de représailles, et des bonnes pratiques permettant aux membres du Conseil d'appuyer la coopération de la société civile avec le Conseil.

26. Afin de renforcer l'information sur les représailles et l'action des organes conventionnels sur cette question, la page Web du HCDH consacrée aux actes d'intimidation et de représailles liés à la coopération avec les organes conventionnels et la liste des rapporteurs et des coordonnateurs des organes conventionnels ont été mises à jour²⁴. En outre, le cours d'introduction organisé en février 2024 à l'intention des nouveaux membres des organes conventionnels a inclus une réunion sur la mise en application des Principes directeurs relatifs à la lutte contre l'intimidation ou les représailles²⁵.

27. En préparation d'événements majeurs devant réunir des jeunes, tels que le forum de la jeunesse du Conseil économique et social, le Bureau des Nations Unies pour la jeunesse a fait la promotion de son module de formation en ligne adapté aux jeunes sur la coopération en toute sécurité avec l'ONU, qui traite de l'abus d'autorité, de la discrimination, du harcèlement, y compris le harcèlement sexuel, ainsi que de l'exploitation et des atteintes sexuelles. Le Bureau pour la jeunesse, en collaboration avec le HCDH, fournit également un soutien technique et des conseils aux entités compétentes des Nations Unies lorsque des jeunes qui participent à des événements organisés par l'ONU sont victimes de représailles ou d'actes d'intimidation.

28. Conscients des problèmes de protection que peut engendrer la présentation d'exposés au Conseil de sécurité, le Département des affaires politiques et de la consolidation de la paix, le Fonds des Nations Unies pour la population, le Bureau des Nations Unies pour la jeunesse et le HCDH s'emploient à élaborer des orientations internes pour soutenir et garantir une participation véritable et en toute sécurité des jeunes appelés à présenter des exposés au Conseil de sécurité²⁶.

29. Le Service des droits de l'homme de la Mission d'assistance des Nations Unies en Afghanistan (MANUA) s'est appuyé sur les bonnes pratiques élaborées par la Mission d'assistance des Nations Unies pour l'Iraq (MANUI) pour mener des actions de sensibilisation aux questions de la sécurité numérique et de la protection contre les attaques en ligne, y compris les actes de représailles liés à la coopération avec l'ONU. La MANUA s'est associée à ONU-Femmes pour adapter la publication intitulée *Online Protection and Digital Security: User Guide for Human Rights Defenders* (Protection en ligne et sécurité numérique : guide à l'intention des défenseurs des droits humains), produite à l'origine par la MANUI. Le guide a été adapté au contexte afghan et traduit en dari et en pachto. Il a été publié en mars 2024 et est en cours de déploiement dans le cadre de sessions de formation destinées aux femmes défenseuses des droits humains.

30. Le Rapporteur spécial sur les défenseurs et défenseuses de l'environnement, dont le mandat a été créé en vertu de la Convention sur l'accès à l'information, la participation du public au processus décisionnel et l'accès à la justice en matière d'environnement (Convention d'Aarhus), a continué de surveiller de près les cas de représailles liées à la coopération avec le titulaire du mandat et a adopté pour pratique d'aborder la question des représailles dans des lettres d'allégations qu'il adresse aux États parties ou aux entreprises concernés. Durant la période considérée, le Rapporteur spécial a organisé plusieurs

²⁴ Voir <https://www.ohchr.org/en/treaty-bodies/preventing-and-addressing-acts-intimidation-and-reprisal-cooperation-treaty-bodies>.

²⁵ HRI/MC/2024/2, par. 19 et 21.

²⁶ S/2024/207, par. 25.

consultations régionales avec des défenseurs de l'environnement des États parties à la Convention d'Aarhus afin d'identifier les tendances de la répression qu'ils subissent et de leur faire mieux connaître le mandat et la protection qu'il peut offrir, notamment en ce qui concerne les représailles liées à la coopération avec le titulaire du mandat.

IV. Garantir l'accès à l'Organisation des Nations Unies, à ses représentants et à ses mécanismes dans le domaine des droits de l'homme

31. Les obstacles auxquels se heurtent les particuliers et les organisations pour se faire entendre dans le cadre de l'ONU ont été décrits dans de précédents rapports²⁷. Des informations sur les manœuvres utilisées par des représentants de certains États Membres dans le but de bloquer ou de retarder l'accréditation de représentants de la société civile ont de nouveau été reçues pendant la période considérée. Des manœuvres employées par des représentants de certains États Membres dans le but d'empêcher, d'interrompre ou de discréditer les interventions des représentants de la société civile lors des réunions de l'ONU ont également été documentées, ainsi que des mesures d'intimidation ou des actes de harcèlement commis dans l'enceinte de l'ONU, y compris au siège, en particulier contre des représentants des peuples autochtones, qui ont dit craindre d'aller ouvertement rencontrer des fonctionnaires de l'ONU ou des experts indépendants dans les locaux de l'Organisation. Des représentants de la société civile ont dit avoir été photographiés ou enregistrés sans leur consentement, avoir reçu des menaces ou avoir été l'objet de remarques visant à les intimider de la part de représentants de gouvernements avant, pendant ou après leur participation à des réunions tenues dans le cadre de l'ONU.

32. Des responsables d'opérations de paix des Nations Unies²⁸ ont signalé que des particuliers et des communautés qui cherchaient à les contacter et à coopérer avec eux, notamment pour leur transmettre des informations, s'étaient heurtés à différents obstacles. Dans ses résolutions, le Conseil de sécurité a continué d'exhorter les États Membres et toutes les parties à faire en sorte que les opérations de paix et le personnel associé ainsi que les mécanismes d'experts bénéficient d'un accès complet et sans entrave et d'une totale liberté de circulation²⁹.

33. Les mesures prises pour renforcer les moyens mis à la disposition du Comité chargé des organisations non gouvernementales du Conseil économique et social ont été maintenues, compte tenu de l'augmentation du nombre d'organisations non gouvernementales (ONG) dotées du statut consultatif auprès du Conseil, et du nombre d'ONG demandant à bénéficier de ce statut. Le Comité a reçu 508 nouvelles demandes de statut à sa session ordinaire de 2024 et 476 demandes à la reprise de sa session. Il a recommandé au Conseil économique et social d'accorder le statut consultatif à 132 organisations à sa session ordinaire et a décidé de renvoyer à plus tard l'examen de 344 demandes. À la reprise de sa session, il a recommandé au Conseil d'accorder le statut consultatif à 103 organisations et a décidé de renvoyer à d'autres sessions l'examen de 323 demandes.

34. À la reprise de la session de 2024 du Comité chargé des organisations non gouvernementales, plusieurs États Membres ont souligné le rôle que le Comité jouait en tant que principal organisme spécialisé des Nations Unies chargé d'examiner les demandes d'octroi du statut consultatif soumises par des ONG et en tant que point d'accès important pour les ONG qui souhaitaient collaborer avec l'ONU et contribuer à ses travaux. Il a été reconnu que les ONG apportaient des contributions d'une grande richesse aux travaux de l'ONU. Les membres du Comité sont convenus de recommander au Conseil économique et social d'adopter un projet de décision sur les méthodes de travail du Comité.

²⁷ A/HRC/42/30, A/HRC/45/36, A/HRC/48/28, A/HRC/51/47 et A/HRC/54/61.

²⁸ Dans ce contexte, le terme « opérations de paix » désigne aussi bien les opérations de maintien de la paix que les missions politiques spéciales.

²⁹ Voir les résolutions suivantes du Conseil de sécurité : 2705 (2023) (Somalie) ; 2709 (2023) (République centrafricaine) ; 2717 (2023) (République démocratique du Congo) ; 2726 (2024) (Soudan du Sud) ; 2727 (2024) (Afghanistan).

35. Pour que le Comité chargé des organisations non gouvernementales fonctionne de manière efficace, davantage d'organisations de la société civile doivent participer à ses travaux, notamment au moyen d'une collaboration à distance, chaque fois que cela est possible. Le Secrétaire général invite de nouveau le Comité à appliquer les critères d'évaluation des organisations de manière équitable et transparente. Comme cela a été souligné précédemment, le report constant de l'examen de demandes de statut consultatif constituait parfois un rejet de fait, en particulier dans le cas d'organisations s'occupant de questions relatives aux droits de l'homme³⁰.

V. Informations reçues sur les cas d'intimidation ou de représailles liés à une coopération avec l'Organisation des Nations Unies, ses représentants et ses mécanismes dans le domaine des droits de l'homme

A. Remarque d'ordre général

36. Le présent rapport rend compte de cas au sujet desquels des informations ont été réunies du 1^{er} mai 2023 au 30 avril 2024 en application des résolutions 12/2 et 24/24 du Conseil des droits de l'homme, et contient des renseignements sur des actes d'intimidation ou de représailles commis contre des particuliers et des groupes visés par la résolution 12/2 du Conseil.

37. Les informations reçues ont été vérifiées et croisées avec des sources primaires et autres, dans la mesure du possible. Les affaires qui ont été rendues publiques sont accompagnées de renvois aux publications pertinentes des Nations Unies. Les réponses fournies par les États, y compris sur les mesures concrètes qui ont été prises, ont été résumées³¹.

38. Le présent rapport et ses annexes ne contiennent pas de liste complète des cas signalés. Ils ont été élaborés dans le strict respect du principe « ne pas nuire » et sous réserve que les victimes présumées aient accepté que leur nom soit divulgué. En conséquence, l'anonymat des personnes concernées a été préservé et il a été décidé de ne pas faire mention de certains cas lorsque le risque pour la sécurité des intéressés ou des membres de leur famille était considéré comme trop élevé. De plus, nombre de cas portés à l'attention du Secrétaire général ont été traités de manière confidentielle.

39. Comme dans les rapports précédents, compte tenu de la limite du nombre de mots à respecter, l'annexe I contient des renseignements complémentaires sur les nouveaux cas ou les nouvelles situations signalés pendant la période considérée dont un résumé est fourni dans le présent rapport, ainsi que les réponses des États concernés aux notes verbales qui leur ont été adressées à ce propos. L'annexe II contient des renseignements sur les faits nouveaux survenus pendant la période considérée qui ont trait aux affaires ou aux situations dont il a été question dans les rapports précédents et qui sont décrites dans le rapport principal, ainsi que sur les réponses reçues des États concernés. Le présent rapport contient des renvois aux communications des titulaires de mandat au titre des procédures spéciales ainsi qu'aux réponses des États à ces communications, qui peuvent être consultées sur la page de recherche des communications soumises aux procédures spéciales³².

³⁰ A/HRC/38/18, par. 20 ; A/HRC/39/41, par. 23 ; A/HRC/42/30, par. 31 ; A/HRC/45/36, par. 37 ; A/HRC/48/28, par. 35 ; A/HRC/51/47, par. 28 ; A/HRC/54/61, par. 35.

³¹ Les réponses fournies par les États dans les délais impartis figurent dans le rapport.

³² Voir <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

B. Résumé des cas signalés

Afghanistan

40. La MANUA a recensé des cas de représailles visant des femmes, un militant de la société civile et des professionnels des médias qui avaient coopéré avec l'ONU, y compris des cas de détention arbitraire par des autorités de facto. Le nom des intéressés et d'autres détails les concernant ne sont pas divulgués afin d'éviter que ces personnes ne fassent de nouveau l'objet de représailles.

41. En plus des risques auxquels sont exposées les personnes qui coopèrent avec l'ONU dans le pays, certaines femmes afghanes qui ont pris la parole dans le cadre d'événements organisés par l'ONU à l'extérieur du pays ont reçu des menaces, y compris en ligne, les concernant directement ou visant des proches en raison de leur coopération avec l'ONU (voir l'annexe I).

Algérie

42. Mustapha Bendjamaa, journaliste et représentant de la Ligue algérienne des droits de l'homme, a fait l'objet de poursuites pénales liées à sa coopération avec le HCDH lors de la mission de coopération technique menée par le Haut-Commissariat en Algérie en novembre 2022.

43. Des titulaires de mandat au titre des procédures spéciales ont examiné les allégations selon lesquelles Ahmed Manseri aurait été détenu arbitrairement et Malik Riahi, Qasim Saeed et Chahrazad Ben Fryawa auraient fait l'objet d'actes d'intimidation et d'une surveillance à la suite des entretiens qu'ils avaient eus avec le Rapporteur spécial sur les droits à la liberté de réunion pacifique et à la liberté d'association durant sa visite officielle en Algérie en septembre 2023³³.

44. L'annexe II contient des informations sur l'évolution de la situation de Jamila Loukil et de Kaddour Chouicha.

45. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

Andorre

46. L'annexe II rend compte de l'évolution de la situation de Vanessa Mendoza Cortés.

Bahreïn

47. L'annexe II rend compte de l'évolution de la situation d'Abdulhadi Al-Khawaja, d'Abduljalil Al-Singace, de Sayed Ahmed Al-Wadaei, de Sayed Nazar Naama Baqquer Ali Yusuf Alwadaei et d'Hassan Mushaima.

Bangladesh

48. Entre novembre et décembre 2023, 38 défenseurs des droits de l'homme, militants politiques et professionnels des médias auraient reçu des appels menaçants de la part d'agences de sécurité après qu'ils avaient coopéré avec des représentants de l'ONU.

49. Durant la période qui a précédé les élections nationales de janvier 2024, en raison d'un risque de représailles accru, des acteurs de la société civile ont cessé d'échanger ouvertement avec l'ONU, se sont autocensurés ou ont refusé d'assister à des réunions avec des représentants de l'ONU. Le nom des intéressés et d'autres détails les concernant ne sont pas divulgués afin d'éviter que ces personnes ne fassent l'objet de représailles pour avoir coopéré avec l'ONU.

³³ Voir la communication DZA 5/2023 et la réponse du Gouvernement, à consulter à l'adresse <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=38101>.

50. L'annexe II rend compte de l'évolution de la situation de Sanjida Islam Tulee et d'autres membres de Maayer Daak, ainsi que de la situation d'Odhikar et de ses membres, Adilur Rahman Khan et Nasiruddin El.

Bélarus

51. L'annexe II rend compte de l'évolution de la situation d'Aliaksandr Yarashuk. Elle rend compte également de l'évolution de la situation de l'ONG Viasna (Centre pour les droits de l'homme).

52. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

Burundi

53. L'annexe II rend compte de l'évolution de la situation d'Armel Niyongere, de Dieudonné Bashirahishize, de Vital Nshimirimana et de Lambert Nigaru.

Cameroun

54. L'annexe II rend compte de l'évolution de la situation de Jan Joris Capelle, de Prince Vincent Awazi et d'Elvis Brown Luma Mukuna.

55. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

République centrafricaine

56. La Division des droits de l'homme de la Mission multidimensionnelle intégrée des Nations Unies pour la stabilisation en République centrafricaine (MINUSCA) a recueilli des informations selon lesquelles des défenseurs des droits de l'homme et des membres de la population auraient été menacés par les forces de sécurité nationales, des groupes armés non étatiques et d'autres personnels de sécurité en raison de leur coopération avec la MINUSCA. Le nom des intéressés et d'autres détails les concernant ne sont pas divulgués afin d'éviter que ces personnes ne fassent de nouveau l'objet de représailles.

Chine

57. Dans l'avis qu'il a rendu au sujet de la détention de Hang Tuan Chow, le Groupe de travail sur la détention arbitraire a fait référence à la réponse du Gouvernement de Hong Kong (Chine) et en particulier à la déclaration dans laquelle celui-ci indiquait que la procédure engagée contre M^{me} Chow était en cours et que, par conséquent, toute ingérence dans son affaire relèverait du principe de la litispendance et que, en vertu de la common law, la publication de déclarations ou l'exécution d'actes visant à interférer avec la bonne administration de la justice ou à y faire obstacle pouvait constituer une atteinte pénale à l'autorité de la justice³⁴. Selon les informations reçues par le HCDH, il y a lieu de craindre que la communication soumise par la source au Groupe de travail soit passible de poursuites pénales et constitue une atteinte pénale à l'autorité de la justice, comme le suggérait la réponse du Gouvernement.

58. Dans ses observations finales concernant le neuvième rapport périodique de la Chine, le Comité pour l'élimination de la discrimination à l'égard des femmes a fait une recommandation sur la question des représailles. Dans le cadre du quatrième Examen périodique universel concernant la Chine, deux États membres ont formulé des recommandations sur la question des représailles liées à la coopération avec l'ONU.

59. L'annexe II rend compte de l'évolution de la situation de deux membres de l'équipe juridique internationale soutenant Jimmi Lai et son fils Sebastian Lai, de Li Qiaochu, de Li Yuhuan, de Xu Yan, de Yu Wensheng, de Cao Shunli, de Chen Jianfang, de Wang Yu, de Li Wenzu, de Wang Quanzhang, de Wang Qiaoling, de Li Heping et de Jiang Tianyong.

³⁴ A/HRC/WGAD/2023/30, par. 59.

60. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

Colombie

61. Une autochtone défenseuse des droits humains et ses proches parents ont fait l'objet, de la part d'un groupe armé non étatique présumé, de menaces qui seraient liées à sa participation à la présession de l'Examen périodique universel concernant la Colombie en août 2023. Elle a dû déménager temporairement à des fins de protection. Le nom des intéressés et d'autres détails les concernant ne sont pas divulgués afin d'éviter que ces personnes ne fassent de nouveau l'objet de représailles.

62. L'annexe II rend compte de l'évolution de la situation de Wilmer Orlando Anteliz Gonzalez.

63. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

République démocratique du Congo

64. La Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo (MONUSCO) a recueilli des informations concernant plusieurs cas de représailles contre des personnes qui avaient coopéré avec elle, notamment des cas de menaces de mort, des arrestations et des détentions, des disparitions et des meurtres. Le nom des intéressés et d'autres détails les concernant ne sont pas divulgués afin d'éviter que ces personnes ne fassent de nouveau l'objet de représailles.

65. L'annexe II rend compte de l'évolution de la situation de deux membres de la société civile basés dans la province du Nord-Kivu.

66. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

Égypte

67. Des titulaires de mandat au titre des procédures spéciales ont examiné les allégations selon lesquelles Mahmoud Mohamed Abdelmajeed et Mohamed Issa Rajeh auraient fait l'objet d'accusations de terrorisme et de mandats d'arrêt pour avoir aidé des victimes de violations des droits de l'homme à se prévaloir des procédures mises en place sous les auspices de l'ONU pour protéger les droits de l'homme³⁵.

68. L'annexe II rend compte de l'évolution de la situation d'Ahmed Shawky Abdelsattar Mohamed Amasha, d'Ebrahim Abdelmonem Metwally Hegazy, de Mohamed El-Baqer et de l'ONG Institut du Caire pour les études des droits de l'homme.

France

69. Des titulaires de mandat au titre des procédures spéciales ont examiné les allégations selon lesquelles des acteurs de la société civile auraient fait l'objet de mesures d'intimidation et de pressions dans le contexte de la visite universitaire du Rapporteur spécial sur les droits de l'homme à l'eau potable et à l'assainissement en Guadeloupe en novembre 2023. Le nom des intéressés et d'autres détails les concernant ne sont pas divulgués afin d'éviter que ces personnes ne fassent de nouveau l'objet de représailles.

70. L'annexe II rend compte de l'évolution de la situation d'Assa Traoré.

71. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

³⁵ Voir la communication EGY 1/2024.

Guatemala

72. De nombreux acteurs de l'ONU ont exprimé leur inquiétude face aux allégations selon lesquelles Claudia González Orellana aurait été arrêtée arbitrairement et poursuivie en représailles de son action au sein de la Commission internationale contre l'impunité au Guatemala et pour avoir été l'avocate de fonctionnaires de la justice qui avaient travaillé ou enquêté sur des affaires avec l'assistance technique de la Commission internationale.

73. Stuardo Ernesto Campo Aguilar a été arrêté pour avoir travaillé sur des affaires très médiatisées ayant fait l'objet d'une enquête avec l'assistance technique de la Commission internationale. M. Campo a été le chef du bureau du Procureur spécial contre l'impunité jusqu'en 2021.

74. L'annexe II rend compte de l'évolution de la situation de plusieurs juges et procureurs : Virginia Laparra Rivas, Samari Gómez Díaz, Eva Siomara Sosa, Paola Escobar, Juan Francisco Sandoval, Carlos Ruano Pineda, Erika Aifán Dávila, Yasmín Barrios Aguilar et Pablo Xitumul de Paz. Elle contient également des informations actualisées sur la situation de Claudia Maselli.

75. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

Inde

76. L'annexe II rend compte de l'évolution de la situation du personnel et des associés de la Jammu Kashmir Coalition of Civil Society, de Khurram Parvez, d'Irfan Mehraj, du Centre pour la promotion des préoccupations sociales et du Centre pour le développement social et de son personnel, notamment de Nobokishore Urikhimbam et de ses proches.

77. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

Indonésie

78. L'annexe II rend compte de l'évolution de la situation de Victor Yeimo et d'Yones Douw.

Iran (République islamique d')

79. L'annexe II rend compte de l'évolution de la situation de Manouchehr Bakhtiari et des membres de la famille des journalistes du service persan de la British Broadcasting Corporation.

Iraq

80. Le Bureau des droits de l'homme de la Mission d'assistance des Nations Unies pour l'Iraq a recensé des actes de cyberintimidation commis par des acteurs non identifiés contre des membres de la société civile en lien avec leur participation à des événements organisés par l'ONU. Le nom des intéressés et d'autres détails les concernant ne sont pas divulgués afin d'éviter que ces personnes ne fassent de nouveau l'objet de représailles. Le Bureau des droits de l'homme a également constaté une augmentation des restrictions imposées par les pouvoirs publics aux organisations de la société civile agissant en faveur de l'autonomisation des femmes et de l'égalité des sexes, notamment de celles qui coopèrent avec l'ONU.

Israël

81. L'annexe II rend compte de l'évolution de la situation des organisations Addameer Prisoner Support and Human Rights Association, Al-Haq, Bisan Center for Research and Development et son personnel, Defense for Children International-Palestine, Union of Agricultural Work Committees et Union of Palestinian Women's Committees et son personnel, qui ont été déclarées « organisations terroristes », ainsi que de la situation d'Issa Amro.

Libye

82. La Division des droits de l'homme, de la justice transitionnelle et de l'état de droit de la Mission d'appui des Nations Unies en Libye (MANUL) a recensé des cas de représailles visant des militants des droits de l'homme et des militants politiques ayant coopéré avec l'ONU. La MANUL a également constaté que des femmes défenseuses des droits humains craignaient de subir des représailles pour avoir coopéré ou avoir tenté de coopérer avec l'ONU. Le nom des intéressés et d'autres détails les concernant ne sont pas divulgués afin d'éviter que ces personnes ne fassent de nouveau l'objet de représailles.

83. Des représentants d'organisations basées en Libye ont renoncé à participer à une table ronde organisée par le Rapporteur spécial sur les droits à la liberté de réunion pacifique et à la liberté d'association à Genève en février 2024 par crainte de représailles, après la diffusion en ligne d'une campagne contre l'événement et ses participants.

84. L'annexe II rend compte des répercussions que les obligations imposées aux organisations de la société civile ont sur leur capacité de coopérer avec l'ONU dans le domaine des droits de l'homme.

Nicaragua

85. Brooklyn Rivera, leader autochtone qui était à l'époque député du parti politique YATAMA, n'a pas été autorisé à rentrer au Nicaragua après avoir participé à la session de 2023 de l'Instance permanente sur les questions autochtones. M. Rivera est rentré clandestinement dans le pays et, le 29 septembre 2023, il a fait l'objet d'une arrestation arbitraire. Depuis, il est détenu sans avoir été inculpé et il est privé de tout contact avec ses proches. Les autorités n'ont pas admis officiellement qu'il était emprisonné³⁶.

86. En avril 2024, dans son intervention devant l'Instance permanente, Tininiska Rivera Castellón, fille de M. Rivera et défenseuse des droits des femmes autochtones, a dit qu'elle avait reçu des menaces durant la session de l'Instance. Depuis mai 2023, M^{me} Rivera Castellón aurait été harcelée et surveillée par les autorités.

87. Le HCDH a reçu de victimes et d'autres sources des demandes d'anonymisation des informations les concernant, par crainte de représailles. Il a également constaté que certaines personnes refusaient de coopérer avec l'ONU pour la même raison. Le nom des intéressés et d'autres détails les concernant ne sont pas divulgués afin d'éviter que ces personnes ne fassent de nouveau l'objet de mesures de rétorsion.

88. L'annexe II rend compte de l'évolution de la situation de Guillermo Gonzalo Carrión Maradiaga, d'Haydee Isabel Castillo Flores et de Vilma Núñez de Escorcía.

Philippines

89. Des titulaires de mandat au titre des procédures spéciales ont examiné des allégations selon lesquelles Windel B. Bolinget aurait été désigné en vertu de la loi sur le terrorisme pour son appartenance à un groupe de défenseurs des droits de l'homme et de dirigeants autochtones. M. Bolinget aurait été surveillé et harcelé, et sa réputation aurait été attaquée, en raison de sa coopération avec l'ONU³⁷.

90. L'annexe II rend compte de l'évolution de la situation de Karapatan (Alliance pour la promotion des droits du peuple) et de sa secrétaire générale, Cristina Palabay. Elle contient également des informations actualisées sur la situation de Leila de Lima.

91. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

³⁶ A/HRC/55/27, par. 61.

³⁷ Voir communication PHIL 4/2023 et <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=38053>.

Fédération de Russie

92. Des titulaires de mandat au titre des procédures spéciales ont examiné les allégations selon lesquelles l'ONG Man and Law aurait été dissoute en application d'une décision administrative d'un tribunal invoquant le statut consultatif de l'ONG auprès de l'ONU comme motif de la dissolution³⁸.

93. En juillet 2023, le Bureau du Procureur général a inscrit l'ONG internationale Human Rights House Foundation sur une liste d'organisations menant des activités « indésirables », en application de la loi fédérale n° 129-FZ³⁹. La fondation aurait été inscrite sur cette liste en raison de sa coopération avec les organes et mécanismes de l'ONU.

94. Dans sa résolution 54/23 sur la situation des droits de l'homme dans la Fédération de Russie, le Conseil des droits de l'homme s'est dit préoccupé par le fait que les autorités utilisaient des mesures législatives pour criminaliser la coopération d'acteurs de la société civile russe avec les organisations internationales, y compris la coopération avec des mécanismes de l'ONU relatifs aux droits de l'homme. Le Conseil a noté que l'application de cette législation aurait pour effet d'inciter les acteurs de la société civile à s'autocensurer et les dissuaderait de coopérer publiquement avec l'ONU et d'autres organisations.

95. L'annexe II rend compte des effets que la législation restrictive a eus sur la capacité des acteurs de la société civile à coopérer avec l'ONU.

Arabie saoudite

96. L'annexe II rend compte de l'évolution de la situation de Mohammad Fahad Al Qahtani et de Loujain Al-Hathloul.

Sri Lanka

97. Le HCDH a recueilli des informations attestant d'actes de harcèlement et d'intimidation commis par des agents de la sécurité de l'État ou des personnes supposées leur être associées contre cinq particuliers ayant coopéré avec l'ONU. Le nom des intéressés et d'autres détails les concernant ne sont pas divulgués afin d'éviter que ces personnes ne fassent de nouveau l'objet de représailles.

Turkménistan

98. Des titulaires de mandat au titre des procédures spéciales ont examiné des allégations de restrictions injustifiées à la liberté de circulation de Gurban Soltan Achilova, photojournaliste indépendante et défenseuse des droits humains, qui l'ont empêchée de se rendre à Genève et de s'entretenir avec des représentants du HCDH⁴⁰.

99. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

Émirats arabes unis

100. L'annexe II rend compte de l'évolution de la situation de Mohamed al-Mansoori et d'Ahmed Al Mansoor.

Venezuela (République bolivarienne du)

101. La mission internationale indépendante d'établissement des faits sur la République bolivarienne du Venezuela a rendu compte d'allégations de représailles menées depuis 2021 contre Franklin Caldera Cordero en raison des échanges que celui-ci entretient avec des représentants et des mécanismes de l'ONU relatifs aux droits de l'homme au sujet de la situation de son fils, le lieutenant Franklin Caldera Ortiz⁴¹.

³⁸ Voir la communication RUS 3/2024.

³⁹ A/HRC/54/54, par. 29.

⁴⁰ Voir la communication TKM 1/2023.

⁴¹ Voir le document de séance de la mission d'enquête internationale indépendante d'établissement des faits sur l'appareil de l'État, ses mécanismes de répression et le rétrécissement de l'espace civique et

102. Lors de l'examen du cinquième rapport périodique de la République bolivarienne du Venezuela, le Comité des droits de l'homme a pris note d'informations selon lesquelles des défenseurs des droits de l'homme qui s'étaient rendus à Genève pour participer à l'examen avaient été interrogés par le Service national de renseignements⁴².

103. Le Haut-Commissaire des Nations Unies aux droits de l'homme a noté que l'espace civique continuait d'être restreint, notamment que les cadres juridiques restrictifs obstruaient le travail des organisations de la société civile⁴³. Cet environnement aurait intensifié les craintes de représailles et inhibé la coopération avec l'ONU dans le domaine des droits de l'homme. Après que le Gouvernement avait décidé, en février 2024, de suspendre les activités du HCDH dans le pays⁴⁴, les défenseurs des droits de l'homme et les organisations de la société civile auraient été contraints de restreindre leurs activités dans le domaine des droits de l'homme.

104. L'annexe II rend compte de l'évolution de la situation d'Emilio Negrín Borges, de Karen Caruci et des ONG Provea, Observatorio Venezolano de Conflictividad Social et Foro Penal.

Viet Nam

105. L'annexe II rend compte de l'évolution de la situation d'Y Khiu Niê et d'Y Si Êban.

106. Le Gouvernement a répondu à la note verbale qui lui avait été adressée dans le cadre de l'élaboration du présent rapport.

Yémen

107. Le HCDH a constaté que les houthistes (qui se font appeler Ansar Allah) continuaient d'imposer des restrictions aux activités de l'ONU, notamment aux actions humanitaires, aux activités de défense des droits de l'homme et de développement, ainsi qu'aux interactions avec les acteurs de la société civile⁴⁵.

108. Le HCDH a également recueilli des informations concernant des restrictions imposées par le Ministère des affaires sociales et du travail, le Conseil supérieur de gestion et de coordination des affaires humanitaires et de la coopération internationale et l'autorité nationale pour les médias du sud, qui ont affecté les relations entre l'ONU et les organisations de la société civile.

109. L'annexe II rend compte de l'évolution de la situation de l'organisation de défense des droits de l'homme Mwatana et de membres de son personnel.

État de Palestine

110. L'annexe II rend compte de l'évolution de la situation de plusieurs organisations féminines palestiniennes et internationales et de militantes.

111. Selon les informations reçues par le HCDH, les services de renseignements généraux palestiniens ont arrêté puis libéré sous caution Nader Mit'ib en raison de sa coopération avec le HCDH.

démocratique, cas 28, par. 835 à 845, à consulter à l'adresse https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session54/advance-versions/A_HRC_54_CRP.8_EN.pdf.

⁴² CCPR/C/SR.4040, par. 13.

⁴³ A/HRC/53/54, par. 61.

⁴⁴ Voir <https://www.ohchr.org/en/statements-and-speeches/2024/03/deputy-high-commissioner-updates-human-rights-council-venezuela>.

⁴⁵ A/HRC/51/47, annexe I, par. 86 et 87 et A/HRC/54/61, annexe I, par. 127.

VI. Conclusions et recommandations

112. Le nombre de signalements d'actes d'intimidation et de représailles commis par des acteurs étatiques ou non étatiques contre des particuliers ou des groupes qui cherchaient à coopérer ou qui avaient coopéré avec l'ONU est demeuré élevé pendant la période considérée. Si le nombre d'États Membres mentionnés dans le présent rapport a diminué par rapport aux rapports des années précédentes, cette diminution ne reflète pas nécessairement une évolution positive. Malheureusement, le nombre de victimes a augmenté et certains États Membres au sujet desquels les allégations étaient vérifiées n'ont pas pu être mentionnés dans le rapport en raison de graves préoccupations concernant la sécurité des victimes.

113. De nouveaux cas d'intimidation et de représailles sont présentés dans l'annexe I du présent rapport ; ils concernent au moins 150 personnes, dont 20 jeunes. Le rapport contient également des informations actualisées sur la situation de 111 personnes qui ont été ou sont encore victimes de représailles, dont 57 femmes, un garçon et une fille, ainsi que de 18 ONG. La gravité de certains des actes d'intimidation et de représailles recensés au cours de la période considérée est très préoccupante.

114. Des actes de ce type ont à nouveau été signalés dans toutes les régions. Cependant, les cas et les situations signalés durant l'année écoulée ne rendent pas compte de l'ampleur et de l'étendue réelles du phénomène, ni de l'ensemble des cas documentés par le HCDH. Comme dans les rapports précédents, de nombreux cas n'ont pas pu être mentionnés tandis que d'autres le sont de manière anonyme afin de protéger les intéressés.

115. Comme indiqué dans les rapports précédents, le fait que certaines allégations de représailles ne soient pas signalées dans le rapport, ou que le nombre d'allégations diminue dans certains contextes, n'est pas nécessairement un signe d'amélioration. La crainte de nouvelles représailles est un sérieux facteur de dissuasion, tant pour le signalement de cas que pour la poursuite de la coopération avec l'ONU.

116. Le rétrécissement de l'espace civique et les restrictions des droits et libertés fondamentaux partout dans le monde, associés à l'instauration de cadres juridiques répressifs et à une surveillance accrue, en ligne et hors ligne, ont continué à décourager le signalement des actes d'intimidation ou de représailles et la coopération ouverte avec l'ONU. Dans ce contexte, il est devenu encore plus difficile de signaler les actes d'intimidation ou de représailles et de réagir aux allégations concernant de tels actes.

117. Si les entités des Nations Unies ont continué de constater une évolution mondiale similaire à celle observée les années précédentes, des préoccupations nouvelles et plus graves sont apparues pendant la période considérée.

118. Un grand nombre des victimes dont les allégations de représailles ont été vérifiées par le HCDH pendant la période considérée ont estimé que le fait que leur anonymat soit respecté dans le rapport ne suffisait plus à assurer leur sécurité. Compte tenu du risque élevé qu'elles subissent à nouveau de graves représailles, elles ont donc refusé que leur cas soit de nouveau signalé dans un quelconque rapport public. Cela concerne au moins 32 personnes, dont 22 femmes et jeunes de six États Membres. Quatre des États Membres concernés ne sont pas mentionnés dans le présent rapport, car les victimes craignaient d'être identifiables en dépit du respect de leur anonymat. Les risques pesaient souvent également sur les proches parents des personnes ayant coopéré ou cherché à coopérer avec l'ONU.

119. L'autocensure, c'est-à-dire le choix de ne pas coopérer avec l'ONU ou de le faire de façon anonyme par crainte de représailles, est toujours pratiquée. Le choix de ne pas coopérer pose des problèmes méthodologiques car il empêche la vérification d'allégations et peut aussi entraver le recensement des cas et leur signalement. Dans plusieurs nouveaux cas, des particuliers et des groupes ont refusé de communiquer avec l'ONU, de rencontrer ses représentants ou de lui transmettre des informations, et, dans d'autres cas, ils ont demandé que les rencontres aient lieu à huis clos ou dans des lieux tenus confidentiels.

120. Les victimes présumées de représailles ont demandé l'anonymat dans la moitié des États Membres dans lesquels de nouveaux cas ont été signalés, contre deux tiers au cours de l'année précédente. Néanmoins, le nombre total de personnes demandant l'anonymat était nettement plus élevé. Au total, 120 victimes, dont des femmes et des jeunes, ont accepté de rendre compte des actes qu'elles avaient subis et consenti à ce que leur cas soit documenté et vérifié par le HCDH, à la condition que leur identité et les détails les concernant ne soient pas mentionnés dans le rapport. Elles représentent 75 % de l'ensemble des nouvelles victimes cette année.

121. La surveillance en ligne et hors ligne des personnes qui coopèrent ou tentent de coopérer avec l'ONU reste une préoccupation. Des cas de surveillance ont été signalés dans un tiers des États Membres mentionnés dans le présent rapport, contre la moitié l'année précédente.

122. Quarante-cinq pour cent des États Membres mentionnés dans le rapport ont continué d'appliquer des lois et des règlements concernant la société civile, la lutte antiterroriste et la sécurité nationale qui ont pour effet de dissuader ou d'empêcher la coopération avec l'ONU, et certains ont modifié des lois existantes ou en ont promulgué de nouvelles qui ont encore renforcé les restrictions. Les dissolutions et les radiations d'organisations de la société civile qui ont continué d'être observées au cours de la période considérée entravent davantage encore la collaboration de la société civile avec l'ONU.

123. Dans l'écrasante majorité des États Membres mentionnés dans le rapport (près de 80 %, principalement présentés à l'annexe II), les personnes qui sont victimes d'actes d'intimidation et de représailles pour avoir coopéré avec l'ONU et en raison de leur action en faveur des droits de l'homme font l'objet de poursuites judiciaires, sont en jugement ou purgent des peines d'emprisonnement. Parmi eux, dans six États Membres mentionnés dans le rapport, des défenseurs des droits de l'homme et des acteurs de la société civile ont continué de purger de longues peines d'emprisonnement pour terrorisme ou atteinte à la sécurité nationale.

124. Comme cela a été signalé dans les précédents rapports, les cas et les situations présentés au fil des ans dans les rapports et présentés dans l'annexe II sont plus que des faits isolés. Le caractère récurrent des allégations de représailles peut témoigner de l'existence d'un problème généralisé, et plusieurs cas ou situations de ce type sont décrits dans le présent rapport. En outre, lorsque de nombreux acteurs de l'ONU se déclarent préoccupés par les mêmes cas ou les mêmes situations au cours d'une période considérée, c'est souvent le signe que des actes graves ou généralisés de représailles sont commis dans les États Membres concernés.

125. Des victimes d'intimidation ou de représailles ont subi des violations graves de leurs droits humains, notamment des enlèvements et des disparitions forcées, des arrestations et des détentions arbitraires, des actes de torture et des mauvais traitements, voire des meurtres, pour avoir coopéré avec l'ONU. La plupart des allégations de représailles documentées pendant la période considérée sont liées à la coopération avec les mécanismes de protection des droits de l'homme ou les opérations de paix.

126. Les défenseurs des droits de l'homme, les militants et les journalistes, ainsi que les victimes de violations des droits de l'homme, les témoins et les proches, les avocats et les syndicalistes sont parmi les plus exposés. Pour les femmes et les membres des peuples autochtones qui coopèrent avec l'Organisation, le risque de représailles est demeuré plus élevé.

127. Je reste préoccupé par la dimension de genre des représailles, ainsi que par les informations mentionnant la particularité et la gravité des actes de représailles subis par des femmes, notamment en raison de leur coopération avec le Conseil de sécurité et les opérations de paix mandatées par celui-ci. Je constate avec inquiétude que l'augmentation de la participation des femmes aux processus de paix au niveau mondial a entraîné une hausse des attaques qu'elles subissent. Alors que nous soutenons sans équivoque la participation sûre et significative des femmes à ces processus, nous devons redoubler d'efforts pour leur donner les moyens d'agir et les protéger. Dans certains

contextes, le fait de travailler avec l'ONU sur les questions de genre et les droits des femmes accroît les difficultés et la vulnérabilité, ce qui est absolument inacceptable.

128. Les espaces de dialogue de l'ONU sur les questions concernant les peuples autochtones, tels que l'Instance permanente sur les questions autochtones et le Mécanisme d'experts sur les droits des peuples autochtones, ont continué d'être témoins d'actes d'intimidation ou de représailles contre les peuples autochtones et leurs représentants. Je salue les efforts déployés par le Département des affaires économiques et sociales et le HCDH pour prévenir de tels actes et y remédier et pour faire en sorte que ces forums demeurent des espaces ouverts, sûrs et inclusifs.

129. Je suis préoccupé par les allégations, qui ont été documentées dans le cadre de l'élaboration du présent rapport, concernant des actes d'intimidation et de représailles commis contre au moins 20 jeunes qui avaient coopéré avec l'Organisation. Je réaffirme l'engagement de l'Organisation des Nations Unies à devenir un espace sûr pour les jeunes, à redoubler d'efforts pour promouvoir une participation significative et en toute sécurité des jeunes et pour améliorer leur protection, conformément à la note d'orientation des Nations Unies sur la protection et la promotion de l'espace civique.

130. L'Agenda pour la protection est l'occasion pour les entités des Nations Unies de se concentrer sur la nécessité impérieuse de répondre aux problèmes de protection qui se posent dans le cadre de leur action et de leur mandat. L'ONU a le devoir de soutenir et de protéger les défenseurs des droits de l'homme et les autres acteurs de la société civile lorsqu'ils sont menacés, et plus encore lorsque ceux qui défendent les droits de l'homme en coopérant avec l'Organisation font l'objet de représailles et de mesures d'intimidation en raison de cette coopération. Les entités des Nations Unies se sont engagées à examiner ce qu'implique une participation sûre, significative et inclusive de la société civile et à renforcer leurs actions de prévention et de lutte contre les représailles, afin que cette participation soit possible.

131. Les entités des Nations Unies sont déterminées à renforcer leur réponse aux actes de représailles et à veiller à ce que des dispositifs adéquats soient mis en place pour sensibiliser à la question, pour recenser, décrire et suivre les allégations et en rendre compte, et à diffuser des messages clairs de tolérance zéro afin de soutenir publiquement une coopération significative et en toute sécurité avec le système des Nations Unies. Cela doit se faire en étroite consultation avec les personnes concernées et en tenant compte de leurs besoins. Je salue les efforts, décrits dans le présent rapport, déployés par les entités des Nations Unies pour élaborer des protocoles ou des lignes directrices ciblées afin de prévenir et de combattre les actes de représailles, en coordination avec le HCDH.

132. La responsabilité de prévenir et de combattre les actes de représailles incombe au premier chef aux États Membres. Je demande à nouveau aux États de s'abstenir de tout acte d'intimidation ou de représailles lié à la coopération avec l'ONU, de prévenir de tels actes et de faire en sorte que les auteurs de tels actes aient à en répondre, et de diffuser et de mettre à profit les bonnes pratiques appliquées pour prévenir et combattre les actes de représailles contre les personnes qui coopèrent avec l'ONU.

133. Je demande à la communauté internationale de prendre des mesures concertées pour protéger, soutenir et garantir la collaboration effective, en toute sécurité, des particuliers et des groupes, notamment des défenseuses des droits humains et des femmes qui œuvrent à la consolidation de la paix, avec l'ONU, ses représentants et ses mécanismes dans le domaine des droits de l'homme.

Annexe I

Informations détaillées sur les cas allégués d'actes de représailles et d'intimidation liés à la coopération avec l'ONU dans le domaine des droits de l'homme

1. Afghanistan

1. During the reporting period, UNAMA recorded several instances of reprisals against individuals, including women and media workers, for their cooperation with the United Nations. Some of these cases involved arbitrary detention by Afghanistan's de facto authorities for a variety of reasons, including broadcasting messages by the United Nations, sharing information with, or having contact with the United Nations. Names and details of those concerned are withheld due to risks of further reprisals.

2. A media worker who was detained during the reporting period was sentenced to one year's imprisonment on a range of charges, including broadcasting messages by UNAMA and sharing information with the United Nations. The individual was released from prison after six months.

3. During the reporting period, a civil society activist disappeared. Later, the activist's family was informed that the activist was detained by the de facto authorities. Charges against the individual reportedly included having contact with UNAMA. The activist was later released from prison.

4. Also, during the reporting period, UNAMA documented an incident in which a media worker who was arrested and detained by the de facto authorities was informed that one of the reasons for the arrest was broadcasting UNAMA's public service announcements. The individual was released from detention the next day.

5. The climate of fear and intimidation created by the de facto authorities has also posed challenges for UNAMA's engagement with civil society actors, witnesses, and victims of human rights abuses. Interlocutors regularly report fears for their safety if they discuss human rights issues with UNAMA and request confidentiality.

6. In addition to the threats faced by those engaging with the United Nations in-country, some Afghan women who spoke at United Nations fora and events outside of Afghanistan faced intimidation and reprisals, including threats and intimidation online (in media and via social media) or against their relatives for their engagement with the United Nations. An Afghan woman who travelled to Geneva from Afghanistan to participate in the 53rd session of the Human Rights Council became the target of intimidation and a smear campaign, amplified on social media, in connection to her statement at the Council. In another instance, the relatives (in country) of an Afghan woman (in exile) who spoke at the United Nations were visited by the de facto authorities and some had to relocate within the country or abroad due to fear for their safety.

7. The UN Security Council¹, the High Commissioner for Human Rights,² UNAMA³ and special procedures mandate holders of the Human Rights Council⁴ reported concerns

¹ [A/78/361-S/2023/678](#), paras. 16, 36; [A/78/628-S/2023/941](#), para. 16, 34, 74; [A/78/789-S/2024/196](#) para. 79.

² <https://www.ohchr.org/en/statements-and-speeches/2023/09/afghanistan-human-rights-state-collapse-warns-turk>.

³ https://unama.unmissions.org/sites/default/files/human_rights_situation_in_afghanistan_may_-_june_2023_0.pdf;

https://unama.unmissions.org/sites/default/files/human_rights_situation_in_afghanistan_jul-sep_2023.pdf; https://unama.unmissions.org/sites/default/files/english_hr_update_22jan_2024.pdf.

⁴ [A/HRC/55/80](#) paras. 72–73, 75–76, [A/78/338](#), paras. 5, 31, <https://www.ohchr.org/en/press-releases/2024/02/afghanistan-un-expert-calls-international-community-prioritise-human-rights>,

over shrinking civic space and the intimidation and targeting of civil society organizations, as well as the use of arbitrary arrest and detention, threats and ill treatment against media actors and civil society activists, and the targeting of women human rights defenders.⁵ The Special Rapporteur on the situation of human rights in Afghanistan reported during the period that persons suspected of cooperating with foreign organizations have been disproportionately targeted and that civil society organizations, in particular those that have been instrumental in supporting human rights over the past decades, have been targeted, forcibly closed or effectively dissolved as a result of the non-issuance of licences to operate.⁶

8. On 23 October 2023, the Human Rights Council adopted resolution 54/1 on the situation of human rights in Afghanistan calling for the provision of an enabling environment for civil society actors – especially women’s and women-led organizations and leaders whose work is impacted by restrictions targeting women – and the media be able to carry out their activities without hindrance or fear of reprisal. The resolution also calls upon all relevant actors in Afghanistan to ensure that civil society organizations, human rights defenders, victims, survivors, their families, and other individuals have unhindered access to the Special Rapporteur, the special procedures of the Human Rights Council and the treaty bodies, and other international bodies seized with the situation in Afghanistan, without fear of reprisal, intimidation, or attack. (A/HRC/RES/54/1 paras. 19 and 25).

2. Algeria

9. In November 2022, the OHCHR conducted a technical cooperation mission to Algeria and met with civil society representatives, including **Mr. Mustapha Bendjamaa**, the chief editor of “Le Provincial”, a regional newspaper in Algeria, and a representative of *La Ligue Algérienne des Droits de l’Homme (LADH)*.

10. In February 2023, Mr. Bendjamaa was detained and, on 20 July 2023, he was charged with “receiving funding from foreign or domestic institutions in order to commit public order offenses,” under article 95 bis of the Penal Code, and with “publishing on electronic networks or via technological media tools information that is partly or entirely classified as secret,” under article 38/2 of Ordinance 21-09 on data and administrative documents protection. In the indictment, Mr. Bendjamaa was accused based on several elements including his engagement with international civil society organizations and OHCHR.

11. According to information received by OHCHR, on 22 August 2023 the Prosecutor questioned Mr. Bendjamaa about the reason for and content of his meeting with OHCHR. On 29 August 2023, the Misdemeanor Court of Constantine accepted all points of the indictment and issued a verdict of two years of imprisonment and a 200,000 DA (1,469 USD) fine.

12. On 26 October 2023 Mr. Bendjamaa’s sentence was reduced to eight months but, although he had effectively served this sentence by that date, he was not released and remained detained under charges related to another case. He was released from prison on 18 April 2024. OHCHR is closely following the case of Mr. Bendjamaa and is in contact with relevant authorities.

13. On 30 October 2023, Special Procedures mandate-holders addressed allegations of arbitrary detention of **Mr. Ahmed Manseri** and of intimidation and surveillance of **Mr. Malik Riahi**, **Mr. Qasim Saeed** and **Ms. Chahrazad Ben Fryawa** following their meetings with the Special Rapporteur on freedom of association and peaceful assembly during his official visit to Algeria from 16 to 26 September 2023 (DZA 5/2023).

14. 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

<https://www.ohchr.org/en/press-releases/2023/09/afghanistan-time-decisive-action-says-un-expert>, <https://www.ohchr.org/en/statements/2023/08/afghanistan-un-human-rights-experts-denounce-idea-reformed-taliban>, <https://www.ohchr.org/en/statements/2023/08/afghanistan-un-human-rights-experts-denounce-idea-reformed-taliban>.

⁵ A/HRC/53/21 para. 30, 87 A/HRC/55/80 para. 22, A/HRC/54/21 para. 55.

⁶ A/HRC/55/80 paras. 76, A/78/338 2023.

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).

15. 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).

16. 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.⁷

17. On 28 January 2024, the Government responded⁸ 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.

18. According to information received by OHCHR, on 17 January 2024, Mr. Manseri appealed the Court decision. The appeal hearing was scheduled for 27 March but was postponed to 15 June 2024.

19. On 19 September 2023, **Mr. Riahi, Mr. Qasim Saeed and Ms. Chahrazad Ben Fryawa** met the Special Rapporteur on freedom of assembly and association in a hotel in the wilaya of Oran. As they were leaving the venue of the meeting, they were reportedly followed by a car driven by people in civilian clothes. The following day, Mr. Riahi was summoned to a police station and questioned about the meeting with the Special Rapporteur. The three individuals are human rights defenders who actively participated in the HIRAK ("movement" in Arabic) (DZA 5/2023).

20. On 28 January 2024, the Government responded⁹ to mandate-holders on Mr. Riahi's case noting that the public prosecutor opened a preliminary investigation in September 2023 after Mr. Riahi posted on social media, alleging that he incited attacks on public order and national unity. The Government informed that on 7 December 2023, Mr. Riahi was prosecuted under article 96 of the Criminal Code. On 10 January 2024, the magistrate dismissed the case and charges in favour of the accused. The prosecution appealed. Noting that the preliminary investigation had been initiated before the arrival in Algeria of the Special Rapporteur, the Government stated that there is no link between this meeting and the questioning of Mr. Riahi.

21. Regarding the allegations concerning Mr. Qasim Saeed and Ms. Chahrazad Ben Fryawa, the Government noted that meetings with the Special Rapporteur were held openly and without restrictions. It also noted that no specific and reliable information was provided to substantiate the allegations and those concerned did not lodge any complaints with the authorities.

⁷ See <https://www.ohchr.org/en/press-releases/2023/12/algeria-continued-restrictions-human-rights-defenders-undermine-social> and [20231205-eom-algeria-sr-defenders-en.pdf](https://www.ohchr.org/en/press-releases/2023/12/algeria-continued-restrictions-human-rights-defenders-undermine-social) (ohchr.org).

⁸ See Government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=38101>.

⁹ See Government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=38101>.

22. The Special Rapporteur on the situation of human rights defenders conducted an official country visit to Algeria from 25 November to 3 December 2023. At the end of her visit, she noted that some human rights defenders she had planned to meet with refused or cancelled for fear of reprisals. The Special Rapporteur also noted that several human rights defenders, members of civil society organisations and victims of human rights violations reported being prevented by the police from reaching Tizi Ouzou while she was there.¹⁰

23. Mandate holders addressed article 95 bis and other articles of the **Penal Code and Ordinance 21-09 on data and administrative documents protection (DZA 12/2021)** noting that the particularly vague wording of article 95 bis granted the authorities considerable discretionary power to prosecute human rights defenders and other activists receiving foreign funding. They also noted that this measure constituted an obstacle to international cooperation between associations or with other foreign organizations. On 2 March 2022, the Algerian Government replied to mandate-holders noting that Ordinance 21-09 was adopted in accordance with the Constitution, that it is not contrary to Algeria's international obligations, and that it does not infringe upon any human right.

24. On 17 July the Government responded to the note verbale sent in connection to the present 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.

3. Bangladesh

25. During the reporting period, in particular between November and December 2023, **some thirty-eight human rights defenders, political activists, and media personnel**, including youth, reportedly received calls from security agencies after visiting the United Nations Resident Coordinator's office or after meeting with United Nations officials in public places. These calls allegedly focused on the content of the discussions with the United Nations officials. In some instances, security agents allegedly made threats in order to obtain information on such content and to warn against collaboration with foreigners. In other instances, civil society actors declined to meet with United Nations officials or to speak in public events where the United Nations had a speaking role due to fear of reprisals.

26. Several of these civil society actors reportedly decided to discontinue visible interaction with the United Nations, especially during the pre-electoral period (October 2023 and January 2024) before the national elections of 2024, due to fear of increased reprisals for cooperation with the United Nations. Others resorted to self-censorship and either stopped attending meetings with United Nations officials, and/or stopped making references to United Nations human rights standards. Names and details of those concerned are withheld due to fear of reprisals for their cooperation with the United Nations.

4. Central African Republic

27. During the reporting period, the Human Rights Division of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) documented threats by the national security forces, non-state armed groups and other security personnel against individuals, including human rights defenders and members of the population, due to their cooperation or perceived cooperation with the MINUSCA. Names and details of those concerned are withheld due to fear of further reprisals.

¹⁰ [20231205-eom-algeria-sr-defenders-en.pdf \(ohchr.org\)](https://www.ohchr.org/en/documents/indiv-and-hr-committee/20231205-eom-algeria-sr-defenders-en.pdf).

28. According to information received by OHCHR, in June and July 2023, two individuals received threats from elements of the Azande Ani Kpi Gbe armed group in the Haut Oubangui region due to their perceived advocacy with the population to support activities organized by MINUSCA. Names and details of those concerned are withheld due to fear of further reprisals.

29. In January 2024, a human rights defender in Equateur region received threats from state actors due to perceived collaboration with MINUSCA. The human rights defender was allegedly perceived as reporting human rights violations committed by the national security forces to MINUSCA.

30. Some members of the community refused to exchange or collaborate with MINUSCA during field activities, particularly during human rights investigations and protection of civilians' operations, due to threats and fear of reprisals from non-state armed groups, national armed forces and other security personnel. Threats made by elements of the national armed forces were reported in January 2024 in the Equateur region. Similar threats were reported in the Fertit region in March 2024 where Sudanese combatants threatened the population with reprisals for collaborating with MINUSCA.

31. These threats affected the willingness of the broader population to collaborate with MINUSCA, with members of the communities refusing to speak directly and openly to MINUSCA because of fear of reprisals.

5. China

32. On 1 May 2023, the **Working Group on Arbitrary Detention** found the detention of Ms. Hang Tuan Chow to be arbitrary ([A/HRC/WGAD/2023/30](#)).¹¹ In its opinion, the Working Group referred to the reply of the Government of Hong Kong Special Administrative Region (HKSAR) and in particular to its statement that the proceedings against Ms. Chow were ongoing and therefore, any interference with the case of Ms. Hang Tuan Chow would be a matter inconsistent with the principle of sub judice. The Working Group noted that the Government's reply also pointed out that under common law publishing statements that were intended to interfere with or obstruct the due administration of justice or perform acts with the same intention may constitute "criminal contempt of court".¹² According to information received by OHCHR, there are concerns that the submission by the source to the Working Group on the alleged arbitrary detention of Ms. Hang Tuan Chow, may accordingly be deemed to constitute "criminal contempt of court" and trigger corresponding liability.

33. On 12 May 2023, in its concluding observations on the ninth periodic report of China, the **Committee on the Elimination of Discrimination against Women** recommended that the State party ensure the protection of women human rights defenders from intimidation, harassment and reprisals for their work, including when they have engaged or sought to engage with the Committee, to immediately stop any such reprisals and ensure the protection of the women human rights defenders concerned and investigate and prosecute those responsible, including police officers and other State agents ([CEDAW/C/CHN/CO/9](#), para. 36 b).

34. During the fourth **Universal Periodic Review** of China on 23 January 2023, the State received one recommendation to enable all members of civil society to freely engage with international human rights mechanisms without fear of intimidation or reprisals and another to implement the concluding observations of the Committee on the Elimination of Discrimination against Women (see above) and the Committee on the Rights of Persons with Disabilities to immediately stop reprisals against human rights defenders, journalists and individuals belonging to minority groups ([A/HRC/56/6](#), paras. 22.43 and 22.387).¹³ China

¹¹ See also [A/HRC/WGAD/2023/30/Corr.1](#).

¹² [A/HRC/WGAD/2023/30](#), para. 59. See also [A/HRC/WGAD/2023/30/Corr.1](#).

¹³ See at: <https://uprmeetings.ohchr.org/Sessions/45/China/Pages/default.aspx>.

accepted 290 recommendations, which did not include the latter (A/HRC/56/6/Add.1 paras. 1 and 45).

35. During the reporting period, the High Commissioner for Human Rights and special procedures mandate holders raised concerns about the **Safeguarding National Security Ordinance**, including in relation to its effect on civil society cooperation with the United Nations.¹⁴ The Ordinance was adopted by the Legislative Council of the Hong Kong Special Administrative Region on 19 March 2024.

36. On 19 March 2024, the High Commissioner for Human Rights stressed that this Ordinance could have a further chilling effect on engagement with human rights organizations and United Nations human rights bodies.¹⁵

37. On 22 March 2024, special procedures mandate holders noted with concern that the Ordinance risked impeding the right and ability of individuals and groups to cooperate with their mandates and other international human rights mechanisms and may thus constitute a form of reprisal for cooperation with the United Nations in the field of human rights. (CHN 5/2024). Specifically, they raised concerns about the definition of ‘colluding with external force’ (clause 5), which appeared capable of encompassing cooperation with the United Nations and its human rights mechanisms, as well as with the definition of “external force” (clause 6) that could affect cooperation with the United Nations.

38. Mandate holders also stated that civil society actors and organizations engaging with the United Nations appeared to be at risk of criminal liability, in light of the classification of the offence of “external interference” (clause 50), “collaboration with an external force” (clause 52) or “bringing about interference effect” (clause 51), when civil society actors participate in United Nations activities or processes, co-organize activities or receive United Nations funding, participate in United Nations fora, meetings, events. Mandate holders also noted that human rights advocacy targeting the authorities, legislative bodies or the judiciary could fall under “using improper means” if perceived as damaging a person’s reputation or misrepresenting information.

39. On 11 July the Government responded to the note verbale sent in connection to the present report noting that the State respected and protected human rights and that it protected individuals and social organizations in their normal exchanges and cooperation with the United Nations, in accordance with the law. The Government noted that it firmly opposed intervention in the normal handling of cases by the judicial organs “on the pretext of false allegations of so-called reprisals” against those who cooperate with the United Nations human rights mechanisms, and that such intervention gives visibility to criminals, runs counter to the spirit of the rule of law and infringes on Chinese judicial sovereignty.

40. The Government stated that there is no retaliation whatsoever against those who cooperate with the treaty bodies and opposed treaty bodies’ recommendations concerning alleged reprisals against human rights defenders, for being “based on false information” The Government stated that all cases would continue to be handled in a fair, just and impartial manner in accordance with the law in the Hong Kong Special Administrative Region.

6. Colombia

41. According to information received by OHCHR, during the reporting period an indigenous woman human rights defender received online threats, including death threats, from an alleged non-state armed group purportedly in connection to her participation in the NGO-organised pre-session of the Universal Periodic Review of Colombia on 31 August 2023 that took place in UN premises in Geneva. She had to relocate temporarily due to protection concerns. Reportedly, her close relatives were also threatened in connection to her

¹⁴ <https://www.ohchr.org/en/press-releases/2024/03/rushed-adoption-national-security-bill-regressive-step-human-rights-hong>.

¹⁵ <https://www.ohchr.org/en/press-releases/2024/03/rushed-adoption-national-security-bill-regressive-step-human-rights-hong>.

engagement with the UN and had to relocate. Names and additional details of those concerned are withheld due to fear of further reprisals.

42. On 17 July 2024, the Government responded to the note verbale sent in connection to the present report, requesting additional information to address the case.

7. Democratic Republic of the Congo

43. During the reporting period, the United Nations Joint Human Rights Office (UNJHRO) of the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) documented several incidents of reprisals for cooperation with the Mission described below. Incidents were attributed to State actors and an armed group in different locations in North Kivu Province, where large United Nations presence furthers collaboration with partners. However, cases in other provinces are likely under-reported, due to poor road and communication networks which prevent access and limit referral of cases. Names and details of those concerned are withheld due to fear of further reprisals.

44. Specifically, in September 2023, **the coordinator of a human rights organization** active on the protection of the rights of internally displaced persons and detainees was reportedly summoned to the office of a government administrative officer in Beni Territory, North Kivu Province, who accused the coordinator of disclosing secret information to the United Nations and hiding it from the authorities. The officer reportedly referred to the coordinator as a killer and a traitor and threatened him with arrest if collaboration with the United Nations continued.

45. In one instance, since May 2022, elements of the Mouvement du 23 Mars (M23) visited on several occasions the home of the **head of a human rights organization** in North Kivu province, looking for him. He had been sharing information with UNJHRO on the human rights situation in his locality. Over time, the pressure and threats against family members to disclose his whereabouts increased, and ultimately the UNJHRO helped him and his family to relocate within the country. However, the M23 continued to track him both in his new location in the Democratic Republic of the Congo (DRC), and again when he eventually fled to a neighbouring country. In November 2023, after he had returned to the DRC, a group of armed persons believed to be members of the M23 broke into his house at night. They severely beat him, pointed guns to his head, and threatened to shoot him while demanding the passwords for his computers and telephones, which they seized. They ransacked his home and took money and other valuables. Since then, he and his family have been living under the temporary protection of humanitarian actors, in constant fear of harm.

46. In a separate incident, M23 elements began harassing **a young journalist at a local radio station in Rutshuru Territory**, North Kivu Province, who had regularly shared information on developments in his locality with the UNJHRO. M23 harassed him for suspected close ties with the DRC government and for sharing information on the M23 actions to United Nations "human rights". In May 2023, M23 elements came looking for him at his house twice. He managed to escape and stayed in hiding for two months. Failing to find him, armed men looted his house and harassed his family. In July 2023, the UNJHRO helped him and his family to relocate to a different region. In December 2023, due to lack of employment in their new place of residence, his family returned to their area of origin. Since then, M23 elements have kept his home under surveillance and visited his house at night three times looking for him.

47. During the reporting period, UNJHRO also documented M23 rebel group targeting members of local human rights organizations, individual human rights defenders, journalists, and other individuals who the group suspected of sharing information with the government, the international community, including the United Nations, and the general public on the Movement's human rights abuses, in the areas under M23 control, specifically in several localities of Rutshuru and Masisi Territories. The M23 intimidated and harassed many of the cited actors, and arrested, kidnapped, and detained several of them. Some were forcibly disappeared, and others were killed. About 60 of these fled from their homes. Names and details of those concerned are withheld due to fear of further reprisals.

48. On 27 June 2024, the Government responded to the note verbale sent in connection to the present report noting that armed groups operating in the North Kivu region, notably the M23, are the ones responsible for the human rights violations in this part of the country. The Government noted that it considers the cases above as samples bearing witness to violations committed by the M23.

8. Egypt

49. On 20 March 2024, mandate holders addressed allegations of terrorism charges and arrest warrants against lawyers **Mr. Mahmoud Mohamed Abdelmajeed** and **Mr. Mohamed Issa Rajeh** in connection with their role assisting victims of human rights violations to avail themselves of the procedures established under the auspices of the United Nations for the protection of human rights and fundamental freedoms (EGY 1/2024).

50. Mr. Abdelmajeed and Mr. Rajeh work as lawyers with the non-governmental organization Egyptian Front for Human Rights (EFHR), a human rights organisation documenting human rights violations, providing legal and other assistance to political detainees, and carrying out international human rights advocacy relating to Egypt including with the United Nations human rights mechanisms. Both Mr. Abdelmajeed and Mr. Rajeh are based abroad (EGY 1/2024).

51. In June 2023, Mr. Abdelmajeed and Mr. Rajeh were reportedly informed that they had been included in the Supreme State Security Case no.1233/2023 and charged with joining and funding a terrorist group by providing that group with information about political detainees in Egypt. The State Security Prosecution allegedly issued an arrest warrant against them, but they were not officially informed about it. Their lawyers have not been able to access their clients' files or charge sheet at the time of writing (EGY 1/2024).

9. France

52. On 24 January 2024, special procedures mandate holders addressed issues related to the enjoyment of the rights to safe drinking water and sanitation in the French overseas department of Guadeloupe, including allegations of intimidation and pressure against civil society actors in connection with the academic visit of the Special Rapporteur on the human rights to safe drinking water and sanitation to Guadeloupe from 27 to 29 November 2023 (FRA 1/2024). Names and details of those concerned are withheld for fear of further reprisals.

53. Mandate holders expressed concern at reports received of censorship to silence critical voices during this academic visit of the Special Rapporteur, including of human rights defenders, whistle-blowers, and scientists. They referred to the last-minute cancellation of a lecture the Special Rapporteur had been invited to deliver on 29 November 2023 at the Antilles University due to alleged pressure "at the highest level." Some individuals reportedly feared losing their jobs if they collaborated with the Special Rapporteur (FRA 1/2024). On 28 March 2024, mandate holders expressed concerns publicly¹⁶ that civil society organisations, human rights defenders and other actors who had been active on the rights to safe drinking water in Guadeloupe had been put under pressure and intimidated.

54. On 25 March 2024, the Government responded to mandate holders addressing the questions put forward, including the allegations of reprisals in relation to the academic visit of the Special Rapporteur. The Government noted that the Special Rapporteur had informed the country about his plans to visit Guadeloupe, that it was not an official visit and that he had been invited by the Antilles University. It further noted that he had been able to meet with relevant local authorities and services about the problems related to water in Guadeloupe. In relation to the cancellation of the lecture, the Government stated that it seemed that the university had not been informed by the organizers of the holding of this lecture, which compromised its organisation on the premises. The Government stated that it attached great importance to the work of Special Procedures, and it would continue to

¹⁶ <https://www.ohchr.org/en/press-releases/2024/03/un-experts-urge-france-guarantee-safe-drinking-water-guadeloupe>.

cooperate with them and defend their independence. It noted that it had not exerted any pressure in this matter.

55. On 20 June 2024, the Government responded to the note verbale sent in connection to the present report and provided editorial comments to the summary of its reply to the mandate-holders, some of which were incorporated in the report.

10. Guatemala

56. 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. Ms. Gonzalez is a lawyer and attorney of former prosecutors, assistant prosecutors and judges, and between 2011–2019 she was employed at the CICIG.

57. On 5 September 2023, mandate holders addressed allegations of Ms. González arrest on 28 August 2023 by order of the 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 (see also Annex II). Ms. González was accused of “abuse of authority” (*GTM 5/2023*).

58. 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*).

59. 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.¹⁷

60. According to information received by OHCHR, 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. At the time of writing, Ms. González trial continued behind closed doors.

61. On 26 May 2023, **Mr. Stuardo Ernesto Campo Aguilar** was detained on charges of “abuse of authority” due to a complaint in connection with his work on high-profile cases investigated with the technical assistance of the CICIG. Mr. Campo is a former anti-corruption prosecutor and was the chief of the Special Prosecutor’s Office Against Impunity (FECI) until 2021.

62. On 29 August 2023, Mr. Campo Aguilar was provisionally released with alternative measures, including house arrest, an electronic bracelet, and the interdiction to communicate with, amongst others, “international representations”. Reportedly, the Prosecution could initiate further investigations as such communications would imply that he would want to flee justice.

63. On 1 December 2023, Mr. Campo was arrested in a new case under charges of “abuse of authority”, “breach of duties” and “obstruction to criminal action.” On 18 December 2023, a judge ordered his preventive detention. At the time of writing, Mr. Campo Aguilar remained in detention.

64. OHCHR is closely following the situation of Mr. Campo Aguilar and until August 2023 visited him in the detention centre at least in three occasions. There are concerns that the interdiction order has prevented Mr. Campo’s continued communication with OHCHR, at the risk of further investigations by the Prosecution.

¹⁷ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=38064>.

65. On 4 July 2024, the Government responded to the note verbale sent in connection to the present report recognising the important work done by justice officials in the fight against corruption and impunity in the country and expressing concern about the cases included in the report. The Government provided a number of factual corrections regarding ongoing legal proceedings concerning the cases described above that were incorporated into the report.

11. Iraq

66. During the reporting period, the Human Rights Office of the United Nations Assistance Mission for Iraq (UNAMI) documented incidents of online intimidation of civil society organizations and human rights defenders by unidentified actors, in particular targeting those working on “gender” and “gender equality issues,” and including those participating in events organised by the United Nations. Names and details of those concerned are withheld due to fear of further reprisals.

67. In its circular of 19 November 2023, the General Secretariat of the Council of Ministers instructed that the term “gender” be replaced with the phrase “justice between the two sexes” in official government documents, updating its earlier circular of 27 July that had allowed the continued use of the term “gender” provided that it was followed by the phrase “men and women”.¹⁸ During the reporting period, the Human Rights Office documented increased government restrictions on civil society organisations whose activities explicitly support women’s empowerment and gender equality, including those engaging with the United Nations.

68. The United Nations High Commissioner for Human Rights¹⁹ and the Committee on Economic, Social and Cultural Rights in its concluding observations on Iraq’s fifth periodic report (E/C.12/IRQ/CO/5 paras. 10–11), encouraged the protection of human rights defenders, journalists, and lawyers. The day of the adoption of the concluding observations of several reports, including on Iraq, the Chair of the Committee underlined that no one should be subjected to reprisals for having cooperated or sought to cooperate with the Committee.²⁰

12. Libya

69. During the reporting period, the Human Rights, Transitional Justice, and Rule of Law Division of the United Nations Support Mission in Libya (UNSMIL) reported several incidents of intimidation or reprisals against human rights and political activists for cooperation with the United Nations, described below. Names and further details are withheld due to fear of further reprisals.

70. Two male human rights defenders were targeted for their cooperation with the United Nations on human rights during the period. One of them was arbitrarily detained in Tripoli by members of the Deterrent Agency for Combating Organized Crime and Terrorism. Upon release, when he attempted to file a complaint on his arbitrary detention, he was rearrested and brought to the Attorney General’s Office, from where he fled. Afterwards, a family member of the said human rights defender was brought into custody and interrogated in relation to the defender’s work and cooperation with the United Nations. Furthermore, the two human rights defenders received death threats from members of the House of Representatives in connection to their human rights work and cooperation with the United Nations.

¹⁸ S/2024/96, para. 63.

¹⁹ <https://www.ohchr.org/en/statements/2023/08/un-human-rights-chief-ends-visit-iraq>, S/2023/700, para. 54.

²⁰ <https://www.ohchr.org/en/news/2024/03/committee-economic-social-and-cultural-rights-concludes-seventy-fifth-session-after>.

71. In another incident, UNSMIL documented a case of a human rights defender who received death threats online from Facebook pages belonging to Salafist groups due to his engagement with the United Nations.

72. At the beginning of March, a human rights defender was summoned to meet with agents of the General Intelligence Service and was questioned about his human rights activities as well as his visits to the United Nations compound in Tripoli. His passport was confiscated, and he was notified of a travel ban until further notice. He was also informed that his interactions with the United Nations and international governmental organizations could be considered as a hostile action to the State and an act of espionage punishable by heavy penalties.

73. During the reporting period, a political activist and member of a political party, who actively engaged on consultations around the elections, left the country due to threats from State actors that he would be rearrested. In the past, the individual had been arbitrarily arrested, questioned about his cooperation with the United Nations and tortured while in custody.

74. UNSMIL also documented concerns expressed by women human rights defenders of fear of reprisals for engaging or attempting to engage with the United Nations. In particular, they received threats by state and non-state actors in relation to their women's rights and gender-related work including with the United Nations, and they did not feel safe to file official complaints on this matter with relevant authorities.

75. According to information received by OHCHR, some representatives of Libyan-based organizations did not attend a round table hosted by the **Special Rapporteur on Freedom of Peaceful Assembly in Geneva** on 6 and 7 February 2024, due to fear of reprisals. The roundtable was a closed-door and non-public event that aimed at providing technical assistance for advancing the promotion and protection of freedom of association in Libya, in accordance with international human rights law and standards. According to information received by OHCHR, an online campaign against the roundtable and those attending was launched on social media two days before the event. The online campaign allegedly described the roundtable organized by the Special Rapporteur as an event promoting the human rights of lesbian, gays, bisexual and intersex people (LGBTI) and portrayed also civil society organizations and actors and anyone attending it as supporters of feminism and the human rights of LGBTI persons. Reportedly, the campaign included messages urging the Internal Security Agency (ISA) to investigate those attending. Following the social media campaign, some Libyan-based organizations cancelled their participation due to fear that engagement with the Special Rapporteur in that context, would put them at risk of reprisals.

76. In another instance, according to information received by OHCHR the family members of a civil society actor that engaged with United Nations during the reporting period were visited and threatened by the ISA in relation to the UN cooperation of their relative.

77. During the reporting period, multiple UN actors expressed concerns about the erosion of or increased restrictions on civic space, an excessive control by authorities and security actors over civil society²¹ as well as lack of progress in enabling a broad, free, and safe civic space.²²

13. Nicaragua

78. On 24 April 2023, **Mr. Brooklyn Rivera**, Indigenous leader and at the time Deputy of the National Assembly for the YATAMA²³ political party, was not allowed to board a plane and return to Nicaragua following his statement²⁴ and participation at the 22nd Session

²¹ S/2023/967 para. 83 and S/2023/589, para. 44 and 94.

²² <https://www.ohchr.org/en/statements-and-speeches/2024/03/turks-global-update-human-rights-council>.

²³ Yapti Tasba Masraka Nanih Aslatakanka.

²⁴ <https://webtv.un.org/en/asset/k1a/k1a1j9wo9h> (time stamp 01:16:50).

of the United Nations Permanent Forum on Indigenous Issues UNPFII), held in New York from 17–28 April 2023.

79. Mr. Rivera publicly announced in late May 2023 that he had returned to the country clandestinely. On 29 September 2023, he was arbitrarily arrested and since that date he has reportedly been held without charges, his relatives have had no contact with him, and the authorities have not officially acknowledged his imprisonment (A/HRC/55/27, para. 61).

80. In December 2023, the Deputy High Commissioner for Human Rights expressed²⁵ concern about Mr. Rivera's physical integrity and the fact that his fate and whereabouts remained unknown since his arrest, in a situation amounting to enforced disappearance. The High Commissioner for Human Rights and OHCHR's Regional Office for Central America have called for Mr. Rivera's immediate release.^{26,27} In October 2023, the Inter-American Commission for Human Rights issued precautionary measures in favour of Mr. Rivera.²⁸ The Inter-American Court of Human Rights issued provisional measures regarding the Indigenous leader and his relatives in December 2023 and February 2024.²⁹

81. On 17 April 2024, Ms. Tininiska Rivera Castellón, daughter of Mr. Brooklyn Rivera and indigenous human rights defender, delivered a statement at the 23rd Session of the UNPFII³⁰ where she demanded proof of life of her father and his release. In her statement, she also noted having received threats at the Forum. According to information received by OHCHR, Ms. Rivera Castellón has been harassed and surveilled by the authorities since May 2023. Ms. Rivera Castellón has reportedly been dismissed from her job, had to interrupt her studies, and her bank accounts have been frozen.

82. During the period, OHCHR continued to receive requests from victims and sources in the country and in exile, that any information published on their cases be anonymized to avoid their potential identification due to fear of reprisals against them and their families. It also documented refusals from individuals, including relatives of victims, defense lawyers and other sources, to engage with the United Nations due to fear of reprisals. Names and details of those concerned are withheld for fear of further retaliation.

83. During the period, the High Commissioner for Human Rights³¹ noted severe restrictions by the Government on civic space that, combined with an erosion of the rule of law, allowed for the systematic persecution of any organized civic activism or human rights work. The High Commissioner also noted that the silencing of critical voices persists in a context of widespread fear and harassment by the authorities and reported that the practice of denying entry to Nicaraguan nationals intensified in the first quarter of 2023, affecting several individuals who were conducting international advocacy for human rights in Nicaragua (A/HRC/54/60, paras. 36–37 and 75–76).³²

84. The Group of Human Rights Experts on Nicaragua³³ noted that human rights defenders and political opposition are facing severe pressure to leave the country, through constant surveillance, harassment in public and private spaces and the continued use of arbitrary detention (A/HRC/55/CRP.3, paras. 124 and 166, see also annex II).

²⁵ <https://webtv.un.org/en/asset/k10/k10ja0t2v2>.

²⁶ <https://www.ohchr.org/en/statements-and-speeches/2024/03/high-commissioner-presents-updates-human-rights-colombia-guatemala>.

²⁷ <https://x.com/OACNUDH/status/1751989606881370195>.

²⁸ https://www.oas.org/en/iachr/decisions/mc/2023/res_60-23%20_mc_812-23%C2%A0_ni_en.pdf

https://www.oas.org/en/iachr/decisions/mc/2023/res_59-23%20_mc_799-23%C2%A0_ni_en.pdf.

²⁹ http://corteidh.or.cr/docs/medidas/yatama_se_01.pdf

http://corteidh.or.cr/docs/medidas/yatama_se_02.pdf.

³⁰ <https://webtv.un.org/en/asset/k13/k13w7qk515> (time stamp 02:37:00).

³¹ <https://www.ohchr.org/en/statements/2023/06/nicaragua-update>.

³² <https://www.ohchr.org/en/statements-and-speeches/2023/12/nicaragua-report-points-continuing-violations>; <https://www.ohchr.org/en/press-briefing-notes/2023/06/nicaragua-silencing-critical-voices>.

³³ https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/grhe-nicaragua/OA-GHREN-54HRC-12SSEP23_English.docx.

14. Philippines

85. On 10 October 2023, mandate holders addressed allegations of judicial harassment under terrorism-related legislation³⁴ and red tagging – i.e. the labelling as communists or terrorists – of **Mr. Windel B. Bolinget** as part of a group of human rights defenders and Indigenous leaders of the Cordillera Peoples Alliance (CPA). The CPA is a non-governmental organisation based in the Cordillera Region representing Indigenous peoples such as the Kankanaey and Bontok, the Limos and the Igorot (PHIL 4/2023).³⁵

86. Mr. Bolinget has actively engaged with United Nations bodies and mechanisms over the years, including with the Forums on Business and Human Rights (2018 and 2022) and in the 4th cycle of the Universal Periodic Review of the Philippines (2023). Reportedly, as a result of this cooperation, Mr. Bolinget has been subjected to surveillance, harassment, and reputational damage. In 2021, the National Task Force to End Local Communist Armed Conflict (NTF-ELCA) referred to him and the NGO CPA as having “infiltrated the United Nations” (PHIL 4/2023).

87. On 24 January 2023, the Regional Trial Court in Bangued issued an arrest warrant for seven indigenous human rights defenders under charges of “rebellion” (article 134 of the Revised Penal Code) for their alleged involvement in an ambush on the Philippines Army on 27 October 2022. On 11 May 2023, the Court dismissed these cases for lack of probable cause and quashed the arrest warrants. Despite this decision, four of the Indigenous Peoples’ rights defenders, including Mr. Bolinget, were subsequently designated as terrorists affiliated with the Communist Party of the Philippines, the New People’s Army (CPP-NPA), in a resolution issued by the Anti-Terrorism Council on 7 June 2023 (PHIL 4/2023).

88. Pursuant to the designation,³⁶ on 12 July 2023 the CPA bank accounts and the personal bank accounts of the four indigenous human rights defenders were frozen. On 23 June 2023, CPA leaders filed an appeal with the Supreme Court seeking legal protection in the form of a *writ of amparo*, given the risk they felt this resolution posed to their security (PHIL 4/2023).

89. On 29 December 2023, the Government responded³⁷ to mandate holders noting that the fact that the court, after due process, had quashed the arrest warrant and dismissed the case against Mr. Bolinget unequivocally highlighted the availability of judicial remedies. The Government further addressed the legal basis for the designation of Indigenous leaders, including Mr. Bolinget, as “terrorists” noting that the designation process under the Anti-Terrorism Act is in line with UN Security Council resolution 1373.

90. According to information received by OHCHR, on 23 November 2023 Mr. Bolinget and the other members of the CPA submitted a petition (*writ of amparo*) at the Regional Trial Court Branch 7 in Baguio City regarding their terrorist designation. The first hearing took place on 14 December 2023 and the second hearing, scheduled for 26 January 2024, was postponed to 26 April and then to 12 June 2024.

91. On 29 July 2024, the Government responded to the note verbale sent in connection to the present report denying that Mr. Bolinget had been subjected to judicial harassment under the terrorism-related legislation and red tagging. It explained that under section 25 of Republic Act 11479, the Anti-Terrorism Council was vested with the authority to designate an individual, groups of persons, an organization, or an association as a terrorist(s) or terrorist organization upon a finding of probable cause, that they committed, attempted to commit, or conspired in the commission of terrorism, and that, following such a designation, the Anti-Money Laundering Council was authorized to freeze the assets of those designated as such. The Government added that the Regional Trial Court Branch 7 in Baguio City continued to hear the petition for certiorari and writ of a preliminary injunction filed by

³⁴ The Anti-Terrorism Act of 2020, Terrorism Financing Prevention and Suppression Act of 2012, and Executive Order 68 of 2018.

³⁵ See also PHIL 1/2023 and PHIL 1/2021, and Government replies at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37722> <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35937>.

³⁶ Notice of Anti Money Laundering Council Resolution Number TF-67, series of 2023, 30 June 2023.

³⁷ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37722>.

Mr. Bolinget and three other members of the CPA challenging the legality of their designation as terrorists and the freezing of their assets.

92. The Government added that in January 2024 the Regional Trial Court had suspended the proceedings to seek guidance on an issue of jurisdiction and that it had resumed the hearing in March 2024, following the Supreme Court's instruction to continue. It also noted that on 7 June 2024, the Regional Trial Court had issued an Order denying the petitioners' application for the issuance of a writ of preliminary injunction.

15. Russian Federation

93. On 17 April 2024, special procedure mandate holders addressed allegations on the forced dissolution of the non-governmental organization "**Man and Law**" through a court administrative decision that cited its consultative status with the United Nations as one of the reasons for the dissolution. This organization works on human rights education, legal assistance, reporting, and advocacy, including through its engagement with the United Nations bodies and mechanisms (RUS 3/2024).

94. On 7 December 2022, "Man and Law" was granted ECOSOC consultative status with the United Nations by a vote of ECOSOC (see E/2023/L.6).³⁸ This followed repeated deferrals of its 2018 application for accreditation by the UN Committee on Non-Governmental Organizations³⁹ (RUS 3/2024).

95. On 9 December 2022, the Ministry of Justice conducted an unscheduled inspection of the organization's documentation and refused to disclose the content of the complaint which served as the grounds for this inspection. On 27 December 2022, the Ministry of Justice presented a report alleging that "Man and Law" had carried out activities inconsistent with its founding objectives, along with other violations of the domestic legislation concerning public associations,⁴⁰ non-commercial organizations,⁴¹ and foreign agents.⁴² The NGO was not provided with the possibility to challenge this report (RUS 3/2024).

96. In January 2023, the Ministry of Justice used this report to file an administrative lawsuit against "Man and Law" with the Supreme Court, resulting in its forcible dissolution on 21 August 2023. In its decision, the Supreme Court invoked several reasons for the dissolution, including violations of the territorial scope of activities of the organization, and referred specifically to its ECOSOC consultative status. Special procedures mandate holders noted that the dissolution of "Man and Law" appeared to constitute an act of reprisals against the organization for its cooperation with the UN and its recently obtained ECOSOC Status. (RUS 3/2024).

97. According to information received by OHCHR, on 7 July 2023 the Prosecutor General's office added the international non-governmental organization **Human Rights House Foundation (HRHF)** to a list of organizations engaged in so-called "undesirable activities," in accordance with Federal Law No. 129-FZ of 23 May 2015 on undesirable activities of foreign and international non-governmental organizations.⁴³ Allegedly, HRHF's inclusion in the list was due to its engagement with United Nations bodies and mechanisms.

98. HRHF does not have an office in the Russian Federation, nor does it carry out activities in the country, however, HRHF has conducted public advocacy at the United Nations in Geneva on the human rights situation in the Russian Federation. HRHF had a leading role in a civil society campaign calling for the Human Rights Council to formally address the human rights situation in Russia, including through establishment of a mandate of a Special Rapporteur on the situation of human rights in the country. This designation has reportedly jeopardized its collaboration with human rights defenders and organizations in Russia, including in connection to advocacy at and engagement with the United Nations.

³⁸ <https://press.un.org/en/2022/ecosoc7108.doc.htm>.

³⁹ <https://press.un.org/en/2022/ngo945.doc.htm>.

⁴⁰ Federal Law on Public Associations, No. 82-FZ (1995).

⁴¹ Federal Law on Non-Commercial Organizations, No. 7-FZ (1996).

⁴² Federal Law on the Control of Activities of Persons under Foreign Influence, No. 255-FZ (2022).

⁴³ See A/HRC/54/54, para. 29.

Russian nationals who participate in HRHF activities or that receive funding from HRHF may face criminal liability under the applicable law.

99. During the reporting period, the Special Rapporteur on the human rights situation in the Russian Federation reported on the designation of HRHF as an “undesirable organization” along with several other international non-governmental organizations. An organization declared “undesirable” faces severe consequences, including a complete ban on operations in the Russian Federation. Russian citizens are prohibited from receiving funding from an “undesirable organization”. (A/HRC/54/54, paras. 27, 29–30). The Special Rapporteur also addressed Federal Law No. 129-FZ (2015) on undesirable activities of foreign and international non-governmental organizations (See Annex II) noting that it makes it a crime “to participate” in any activity of an “undesirable” organization, whether the organization is located in the Russian Federation or overseas. She stated that the law prohibits Russian nationals from receiving funding from or disseminating information of an “undesirable” organization and that as at 31 July 2023, there were at least 103 organizations declared as “undesirable”. The law does not specify what constitutes “participation”.

100. The Special Rapporteur on the human rights situation in the Russian Federation also expressed her appreciation to those who had provided information for the report, often in the face of heightened risk of intimidation and reprisals. The Special Rapporteur recommended that the Russian authorities cooperate fully with the Office of the Secretary-General and OHCHR to ensure that all forms of intimidation and reprisals are ended against those who seek to cooperate with the United Nations, including its human rights bodies and mechanisms, and put safeguards in place to prevent future reprisals (A/HRC/54/54, paras.111–112).

101. In October 2023, the Human Rights Council adopted resolution 54/23 on the situation of human rights in the Russian Federation, which expresses concern that legislative measures are being used by the authorities against Russian civil society to penalize and criminalize cooperation with international organizations, including as reprisals for cooperation with United Nations human rights mechanisms, and that the enforcement of such legislation is reportedly leading to self-censorship and dissuading civil society actors from publicly engaging with the United Nations and other organizations (A/HRC/RES/54/23). The resolution also calls upon the Russian authorities to refrain from all forms of intimidation and reprisals against persons and associations for their cooperation with the Special Rapporteur on the situation of human rights in the Russian Federation, other special procedures, the treaty bodies, OHCHR, as well as all stakeholders in the context of the universal periodic review. (A/HRC/RES/54/23)

16. Sri Lanka

102. During the reporting period, OHCHR documented harassment and intimidation by state security officials or persons assumed to be affiliated with security officials against five individuals (male and female) due to their engagement with United Nations human rights bodies and mechanisms. Names and details of those concerned have been withheld due to fear of further reprisals. OHCHR is following this situation.

103. The concerned individuals, some of whom had been allegedly harassed by state security officials in the past, are all from the North and East regions of the country and work on post-conflict-related issues such as enforced disappearances, land-related conflicts, etc. All of them, except one, had travelled to Geneva and engaged with a range of United Nations human rights bodies and mechanisms, including treaty bodies, special procedures mandate holders, and OHCHR staff.

104. The nature of the harassment and intimidation included visits to individuals’ private homes, phone calls and summons by State security officials to question them about their advocacy trips to Geneva, including who had paid for those trips and what the purpose was of their travel. Some of the individuals were subjected to public vilification campaigns in relation to their engagement with international actors, including the United Nations.

17. Turkmenistan

105. On 11 January 2024, mandate holders addressed allegations of undue restrictions of the freedom of movement of **Ms. Gurban Soltan Achilova**, a freelance photojournalist and woman human rights defender, that prevented her travel to Geneva and her engagement with representatives of the Office of the High Commissioner for Human Rights (TKM 1/2023).

106. Ms. Achilova was invited to participate in the Human Rights Week, organised by the University of Geneva and civil society from 20–24 November 2023. On 5 November 2023, one of the organizers sent a letter to the Permanent Mission of Turkmenistan in Geneva seeking the authorities' assistance in facilitating Ms. Achilova's safe passage to Geneva (TKM 1/2023).

107. On 18 November 2023, Ms. Achilova and her daughter were stopped at Ashgabat airport en route to Geneva but were not able to travel. The customs authorities allegedly wet their passports with a cloth and then declared that they could not be used as they were ruined. (TKM 1/2023).

108. Mandate holders noted that they believed this incident to be linked to Ms. Achilova's work and cooperation with international human rights actors, in particular the United Nations. They also noted the chilling effect on all those wishing to engage in human rights work, including cooperation with the United Nations (TKM 1/2023).

109. On 6 February 2024, the Government responded⁴⁴ to mandate holders, informing that it had approved a new type of biometric passport in 2023. Regarding the failed departure of Ms. G. Achilova and her daughter, the Government noted that, following several failed attempts to read their passports, it was found that they could not leave the country because the documents were defective. The Government informed that Ms. Achilova and her daughter will be able to leave the country without hindrance if they present biometric passports that are in proper condition.

110. On 2 February 2024, during the review of the sixth periodic report of Turkmenistan, the Committee on Elimination of all forms of Discrimination against Women noted Ms. Achilova's failed attempt to travel to Geneva and asked the delegation to comment on her case. The delegation responded that Ms. Achilova had been stopped at passport control because her passport was unreadable. The delegation noted that, like any other citizen, Ms. Achilova had the right to apply for a new passport and to travel wherever she wished. (CEDAW/C/SR/2038, paras. 53–59).

111. According to information received by OHCHR, Ms. Achilova received a new biometric passport on 1 April 2024.

112. On 21 June 2024, the Government responded to the note verbale sent in connection to the present report informing that a new passport was issued to Ms. Achilova, as a Turkmenistan citizen, for departure from and entry into the country. The Government noted that the right of a citizen to leave the country may be restricted under article 30 of the Migration Act, without prejudice to the principle of freedom of movement, solely on the basis of necessity, as set out in the International Covenant on Civil and Political Rights, that is, solely for the protection of national, public order, public health or morals or the rights and freedoms of others. The Government further noted that, at the same time, the application of restrictions under article 30 of the Migration Act is based on clear criteria necessary for the protection of persons and is proportionate to the protected security interests of persons and the State as a whole.

18. Venezuela (Bolivarian Republic of)

113. 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 on the

⁴⁴ See Government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=38118>.

situation of 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 (A/HRC/54/CRP.8, Case 28, paras. 835–845).

114. Following the publication of the Fact-Finding Mission reports in 2021 and 2022, Mr. Caldera Cordero has reportedly been 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 (A/HRC/54/CRP.8, Case 28, paras. 835–845).

115. 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.

116. 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 (CCPR/C/SR.4040, para. 13).

117. During the reporting period, the High Commissioner for Human Rights noted continued restrictions on civic space, including restrictive laws that limit the work of civil society and reports that those expressing dissent were subjected to arbitrary judicial and administrative procedures, as well as stigmatization. In its 2023 report, the Fact-Finding Mission noted that its investigations continue to be limited by individuals' fear of cooperating with the Mission. A large number of people interviewed by the Mission, including victims and family members, requested anonymity for fear of reprisals (A/HRC/54/CRP.8, para. 37). On 15 February 2024, the Government suspended the activities of OHCHR in the country, pending review.

118. According to information received by OHCHR, this environment intensified the fear of reprisals amongst those expressing dissenting views or perceived as critical of the Government, thus inhibiting their cooperation and engagement with the United Nations in the field of human rights. Following the decision of the Government to suspend OHCHR's activities in the country in February 2024, human rights defenders and civil society organizations reportedly had to restrict their human rights activities. They reportedly suspend 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. Names and details of those concerned have been withheld for fear of reprisals.

19. Yemen

119. During the reporting period, OHCHR documented the continued imposition of **restrictions by the Houthis** (who called themselves Ansar Allah), on the United Nations operations including humanitarian, human rights and development activities and engagement with civil society actors.⁴⁵ On 21 August 2023, the Security and Intelligence Service of the Houthis in Amanat Al-Asimah suspended an event that OHCHR's Country Office of the Office of the High Commissioner for Human Rights in Yemen was planning to implement with civil society organizations, hindering civil society's engagement with the United Nations.

⁴⁵ A/HRC/51/47 Annex I, paras. 86–87, A/HRC/54/61 para. 127.

120. OHCHR also documented restrictions impacting engagement between **United Nations and civil society organizations** by the Ministry of Social Affairs and Labor of the Government of Yemen. On 13 July 2023, the Ministry issued Circular No. 518⁴⁶ addressed to the United Nations Resident Representative and Humanitarian Affairs Coordinator in Yemen and the regional directors of branches of foreign non-governmental organizations (NGOs) operating in Yemen. The Circular instructed that any “dealings” with local civil society organizations should be ceased unless processed through the Ministry of Social Affairs and Labor. The Circular added that any agreements or memorandums of understanding between the United Nations and civil society organizations required prior permission and approval from the Ministry as well as the activities or projects of civil society funded or commissioned by foreign organizations. OHCHR documented similar **restrictions by the Supreme Council for Management and Coordination of Humanitarian Affairs and International Cooperation**.

121. During the reporting period, OHCHR also documented that **the National Southern Media Authority (NSMA)** issued a directive on 13 December 2023, that instructed the owners of hotels and halls in Aden Governorate not to hold events in their premises unless the organizers had obtained prior written approval from the NSMA.⁴⁷ According to information received by OHCHR, during the reporting period, United Nations entities and civil society organizations, including human rights organizations, reported having faced challenges obtaining approval to hold events in Aden, including human rights-related workshops.⁴⁸ On 28 March 2024, the NSMA issued an amendment to its directive that instructed entities seeking to hold conferences, events, and workshops in hotels to obtain licences for their activities from the Aden Office of the Ministry of Planning and International Cooperation.

20. State of Palestine

122. According to information received by OHCHR, on 9 August 2023 the Palestinian General Intelligence Service (GIS) arrested and intimidated Mr. Nader Mit’ib in relation to his engagement with OHCHR and others on the arrest, detention, and torture of 22 members of his extended family. Reportedly, GIS officers held a copy of a letter Mr. Mit’ib had delivered to the OHCHR office in Hebron on the issue, while intimidating him for speaking to human rights organizations about the case of his family. GIS officers had allegedly seized the letter from Mr. Mit’ib’s car. Mr. Mit’ib was formally charged with “possession of firearms” and released on bail after 14 days in detention.

⁴⁶ Copy of the Circular No. 518 (in Arabic) available on file with OHCHR, Yemen.

⁴⁷ <https://www.3rd-eye.net/UploadFiles/2023/Dec/15/b99e5ef8-7ac4-4f2f-848e-5d223f59f88a.jpg>.

⁴⁸ <https://www.amnesty.org/en/latest/news/2024/03/yemen-southern-transitional-council-must-end-crackdown-on-civic-space/>.

Annex II

Information on alleged cases included in follow-up to previous reports

1. Algeria

1. The cases of **Ms. Jamila Loukil** and **Mr. Kaddour Chouicha**, both members of La Ligue Algérienne pour la Défense des Droits de l'Homme (LADDH), were included in the 2023 report of the Secretary-General⁹⁴ on allegations of obstacles to and a ban on travelling abroad that prevented their in-person participation in the fourth cycle of Algeria's Universal Periodic Review (UPR) in August 2022 (DZA 2/2023).

2. On 14 June 2023, mandate-holders addressed allegations of judicial harassment of Mr. Chouicha and Ms. Loukil since 2019 and listed the appeals lodged by Mr. Chouicha, including before the State Council (Conseil d'Etat) in February 2023 in relation to the interdiction to leave the national territory.

3. On 12 August 2023, the Government responded⁹⁵ to mandate holders noting that Mr. Chouicha was awaiting trial and as such was not permitted to travel. The Government informed that since 2021 Mr. Chouicha and his co-defendants were indicted under charges 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 informed that Mr. Chouicha's appeal related to the interdiction to travel abroad was rejected on 14 June 2023.

4. According to information received by OHCHR, Mr. Chouicha and his lawyers had not been formally notified of the rejection of his appeal before the State Council. Mr. Chouicha's lawyer was only able to obtain the decision from the Administrative Court of Appeal on 29 January 2024. The decision states that his appeal was rejected on two grounds, first the complainant had failed to demonstrate that he was prevented from travelling, and second the Ministry of Interior had never issued a travel restriction against him.

5. On 17 July the Government responded to the note verbale sent in connection to the present report clarifying that on 3 December 2023, the Assize first instance Court of Justice of Algiers had acquitted Mr. Kaddour Chouicha and his wife Ms. Jamila Loukil of all charges against them and noting that no order banning their travel outside of Algeria had been issued.

2. Andorra

6. The case of **Ms. Vanessa Mendoza Cortés**, from the NGO Associació Stop Violències Andorra, has been included since 2020 in the reports of the Secretary-General⁹⁶ on allegations of a criminal investigation linked to her engagement with the Committee on the Elimination of Discrimination against Women (CEDAW) in October 2019 during its review of Andorra. The case of Ms. Mendoza Cortés has been addressed by various United Nations human rights mechanisms,⁹⁷ to which the Government has responded.⁹⁸

7. According to information received by OHCHR, the trial of Ms. Mendoza took place on 4 December 2023 where she faced charges of "crime against the reputation of the

⁹⁴ A/HRC/54/61 para. 41, Annex I paras. 7–11.

⁹⁵ See Government reply at

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37649>.

⁹⁶ A/HRC/45/36, Annex I, paras. 5–7; A/HRC/48/28, Annex II paras. 1–4; A/HRC/51/47, Annex II paras. 1–3; A/HRC/54/61, Annex II paras. 1–5.

⁹⁷ AND 1/2020, A/HRC/46/11, paras. 20 and 60.

⁹⁸ See government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36025>.

institutions” (art. 325 of the Andorran Penal Code) for her intervention at the review of Andorra by the CEDAW Committee. The General Prosecutor had requested a fine of EUR 6,000, an additional EUR 6,000 to compensate the Government, and a six month ban from exercising any public function.

8. On 9 February 2024, the Permanent Mission of Andorra to the United Nations in Geneva informed OHCHR that on 17 January, the Tribunal de Corts, First Instance Court on criminal issues, acquitted Ms. Mendoza of all charges. Since the General Prosecutor’s Office decided not to appeal the judgement, the decision became final on 8 February. The CEDAW Committee and the Special Rapporteur on the situation of human rights defenders welcomed Ms. Mendoza’s acquittal after nearly four years of criminal proceedings against her.⁹⁹

3. Bahrain

9. During the period, mandate holders addressed the situation of **Mr. Abdulhadi Al-Khawaja** and **Mr. Abduljalil Al-Singace** whose cases have been included in the reports of the Secretary-General since 2021, and prior to that in 2011 and 2012,¹⁰⁰ on allegations of arbitrary arrest, torture and lengthy sentences following their engagement with the United Nations.

10. **Mr. Al-Khawaja**, former Protection Coordinator of the NGO Frontline Defenders and, is currently serving a life sentence on terrorism related charges. **Mr. Al-Singace**, former Director of the Human Rights Bureau of the Haq Movement for Civil Liberties and Democracy, is currently serving a life sentence on terrorism related charges. Mr. Al-Singace has a disability and requires the use of a wheelchair. United Nations treaty bodies¹⁰¹ and special procedures mandate holders have addressed Mr. Al-Khawaja’s¹⁰² and Mr. Al-Singace’s¹⁰³ situation on numerous occasions, to which the Government has responded.¹⁰⁴

11. On 13 September 2023, mandate holders addressed allegations of continued detention and health concerns regarding **Mr. Al-Singace** and **Mr. Al-Khawaja** (BHR 3/2023). On 15 September 2023 and 9 January 2024, the Special Rapporteur on the situation of human rights defenders publicly expressed her concerns about the deteriorating health of both human rights defenders.¹⁰⁵ On 10 November 2023, the Government responded to mandate holders providing information about actions by the Special Investigations Unit regarding¹⁰⁶s of

⁹⁹ <https://x.com/UNTreatyBodies/status/1748408496993816631?s=20>;

https://x.com/MaryLawlorhrds/status/1747647928749920735?t=IxnULFPeAEPV0C8_pN2dg&s=09

¹⁰⁰ A/HRC/18/19, paras. 15–24; A/HRC/21/18, paras. 53–54; A/HRC/48/28 Annex II paras. 7–8; A/HRC/51/47, Annex II paras. 5–6 and 9 and 14; A/HRC/54/61, Annex II, paras. 8–9.

¹⁰¹ E/C.12/BHR/CO/1, paras. 8–9.

¹⁰² BHR 1/2023; A/HRC/WGAD/2012/6; BHR 3/2012; BHR 18/2011; 17/2011; 9/2011; 5/2011; 4/2011; 2/2009; 2/2007; 6/2005; see also: <https://www.ohchr.org/en/press-releases/2021/06/bahrain-un-expert-alarmed-prolonged-detention-human-rights-defenders>.

¹⁰³ A/HRC/WGAD/2023/2; BHR 5/2021, BHR 4/2021, BHR 1/2019, BHR 5/2016, BHR 18/2011, BHR 4/2011, BHR 7/2010, and BHR 5/2010.

¹⁰⁴ See government replies at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37486>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30542>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30543>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30544>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30545>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30187>.

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34960>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=2110>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36840>.

¹⁰⁵ <https://www.ohchr.org/en/press-releases/2023/09/bahrain-un-expert-alarmed-health-human-rights-defenders-prison#:~:text=%E2%80%9CI%20am%20extremely%20concerned%20about,situation%20of%20human%20rights%20defenders> and

<https://twitter.com/marylawlorhrds/status/1744709944627081698?s=46&t=cRHQAIDKMM9qbVUmCQCmFQ>.

¹⁰⁶ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37802>.

Mr. Al-Singace and Mr. Al-Khawaja, as well as updates on their health conditions. The Government also informed about measures taken to prevent human rights violations against inmates by members of the prison authorities and security personnel.

12. According to information received by OHCHR, on 7 January 2024 **Mr. Al-Singace** started a hunger strike (except for water) after his family was subjected to harsh measures during their visit to Kanoo Medical Center. Prior to this, Mr. Al-Singace had been sustaining himself on multivitamin liquid supplements, tea with milk and sugar, water, and salts since July 2021. This solid food strike was to protest the confiscation of his intellectual property.

13. According to information received by OHCHR, from 9 to 14 May 2023 **Mr. Al-Khawaja** reportedly staged a daily protest in the yard of Jau Prison demanding adequate medical care. On 9 August 2023, Mr. Al-Khawaja joined other prisoners in a collective hunger strike¹⁰⁷ to protest for prison conditions, denial of medical care, and continued arbitrary detention. On 12 August 2023 he was taken to the intensive care unit of the Bahrain Defense Force Hospital due to cardiac problems.

14. On 15 September 2023, **Ms. Maryam Al-Khawaja**, daughter of Mr. Al-Khawaya and a woman human rights defender, was prevented from checking in at London Heathrow Airport for a flight to Bahrain to visit her father and could not board the plane. The case of Ms. Maryam Al-Kawaya was included in the 2013 report¹⁰⁸ of the Secretary-General on allegations of surveillance, intimidation and smearing in national media linked to her participation in an NGO side-event during 21st session of the Human Rights Council in Geneva and in connection with the 2nd cycle of the Universal Periodic review of Bahrain.¹⁰⁹

15. The cases of human rights defender **Mr. Sayed Ahmed Al-Wadaei** and several of his relatives have been included in the reports of the Secretary-General since 2022, and before that in 2019 and 2020,¹¹⁰ on allegations of arbitrary arrest, ill-treatment, removal of citizenship and reprisals for Mr. Al-Wadaei's continuous engagement with the United Nations. In 2018, the Working Group on Arbitrary Detention¹¹¹ found the detention of Mr. Al-Wadaei's relatives to be arbitrary, based on their family ties and in reprisal for Mr. Al-Wadaei's cooperation with the United Nations. Mr. Al-Wadaei has resided in exile since 2012.

16. The situation of **Mr. Sayed Nazar Naama Baqquer Ali Yusuf Alwadaei**, the brother-in-law of Mr. Al-Wadaei, was included in the 2023 report of the Secretary-General on allegations of imprisonment in reprisals for the activism of Mr. Al-Wadaei (A/HRC/51/29 para. 29). According to information received by OHCHR, on 8 April 2024 Mr. Sayed Nazar Naama Baqquer Ali Yusuf Alwadaei was released unconditionally on royal pardon and reunited with his family.

17. The case of **Mr. Hassan Mushaima** was included in the 2021 and 2023 reports of the Secretary-General, and prior to that in the 2011 and 2012 reports,¹¹² on allegations of conviction and life sentencing on terrorism charges following his engagement with the United Nations human rights mechanisms. Special procedures mandate holders addressed his situation on multiple occasions,¹¹³ to which the Government replied.¹¹⁴ Mr. Mushaima is the former Secretary of the Haq Movement for Liberty and Democracy.

¹⁰⁷ <https://www.ohchr.org/en/press-releases/2023/08/comment-un-human-rights-office-spokesperson-ravina-shamdasani-continued>.

¹⁰⁸ A/HRC/24/29, para. 19.

¹⁰⁹ BHR 10/2012, see Government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33163>.

¹¹⁰ 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; A/HRC/51/47 Annex II paras. 10 and 15; A/HRC/54/61, Annex II, paras. 9–10.

¹¹¹ A/HRC/WGAD/2018/51, paras. 85, 93 and 96.

¹¹² A/HRC/48/28, Annex II paras. 5–6; A/HRC/21/18, paras. 53–54; A/HRC/18/19, paras. 15–24; A/HRC/54/61, Annex II para. 11.

¹¹³ BHR 1/2019; BHR 5/2014; BHR 4/2012; BHR 17/2011; BHR 4/2011; BHR 3/2011; BHR 2/2007.

¹¹⁴ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30648>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30287>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30187>;

18. According to information received by OHCHR, during the reporting period Mr. Mushaima's physical condition has deteriorated further and there are serious concerns for his health. 19 July 2023 marked two years of isolation of Mr. Mushaima at the Kanoo Medical Center, where he is reportedly not provided with adequate healthcare and is denied freedom of worship.

4. Bangladesh

19. **Ms. Sanjida Islam Tulee and other members of Maayer Daak association**, a platform of families of disappeared persons, were included in the 2023 report of the Secretary General¹¹⁵ on alleged threats, police visits, increased surveillance, and a smear campaign in relation to the visit to Bangladesh by the then United Nations High Commissioner for Human Rights. According to information received by OHCHR, during the reporting period Ms. Sanjida Islam and other members of Maayer Daak, continued to receive threatening calls, and visits by police officers, and remained under increased surveillance. During the reporting period they were reportedly visited several times by security agencies, who instructed them to stop speaking out, including with United Nations officials, while media and other organizations continued to undertake smear campaigns against them for their work on the human rights of the disappeared and their families, including with the United Nations.

20. On 24 June 2023, in the context of an official visit to the country of the United Nations Under Secretary-General for Peace Operations to attend an official meeting co-hosted by Bangladesh, Canada, and Uruguay, **Ms. Sanjida Islam Tulee** and a group of some 20 women waited outside of the meeting venue to hand him a document containing information about the alleged disappearance of their relatives. Police did not allow Ms. Islam Tulee and the group of women to deliver the document. The same day, Ms. Islam Tulee was reportedly visited by the police in her home and instructed not to approach the United Nations.

21. The Working Group on Enforced or Involuntary Disappearances reiterated in its annual report its previous recommendation to the Government of Bangladesh that it must ensure that the relatives of disappeared persons, human rights defenders, and civil society organizations working on their behalf are protected from any threat, intimidation, or reprisals. (A/HRC/54/22 para. 62)

22. 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 and 2023 reports of the Secretary-General¹¹⁶ after allegedly 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 2013.¹¹⁷ 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.¹¹⁸

23. 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

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30864>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32017>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34961>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34960>.

¹¹⁵ A/HRC/54/61, Annex I para. 14.

¹¹⁶ A/HRC/18/19, paras. 25–26; A/HRC/42/30, para. 40 and Annex II, paras. 11–12; 10–11; A/HRC/45/36, para. 47 and Annex II, paras. 8–9; A/HRC/48/28, Annex II paras.; A/HRC/51/47: Annex II, paras. 17–21, A/HRC/54/61, Annex II, paras. 15–19.

¹¹⁷ BGD 4/2022, BGD 6/2021, BGD 1/2017, 6/2015, 2/2014, 15/2013, 10/2013, and, 9/2013.

¹¹⁸ A/HRC/51/47: Annex II, para. 22. See also

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37398> and

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37405>.

enforced disappearances and extrajudicial killings and cooperated with UN human rights mechanisms in this context.¹¹⁹ 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.¹²⁰

24. 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.¹²¹

25. According to information received by OHCHR, 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.

26. 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.

27. 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”.

28. According to information received by OHCHR, 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.¹²² 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.¹²³

29. 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

¹¹⁹ <https://www.ohchr.org/en/press-releases/2023/07/bangladesh-must-end-harassment-human-rights-defenders-un-experts>.

¹²⁰ Ibid.

¹²¹ <https://www.ohchr.org/en/press-releases/2023/11/un-experts-urge-bangladesh-seize-human-rights-council-review-opportunity>.

¹²² <https://www.thedailystar.net/news/bangladesh/news/anti-state-propaganda-home-ministry-sends-list-expatriates-missions-abroad-3322811>.

¹²³ Ibid. and <https://www.tbsnews.net/bangladesh/govt-working-counter-pre-election-propaganda-against-bangladesh-foreign-ministry-684074>.

against Odhikar and its Secretary, Mr. Khan and addressed allegations of intensified surveillance of Odhikar following the visit to Bangladesh by the United Nations High Commissioner for Human Rights in August 2022. (BGD 4/2022). The Government responded in detail to mandate holders.¹²⁴

30. According to information received by OHCHR, 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.

31. On 15 June 2022, according to information received by OHCHR, the 2013 case against Mr. Adilur Rahman Khan and Mr. Nasiruddin Elan under the Information and Communication Technology Act, 2006, was re-opened for investigation to allow further evidence upon request by the State Prosecution.¹²⁵ 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.

32. 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.

5. Belarus

33. The case of **Mr. Aliksandr Yarashuk** was included in the 2023 report of the Secretary-General¹²⁶ on allegations of arbitrary detention, charges and sentencing under article 342 of the Criminal Code (disrupting social order), including for his submission of information to the International Labour Organization (ILO). Mr. Yarashuk is a Chair of the now outlawed Belarusian Congress of Democratic Trade Unions (BKDP) and member of the ILO Governing Body. The ILO Governing Body and special procedures mandate holders addressed the situation of Mr. Yarashuk, and the Government responded.¹²⁷

34. In its 2023 and 2024 follow-up reports to the resolution on the measures recommended under article 33 of the ILO Constitution on Belarus, the ILO's Governing Body and the Committee on Freedom of Association noted with concern the change in the conditions of imprisonment of Mr. Yarashuk from "ordinary" to "strict" and his transfer in November 2023 to Mogilev Prison No. 4. On 6 September 2023, the BKDP and the International Trade Union Confederation (ITUC) informed the ILO Office of the deteriorating conditions of

¹²⁴ See government replies at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37393>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37398>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37399>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37401>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37402>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37403>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37404>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37405>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37406>.

¹²⁵ See government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37393> p. 2.

¹²⁶ A/HRC/54/61, Annex I paras.

¹²⁷ See Minutes of the 346th session of the Governing Body of the International Labour Office (GB.346/PV), paras. 467–468; and BLR 6/2022.

imprisonment of Mr. Yarashuk. On 12 September 2023, ILO's Director-General expressed deep concern and called on the authorities to refrain from any action that would be detrimental to Mr. Yarashuk's situation, including any potential negative consequences on his health (GB.349/INS/13(Rev.1), para. 7 and GB.350/INS/10(Rev.1), paras. 6 and 51).

35. In its reply to the ILO, the Government noted that the activities of the BKDP and its member organizations were terminated by Supreme Court decisions as contradicting the national Constitution and other legislation and causing harm to the State or public interests. The Government also noted that Mr. Yarashuk and other trade unionists had been found guilty of committing specific serious offences (GB.349/INS/13(Rev.1), para. 13).

36. In its 2024 conclusions, the ILO's Committee on Freedom of Association noted with concern the latest allegations submitted by the BKDP indicating that the Government had not implemented the recommendations of the Commission of Inquiry and that the repression against worker leaders and independent trade unions continued in 2023 and 2024. The Committee reiterated its previous request to immediately release all trade union leaders and activists, who, in the consistent appreciation of the ILO supervisory bodies, were prosecuted for exercising their legitimate activities and to drop all related charges (GB.350/INS/10(Rev.1), paras. 51 and 61(a)).

37. 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-General¹²⁸ 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,¹²⁹ to which the Government has responded.¹³⁰

38. 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).¹³¹

39. During the reporting period, the Special Rapporteur on the situation of human rights in Belarus noted the high risks of retaliation for those engaging with United Nations human rights mechanisms. Consequently, she chose not to disclose the names of numerous victims and sources in her 2023 report (A/HRC/53/53, para. 19),¹³² and to anonymise the names of the organizations that submitted inputs for her 2024 report as a measure of protection against retaliation (A/HRC/56/65, para. 9).

40. In its 2024 resolution on the situation in Belarus, the Human Rights Council called on the Belarusian authorities to establish full and non-selective engagement with all United Nations human rights bodies and mechanisms and urged them to refrain from all forms of

¹²⁸ A/HRC/51/47, Annex II paras. 23–24; A/HRC/48/28, Annex I, para. 2.

¹²⁹ BLR 1/2010; BLR 2/2011; BLR 7/2011; BLR 9/2011; BLR 2/2012; BLR 3/2012; BLR 1/2013; BLR 1/2019; BLR 2/2019; BLR 8/2021; BLR 3/2023.

¹³⁰ See Government replies at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=31683>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=31386>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=31263>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32592>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34577>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34679>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36641>.

¹³¹ See also <https://www.ohchr.org/en/press-releases/2024/03/belarus-year-after-conviction-viasna-chair-and-members-concerns-about>.

¹³² See also <https://www.ohchr.org/en/press-releases/2023/07/belarus-human-rights-situation-still-catastrophic-un-expert-says>; <https://webtv.un.org/en/asset/k11/k11sol9553>, time stamp 00:01:10.

intimidation and reprisals against persons and associations for their cooperation with those mechanisms (A/HRC/RES/55/27).

41. In her 2023 statement¹³³ to the Human Rights Council on the situation in Belarus, the Deputy High Commissioner for Human Rights noted that the authorities have further tightened their already far-reaching control over civic space, including by increasingly employing the label “extremism” to stifle dissent. The Special Rapporteur on the situation of human rights in Belarus expressed concern that civil society organizations, notably, those involved in human rights defence and advocacy work have been severely targeted by repressive governmental policies under pretext of countering extremism (A/78/327, para. 76).

42. On 16 July 2024, the Government responded to the note verbale sent in connection to the present report by resending the reply it had sent the previous year in connection to the 2023 report of the Secretary General.¹³⁴

6. Burundi

43. The cases of human rights lawyers **Mssrs. Armel Niyongere, Dieudonné Bashirahishize, Vital Nshimirimana and Lambert Nigarura** have been included since 2017 in the reports of the Secretary-General¹³⁵ on allegations of disbarment and suspension following their cooperation with the Committee against Torture during the consideration of a special report on Burundi in July 2016.¹³⁶

44. On 31 October 2023, during the review of the third periodic report of Burundi, the Committee against Torture noted that following the first dialogue with the Committee in 2016, the State party had taken steps that could constitute reprisals against the four representatives of civil society who had cooperated with the Committee. *In this connection, one of the lawyers was suspended from the Bujumbura Bar Association and three of them disbarred and criminally prosecuted.* The individuals concerned were not able to return to Burundi. The Committee further noted that the State party had not responded to any of the Committee’s letters and requests (CAT/C/SR.2039, para. 9).

45. In its observations, the Committee noted the prolonged suspension of lawyer Lambert Nigarura and the lack of clarity concerning the steps to be taken and the competent authority to approach for his readmission to the bar. It also noted the disbarment and criminal conviction of lawyers Armel Niyongere, Dieudonné Bashirahishize and Vital Nshimirimana, who cooperated with the Committee during the consideration of the State party’s special report. The Committee further noted that in its view these penalties could constitute reprisals against the four lawyers for providing it with information for its review of the special report of Burundi (CAT/C/BDI/CO/3 para. 20).¹³⁷

46. The Committee recommended that the State party put an end to all reprisals, including against the lawyers mentioned above and those who cooperated with the Committee in its consideration of the Special report of Burundi in 2016. It further recommended that the State take all appropriate measures to prevent intimidation and reprisals and promote a safe environment conducive to dialogue with the United Nations, its representatives and mechanisms in the field of human rights (CAT/C/BDI/CO/3 para. 21(e)).

¹³³ <https://www.ohchr.org/en/statements-and-speeches/2023/09/statement-situation-human-rights-belarus>

¹³⁴ A/HRC/54/61, Annex II paras. 25–27.

¹³⁵ A/HRC/36/31, Annex I, paras. 11–15; A/HRC/39/41, Annex II, paras. 12–13; A/HRC/42/30, Annex II, paras. 13–14; A/HRC/45/36, Annex II, para. 10; A/HRC/48/28, Annex II, para. 13; A/HRC/51/47, Annex II paras. 26–27; A/HRC/54/61, Annex II paras. 25–27.

¹³⁶ CAT/C/BDI/CO/2/Add.1, paras. 33 and 34. See also INT_CAT_RLE_BDI_24877_F and INT_CAT_RLE_BDI_24878_F.

¹³⁷ See the Committee’s letters and the State party’s response at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=1084&Lang=en. See also CAT/C/BDI/CO/2/Add.1, paras. 33 and 34; see also <https://www.ohchr.org/en/press-releases/2016/08/burundi-torture-review-un-experts-concerned-reported-reprisals>.

47. In his 2023 report, the Special Rapporteur on Burundi noted that reportedly, a culture of fear has been established in Burundi resulting in self-censorship and reprisals against political dissidents, media professionals and civil society organizations (A/HRC/54/56, para. 63). On 12 October 2023, the Human Rights Council adopted resolution 54/20 calling upon the Government to refrain from acts of intimidation or reprisal against human rights defenders, including those cooperating with international human rights mechanisms and the Human Rights Council (A/HRC/RES/54/20, OP 7).

7. Cameroon

48. The case of civil society organization Organic Farming for Gorillas Cameroon (OFFGO) has been included since 2020 in the Secretary-General's reports¹³⁸ on allegations of reprisals following a communication by special procedures mandate holders.¹³⁹ Alleged reprisals against OFFGO members have included the expulsion of **Mr. Jan Joris Capelle**, a Belgian national and co-founder of the organization, from Cameroon in 2019; threats against **Mr. (Prince) Vincent Awazi**, a traditional chief; and death threats, surveillance and attacks against **Mr. Elvis Brown Luma Mukuna**, the lawyer of OFFGO, and his relatives. Mandate holders¹⁴⁰ have addressed the allegations, to which the Government has responded.¹⁴¹

49. According to information received by OHCHR, on 23 June 2023, the Examining Magistrate at the High Court of Momo (Mbengwi) issued a "no case ruling" in the preliminary inquiry into Mr. Capelle's case and consequently closed the case.¹⁴² **Mr. Elvis Brown**, legal counsel of Mr. Capelle, received the Service Order with the no case ruling dated 30 June on 8 September, which did not allow for an appeal within the 48 hours following the date of service of the ruling, as established by law.

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

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

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

53. Regarding Mr. Capelle, the Government noted that his removal from Cameroon had been carried out in coordination with the Belgian Embassy in Cameroon, who had contacted him to protect him from threats against his personal safety from the local population with

¹³⁸ A/HRC/45/36, Annex I para. 53, Annex II paras. 21–23; A/HRC/48/28, Annex II paras. 14–16; A/HRC/51/47, Annex II paras. 28 and 29; A/HRC/54/61, Annex II paras. 26–27.

¹³⁹ CMR 3/2019.

¹⁴⁰ CMR 5/2019; CMR 4/2022.

¹⁴¹ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34800>
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37222>.

¹⁴² A/HRC/54/61, Annex II para. 26.

whom he had very tense relations. The Government affirmed its sovereign right to determine eligibility to enter the country noting that it had taken the measure for reasons of security and public order until calm had been restored. It further noted that this was the reason why Mr. Capelle had been granted a visa on 17 May 2024 so he could assert his right to legal access to justice in Cameroon in a peaceful atmosphere.

8. China

54. The case of **two members of the international legal team supporting Jimmy Lai and his son Sebastian Lai** was included in the 2023 report of the Secretary-General¹⁴³ on allegations that their statements at the Human Rights Council were considered by the Government of Hong Kong Special Administrative Region as intended to interfere with or obstruct the course of justice and could very likely constitute a criminal offence, according to a public statement the Government had made in reaction to their presentation. During the reporting period, the legal team's family members reportedly received threats over email and social media, while the international legal team continued to receive death and rape threats and to suffer repeated attempts by unknown sources to hack their email and bank accounts.

55. The case of a human rights defender against gender-based violence and for labour rights, **Ms. Li Qiaochu**, was included in the 2021, 2022 and 2023 report of the Secretary-General¹⁴⁴ on allegations that her detention was a reprisal for meeting online with two experts from the Working Group on Enforced or Involuntary Disappearances in September 2020.¹⁴⁵ On 28 February 2022, Ms. Li Qiaochu was indicted for "inciting subversion of state authority." According to information received by OHCHR, Ms. Li Qiaochu was tried on 19 December 2023, for this crime by a court in Linyi, Shandong Province. Reportedly her two lawyers were denied access to the courtroom. On 5 February 2024, the court announced Ms. Li's sentence of three years and eight months in prison. Due to time already served, her sentence is reportedly set to end on 2 August 2024.

56. The case of human rights lawyer **Ms. Li Yuhan**, who had engaged with UN human rights mechanisms and whose detention was considered arbitrary by the Working Group on Arbitrary Detention,¹⁴⁶ has been included in the reports of the Secretary-General since 2019.¹⁴⁷ Reportedly, Ms. Li Yuhan was held in pre-trial detention at the Shenyang No. 1 Detention Centre since 9 October 2017 on charges of "picking quarrels and provoking trouble" and "fraud", until her trial in October 2021. On 21 July 2023, special procedures mandate holders addressed her arbitrary detention, related violations of due process guarantees and her reported ill treatment and state of health (CHN 11/2023). On 25 September 2023, the Government replied to mandate holders¹⁴⁸ According to information received by OHCHR, on 24 March 2024, she was released from prison after having served the full term of her sentence of six and a half years. She is reportedly in poor health and in need of medical care. Reportedly, on 15 April 2024 she travelled to Beijing to seek medical treatment and had to move out of her place of residence due to alleged pressure by police on her host.

57. The case of **Ms. Xu Yan**, who reportedly had been targeted for engaging with UN human rights mechanisms, has been included in the reports of the Secretary-General since 2019,¹⁴⁹ in relation to her interrogation for her campaign for the release of her detained husband, **Mr. Yu Wensheng**, a human rights lawyer whose detention was considered

¹⁴³ A/HRC/54/61, Annex I paras. 26–32.

¹⁴⁴ A/HRC/48/28, para. 58, Annex I, para. 26; A/HRC/51/47, Annex II, paras. 36–38; A/HRC/54/61, Annex II para. 30. 58, Annex I, para. 26; A/HRC/51/47, Annex II, paras. 36–38; A/HRC/54/61, Annex II para. 30.

¹⁴⁵ See also CHN 4/2021.

¹⁴⁶ A/HRC/WGAD/2018/62, paras. 59, 62, 77–78.

¹⁴⁷ A/HRC/42/30, para. 45 and Annex I, paras. 13, 15, A/HRC/45/36, Annex II, para. 14; A/HRC/48/28, para. 59, Annex II, para. 17; A/HRC/51/47, Annex II, para. 39; A/HRC/54/61, Annex II, para. 31.

¹⁴⁸ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37731>.

¹⁴⁹ A/HRC/4 2/30, para. 45 and Annex I, paras. 13, 17, A/HRC/45/36, Annex II, para. 16; A/HRC/48/28, para. 59, Annex II, para. 19; A/HRC/51/47, Annex II, para. 40; A/HRC/54/61, Annex II, para. 32.

arbitrary by the Working Group on Arbitrary Detention¹⁵⁰ (CHN 5/2018).¹⁵¹ On 1 March 2022, Mr. Yu Wensheng was reportedly released after completing a four-year sentence. According to information received by OHCHR since his release from prison, he and his wife were subsequently placed under close surveillance and, on 14 April 2023, they were both arrested on suspicion of “picking quarrels and provoking trouble.” According to information received by OHCHR, Ms. Xu Yan and her husband Mr. Yu Wensheng remain in pre-trial detention initially in Beijing Shijingshan Detention Centre and, since January 2024, in Suzhou City No. 1 Detention Centre. Reportedly Mr. Xu Yan has lost 14 kilograms in body weight since his arrest, his health has deteriorated while in detention, and he urgently needs to undergo a surgical intervention. Ms. Xu Yan has allegedly been threatened with the arrest of her son.

58. The case of **Ms. Cao Shunli**, a human rights defender who had been arrested following an attempt (or attempts) to engage in the second universal periodic review of China and who had died in custody in 2014, was included in the reports of the Secretary-General between 2014 and to 2016, and 2018.¹⁵² On 14 March 2024, on the occasion of the tenth anniversary of her death in custody, special procedures mandate holders condemned the continued failure of the Chinese authorities to investigate the circumstances surrounding the death of Ms. Cao Shunli and bring those responsible to justice. They urged Chinese authorities afresh to fully and fairly investigate the circumstances that led to Ms. Cao Shunli’s death and hold those responsible to account.¹⁵³

59. The case of **Ms. Chen Jianfang**, a human rights defender, has been included in the reports of the Secretary-General since 2019, and prior to that also in the 2014 report,¹⁵⁴ on allegations of intimidation and reprisal for her campaign for civil society participation in the UPR, including a tribute to Ms. Cao Shunli¹⁵⁵ on the fifth anniversary of her death (CHN 11/2013).¹⁵⁶ On 19 August 2019, special procedures mandate holders raised concerns about Ms. Chen Jianfang’s alleged arbitrary detention and enforced disappearance (CHN 16/2019).¹⁵⁷ Reportedly, in August 2022, Shanghai No. 1 People’s Court sentenced Ms. Chen Jianfang to four years and six months in prison for “inciting subversion of state power,” followed by four years of deprivation of political rights. According to information received by OHCHR, she was released on 21 October 2023 after having served the full term of her sentence of four and a half years. Reportedly, since her release, she has been in her home under close police monitoring and surveillance and her movements are restricted. In March 2024, Ms. Chen Jianfang was allegedly brought into a police station for interrogation, and, the same month, her lawyer was interrogated at a police station when trying to visit her in her home.

60. The case of lawyer **Ms. Wang Yu** has been included in the reports of the Secretary-General since 2018¹⁵⁸ on allegations of arrest and charges of “subversion of state

¹⁵⁰ A/HRC/WGAD/2019/15 paras. 30, 38, 49 and 50.

¹⁵¹ See government reply at:

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

¹⁵² A/HRC/27/38, paras. 17–19, A/HRC/30/29, Annex I, para. 1 and A/HRC/33/19, para. 39, A/HRC/39/41, Annex I, para. 10–11.

¹⁵³ <https://www.ohchr.org/en/press-releases/2024/03/china-un-experts-renew-calls-accountability-cao-shunli-death#:~:text=%E2%80%9CWe%20again%20urge%20Chinese%20authorities,life%2C%E2%80%9D%20the%20experts%20said.>

¹⁵⁴ A/HRC/27/38, para. 17, A/HRC/42/30, Annex II, para. 18; A/HRC/45/36, Annex II, para. 19–20, A/HRC/48/28, para. 59, Annex II, para. 20, A/HRC/51/47, Annex II, para. 41; A/HRC/51/47, Annex II, para. 41; A/HRC/54/61, Annex II, para. 33.

¹⁵⁵ A/HRC/27/38, paras. 17–19, A/HRC/45/36, paras. 19, 21 and 34.

¹⁵⁶ See government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32042>.

¹⁵⁷ See government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34911>.

¹⁵⁸ A/HRC/39/41, Annex I, para. 10–12; A/HRC/42/30, Annex II, para. 19; A/HRC/45/36, Annex II, para. 21, A/HRC/48/28, para. 59, Annex II, para. 21; A/HRC/51/47, Annex II, para. 42; A/HRC/54/61, Annex II, para. 34.

power,” (CHN 6/2015),¹⁵⁹ including in connection with her role in the case of **Ms. Cao Shunli**, who had cooperated with the United Nations. On 26 November 2020, the Beijing Justice Bureau reportedly cancelled Ms. Wang Yu’s license to practice law. According to information received by OHCHR, during the reporting period Ms. Wang Yu was under surveillance and her movements were restricted. In March 2024, after she visited her client Mr. Chen Jianfang (see above), Ms. Wang Yu was allegedly taken to a police station and interrogated by police for several hours. Reportedly, her attempts to obtain a passport to visit her son abroad failed, and three complaints she filed on this issue with relevant authorities remained unanswered at the time of writing.

61. The case of **Ms. Li Wenzu** has been included in the reports of the Secretary-General since 2019, and prior to that in the 2017 report,¹⁶⁰ on allegations of her arbitrary arrest and detention following her cooperation with the then Special Rapporteur on extreme poverty and human rights during his visit to China in August 2016 (CHN 9/2016).¹⁶¹ According to information received by OHCHR, during the reporting period, **Ms. Li Wenzu and Mr. Wang Quanzhang** were under close surveillance by police agents and unidentified people. Since April 2023, they have been reportedly evicted several times from their place of residence, following police visits, questioning and harassment of landlords and hotel managers. Reportedly, at the time of writing their son remained unable to enrol and attend school due to pressure by state authorities, including police, on different schools.

62. The case of **Ms. Wang Qiaoling** has been included since 2019 in the reports of the Secretary-General, and prior to that in 2017,¹⁶² on allegations of intimidation and harassment for her cooperation with the then Special Rapporteur on extreme poverty and human rights during his visit to China in August 2016 (A/HRC/34/75, CHN 9/2016).¹⁶³ On 8 May 2021, the conditions of the four-year suspended sentence for “subversion of state authority” of **Mr. Li Heping** (Ms. Wang Qiaoling’s husband) were lifted (CHN 3/2017, CHN 5/2017).¹⁶⁴ According to information received by OHCHR, in June 2023, Ms. Wang Qiaoling, Mr. Li Heping and their daughter were prevented from boarding a flight by border police and were taken into a police station for interrogation, where they learnt they had been subjected to an exit ban on grounds that their travel could “endanger national security.” Reportedly, between March and October 2023, their landlord, allegedly under pressure from the authorities, threw stones at their home and removed the entrance door, in an attempt to force the family out. Allegedly, their calls for help to the emergency number were ignored. According to information received, years of surveillance, intimidation, and police harassment have impacted their daughter’s well-being.

63. The case of human rights lawyer **Mr. Jiang Tianyong** was included in the reports of the Secretary-General from 2019 until 2022, and prior to that in 2017,¹⁶⁵ on allegations of intimidation and harassment for his cooperation with the then Special Rapporteur on extreme poverty and human rights during his visit to China in August 2016¹⁶⁶ and was the subject of actions by special procedures mandate holders (CHN 9/2019¹⁶⁷ and CHN 13/2016,

¹⁵⁹ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32826>.

¹⁶⁰ A/HRC/36/31, Annex I, paras. 20–21; A/HRC/42/30, Annex II, para. 22, A/HRC/45/36, Annex II, para. 242; A/HRC/48/28, para. 59, Annex II, para. 24, A/HRC/51/47, Annex II, paras. 44–45; A/HRC/54/61, Annex II, para. 35.

¹⁶¹ See government reply at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33318>.

¹⁶² A/HRC/36/31, Annex I, paras. 20–21, A/HRC/42/30, Annex II, paras. 23–24, A/HRC/45/36, Annex II, para. 25, A/HRC/48/28, para. 59, Annex II, para. 25, A/HRC/51/47, Annex II, para. 46; A/HRC/54/61, Annex II, para. 35.

¹⁶³ See government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33318>.

¹⁶⁴ See government replies at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33449>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33516>.

¹⁶⁵ A/HRC/36/31, Annex I, paras. 22–24, A/HRC/39/41, Annex II, paras. 14–16, A/HRC/42/30, para. 46 and Annex II, paras. 25–26 and 31, A/HRC/45/36, Annex II, para. 26 and A/HRC/48/28, para. 59, Annex II, para. 26.

¹⁶⁶ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20987>.

¹⁶⁷ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34846>.

CHN 15/2016;¹⁶⁸ CHN 3/2017).¹⁶⁹ The Working Group on Arbitrary Detention found the detention of Mr. Jiang Tianyong arbitrary (A/HRC/WGAD/2018/62, paras. 59, 62, 77, 78).¹⁷⁰ On 24 September 2019, special procedures mandate holders had called upon China to immediately end harassment and surveillance of Mr. Jiang Tianyong.¹⁷¹ Reportedly, since his release from prison in February 2019, Mr. Jiang Tianyong has remained under house arrest at his parents' home in Luoshan, banned from international travel, and under close surveillance by local public security. According to information received by OHCHR, in May 2023 his application to renew his passport was rejected, and since late 2023 police monitoring and surveillance has tightened, allegedly after his wife and daughter shared information on his situation and forced family separation with United Nations human rights mechanisms. In January 2023, surveillance cameras were allegedly set up in the home of relatives he was visiting in Zhongshan city. His parents' applications to renew their passports were also reportedly rejected given connection to their son.

64. On 11 July 2024, the Government responded to the note verbale sent in connection to the present report. Regarding the case of the international legal team of Mr. Jimmy Lai and his son Sebastian Lai, the Government reiterated that as the legal proceedings were still in progress it would be inappropriate for anyone to comment on them and that making statements with the intention of interfering with or perverting the course of justice, or engaging in conduct with the same intention, would in all likelihood constitute criminal contempt of court or obstruction of justice. It noted further that action by HKSAR law enforcement agencies on the case had been carried out in accordance with the law.

65. Regarding the situation of Ms. Li Qiaochu, the Government noted that, on 5 February 2024, the Linyi Municipal Intermediate People's Court had sentenced her to three years and eight months' imprisonment for inciting subversion of State power. It noted further that Ms. Li Qiaochu had appealed and that the case was currently undergoing second-instance trial at the Shandong Provincial Higher People's Court.

66. Regarding the situation of Ms. Li Yuhan, the Government stated that on 25 October 2023, the Heping District People's Court of Shenyang Municipality had sentenced her to four years' fixed-term imprisonment for the crime of fraud and imposed a penalty of RMB 50,000 yuan and an additional three years' fixed-term imprisonment for the crime of picking quarrels and provoking trouble. It clarified further that a combined sentence of six years and six months of imprisonment and a fine of RMB 50,000 yuan had been imposed and that Ms. Li Yuhan had appealed. The Government added that, after hearing the case, the Shenyang Municipal Intermediate People's Court had ruled on 29 December 2023 that the appeal should be rejected and the original sentence upheld. Li Yuhan was released at the end of her sentence on 24 March 2024.

67. Regarding the situation of Mr. Yu Wensheng and Ms. Xu Yan the Government noted that on 30 April 2024, the Suzhou Municipal People's Procuratorate of Jiangsu Province had charged Mr. Yu Wensheng with the crime of picking quarrels and provoking trouble and filed a public indictment with the Suzhou Municipal Intermediate People's Court, where the case was currently being heard in the first instance.

68. Regarding Ms. Cao Shunli, the Government noted that the Chinese judicial authorities had handled her case in accordance with the law, that her legitimate rights had been safeguarded in accordance with the law and that she had died on 14 March 2014, due to illness.

69. Regarding the situation of Ms. Chen Jianfang the Government informed that on 14 August 2023, the Shanghai Municipal Higher People's Court had rejected the appeal and upheld the original sentence of four years' and six months' imprisonment, four years' deprivation of political rights and the confiscation of RMB 30,000. It noted further that in October 2023, Ms. Chen Jianfang had been released after serving her sentence. Concerning

¹⁶⁸ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33355>.

¹⁶⁹ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33449>.

¹⁷⁰ A/HRC/WGAD/2018/62, para. 59, 62, 77, 78.

¹⁷¹ <https://www.ohchr.org/en/press-releases/2019/09/china-harassment-human-rights-lawyer-jiang-tianyong-must-stop-say-un-experts>.

Ms. Wang Yu the Chinese judicial authorities had taken no coercive measures whatsoever against her.

70. Regarding the situation of Mr. Li Heping and Ms. Wang Qiaoling as well as of Mr. Jiang Tianyong, the Government noted that the Chinese judicial authorities had taken no coercive measures whatsoever against Mr. Li Heping, Ms. Wang Qiaoling or Mr. Jiang Tianyong.

9. Colombia

71. The case of **Mr. Wilmer Orlando Anteliz Gonzalez** was included in the 2019, 2020, 2021 and 2023 reports of the Secretary-General¹⁷² on allegations of disciplinary investigations, demotions, unsolicited transfers, death threats and lack of adequate protection measures following his cooperation with OHCHR in Colombia. Mr. Anteliz is a member of the police force and a protected witness and whistle-blower in a criminal investigation by the National Prosecutor's Office on alleged links between a criminal armed group and members of the National Police Department in Tolima. In 2023, Mr. Anteliz was dismissed by the National Police. On 2 March 2023, Mr. Anteliz had filed a motion against his dismissal at the First Labour Court of the Circuit of Cúcuta, which ordered his reinstatement on the job. However, the Ministry of Defense and the police appealed before the Superior Court of the Judicial District of Cúcuta, which on 3 May 2023 revoked the first instance court's decision.

72. According to information received by OHCHR, on 1 February 2024, the Administrative Tribunal of Cucuta admitted the complaint of Mr. Anteliz seeking the nullification of the dismissal decision by the Police. He also requested as provisional measures to be reinstated in his job during the administrative process. At the time of writing, the Administrative Tribunal has not issued a decision.

73. On 17 July 2024, the Government responded to the note verbale sent in connection to the present report, and informed that, with regard to the investigations in which Mr. Anteliz appears as a victim, the Attorney General's Office, confirmed that there were three active investigations for the crime of threats under article 188, which were in the investigation stages, to collect relevant evidence and legally obtained information that would allow clarifying the facts, identify those responsible and adopt the corresponding legal decisions.

10. Democratic Republic of Congo

74. The case of the chairperson of an NGO based in North Kivu Province threatened with death by a police officer for allegedly having shared information with the United Nations, was included in the 2023 report of the Secretary General.¹⁷³ According to information received by OHCHR, in September 2023 the threats against the chairperson resumed from the same officer. The officer indicated via text messages that he would "Take his [the chairperson's] head off any time". In December 2023, two unidentified persons assaulted the chairperson on a road and took away his computer and telephones, while threatening to kill him.

75. The case of a human rights defender and member of a human rights defenders' network based in Jomba, North Kivu Province, who had received several death threats on the phone and visits at home by members of an armed group for having shared information with MONUSCO, was included in the 2023 report of the Secretary General.¹⁷⁴ According to information received by OHCHR, in August 2023, he observed the presence of unknown persons suspected to be affiliated with the M23 around his accommodation; the individuals appeared to be tracking his movements. As a result, he moved to a different location. In December 2023, unknown individuals attacked him, stole his phones, and threatened that they would behead him for his "stupid connections with the human rights office". The human

¹⁷² A/HRC/42/30, Annex I, para. 25; A/HRC/45/36, Annex II para. 35; A/HRC/48/28, Annex II paras. 27–28, and A/HRC/54/61, Annex II paras. 43–45.

¹⁷³ A/HRC/54/61, para. 34.

¹⁷⁴ A/HRC/54/61, para. 36.

rights defender is under continued surveillance by the authorities and has been living in constant fear.

76. On 17 July 2024, the Government responded to the note verbale sent in connection to the present report.

11. Egypt

77. The case of **Mr. Ebrahim Abdelmonem Metwally Hegazy**, a human rights lawyer and co-founder of the Association of the Families of the Disappeared, has been included in reports of the Secretary-General since 2018¹⁷⁵ on allegations of enforced disappearance and torture while attempting to attend a meeting in 2017 with the United Nations Working Group on Enforced and Involuntary Disappearances. Mr. Metwally was charged with founding and leading an illegal terrorist organization, conspiracy with foreign entities to harm state security and spreading false news. Mandate holders and treaty bodies have addressed his case and raised concerns on several occasions.¹⁷⁶

78. According to information received by OHCHR, Mr. Metwally continues to be held at the Correction and Rehabilitation Center in Badr 3 (Cairo). The latest renewal of his detention by the Cairo Criminal Terrorism Court took place on 12 May 2024, for 45 more days, which reportedly exceeds the authorized time for pre-trial detention. Mr. Metwally has been in pretrial detention for three years under case 786/2020. The visits he receives are recorded and a police officer is always present.

79. The case of **Mr. Ahmed Shawky Abdelsattar Mohamed Amasha**, a human rights defender and co-founder of the League for the Families of the Disappeared, has been included in reports of the Secretary-General since 2017 on allegations of abduction, detention, and torture following his engagement with UN mechanisms, including the Working Group on Enforced and Involuntary Disappearances. In 2019, Mr. Amasha was released on bail, but detained again in June 2020. Special Procedures mandate holders have addressed Mr. Amasha's case on several occasions.

80. According to information received by OHCHR, Dr Amasha remains detained in the Correction and Rehabilitation Center in Badr 3 (Cairo). On 25 February 2024, the Cairo Criminal Terrorism Court postponed the hearing of his case until 14 April 2024.

81. The case of the cyber-attack against and blockage of the website of the NGO **Cairo Institute for Human Rights Studies (CIHRS)** following its publication of a joint report to the Human Rights Council as its contribution to the mid-term Universal Periodic Review of Egypt was included in the 2023 report of the Secretary-General. According to information received by OHCHR, access to the website was restored in March 2024.

82. Allegations of asset freezes and travel ban against CIHRS and its staff were included in the 2017, 2018 and 2019 reports of the Secretary-General. According to information received by OHCHR, on 20 March 2024 the investigative judge in case 173/2011 (known as the "foreign funding case") closed the investigation against CIHRS, dismissed charges on grounds of insufficient evidence and lifted the travel ban and asset freezes imposed on Mr. Mohamed Zaree, Director of the Egypt Office at CIHRS (EGY 16/2017).

83. The case of **Mohamed el-Baquer**, a human rights lawyer from the Adalah Center for Rights and Freedoms, has been included in the reports of the Secretary-General since 2020 on allegations of arrest, ill-treatment and terrorism charges following the engagement of the Adalah Center in Egypt's 2019 Universal Periodic Review (UPR) concerning the human rights situation of the Nubians (EGY 11/2019). In 2021, Mr. el-Baquer was convicted and sentenced for "joining a terrorist organization" and "participating in a criminal agreement

¹⁷⁵ A/HRC/39/41, Annex I, para. 32–35; A/HRC/42/30, Annex II, paras. 42–44; A/HRC/45/36, Annex II, paras. 44–46; A/HRC/48/28, Annex II, paras. 40–41; A/HRC/51/47, Annex II paras. 64–65, A/HRC/54/61, Annex II paras. 50–51.

¹⁷⁶ EGY 5/2021, <https://media.un.org/en/asset/k12/k1260210x0>; CCPR/C/SR.3959, para. 19; and <https://www.ohchr.org/en/news/2023/03/dialogue-egypt-experts-human-rights-committeecommend-measures-combatting>.

with the intention of committing a terrorist crime” and was included in an official terrorist list.

84. According to the information received by OHCHR, Mr. El-Baquer was released from prison in July 2023 following a Presidential pardon. Mr. el-Baquer’s name is still included on a terrorism list (Case No. 1781/ 2019) exposing him to a possible travel ban and arrival waiting lists, the potential withdrawal or cancellation of his passport without possibility to receive a new passport, and the freezing of funds.

85. References to the **impact of Egyptian legislation on the ability of individuals and civil society groups to cooperate with the United Nations** has been included in the reports of the Secretary-General since 2017 noting allegations on the misuse of the Terrorist Entities Law (Law 8 of 2015) and the Anti-Terrorism Law (Law 94 of 2015) and the NGO Law 149/2019 and its regulations to hinder or punish cooperation with the United Nations and the use of travel bans. According to information received by OHCHR, on 20 March 2024 the investigative judge in case 173/2011 (known as the “foreign funding case”), an emblematic case under the NGO law and its regulations, closed the investigation against several human rights organizations and individuals, and ordered the travel bans and asset freezes to be lifted.

12. France

86. The case of Ms. Assa Traoré was included in the 2023 report of the Secretary-General² on allegations of online libellous messages and online and offline threats to her and her close relatives, including from the Twitter accounts of two police professional unions, linked to her cooperation with the Committee on the Elimination of Racial Discrimination during the consideration of the 22nd and 23rd periodic reports of France.

87. Ms. Traoré is a woman human rights defender, founder of the organization Comité Verité et Justice pour Adama and the sister of Mr. Adama Traoré, who died in July 2016 while in police custody (FRA 1/2017 and 10/2021).³ The Government responded to the Committee⁴ noting that they are attentive to Ms. Taroré’s safety and that of her close relatives and informed that the Paris Office of the Public Prosecutor had started a criminal investigation.

88. According to information received by OHCHR, Ms. Traoré’s legal team has not received updates regarding the investigation of the Paris Office of the Public Prosecutor into the threats made against her in connection to her participation in the Committee’s session in November 2022.

89. On 20 June 2024, the Government responded to the note verbale sent in connection to the present report noting that on 19 December 2023 it had provided further information to the Committee¹⁷⁷ indicating that, in view of the constitutional principles of the separation of powers and the independence of the judiciary, it was not for the Government to give any instructions whatsoever on individual cases, nor to interfere in judicial proceedings. The Government confirmed that an investigation had been launched, under the guidance of the national online hate hub at the Paris Public Prosecutor’s Office, following a notification issued by the National Consultative Commission on Human Rights on the basis of article 40 of the Code of Criminal Procedure, concerning public insults on grounds of origin, ethnicity, nation, race or religion in the context of Ms. Traoré’s statement to the Committee.

13. Guatemala

90. Alleged acts of reprisals against judges and prosecutors who worked on cases investigated with the technical assistance of the International Commission against Impunity in Guatemala (CICIG) have been included since 2019 in the Secretary-General’s reports.¹⁷⁸

¹⁷⁷ CERD/C/FRA/FCO/22-23, para. 23.

¹⁷⁸ A/HRC/42/30, Annex I, paras. 40–42; A/HRC/45/36, Annex II, paras. 56–59; A/HRC/48/28, Annex II, paras. 53–61; A/HRC/51/47, Annex I, paras. 27–30, Annex II, paras. 74–79.

During the reporting period, the High Commissioner for Human Rights¹⁷⁹ and mandate holders¹⁸⁰ noted developments on ongoing cases or situations included in previous reports.

91. In its 2023 report to the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights (OHCHR) noted with concern that the Attorney General's Office and the judiciary took arbitrary and unfounded measures as retaliation against members of the judiciary, public prosecutors and lawyers who had investigated emblematic cases of corruption or human rights violations (A/HRC/55/21, paras. 66–75).

92. Alleged reprisals continued against prosecutors from the Special Prosecutor's Office Against Impunity (FECI) who investigated cases in collaboration with the CICIG.

93. The case of **Ms. Virginia Laparra Rivas**, former FECI chief in Quetzaltenango, was included in the 2022 and 2023 reports of the Secretary-General¹⁸¹ on allegations of arrest, arbitrary detention, conviction and sentencing for her work with the FECI in high-profile corruption cases against public officials and organized crime, including many investigated with the technical assistance of the CICIG.^{182,183}

94. On 18 May 2023, the Working Group on Arbitrary Detention issued opinion 24/2023 concerning Ms. Laparra Rivas considering her detention arbitrary and calling for her release.¹⁸⁴ On 26 December 2023, the Supreme Court of Justice ordered Ms. Laparra's release, which took place on 3 January 2024 after 680 days of detention, with alternative measures to imprisonment such as house arrest. On 5 January 2024¹⁸⁵ and in his 2023 report,¹⁸⁶ the High Commissioner for Human Rights called on for her unconditional release. On 29 January 2024, Ms. Laparra requested the General Attorney's Office to reinstate her as prosecutor. The trial of the second criminal case against Ms. Laparra under charges of disclosure of confidential information in Quetzaltenango is expected to start on 27 May 2024.

95. The case of **Ms. Samari Gómez Díaz**, a prosecutor at FECI, was included in the 2023 report¹⁸⁷ of the Secretary-General on allegations of detention and prosecution for allegedly leaking confidential information to the former FECI Chief in connection with a high-profile case investigated with CICIG's technical assistance.

96. 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), to which the Government responded.¹⁸⁸ 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 re-starts. Her case was included in the 2023 report of High Commissioner for Human Rights.¹⁸⁹

97. The cases of **Ms. Siomara Sosa and Ms. Paola Escobar** were included in the 2022 and 2023 reports of the Secretary-General¹⁹⁰ on allegations of undue criminal proceedings and charges of abuse of authority, usurpation of functions, obstruction to justice and false testimony. The High Commissioner for Human Rights expressed concerns about violations of the rights to liberty and to fair trial guarantees in their cases.¹⁹¹

¹⁷⁹ A/HRC/55/21.

¹⁸⁰ A/HRC/WGAD/2023/24; GTM 3/2023; GMT 4/2023; GTM 5/2023; GTM 7/2023.

¹⁸¹ A/HRC/51/47, Annex I, paras. 27–30.

¹⁸² GTM 1/2022 and GTM 6/2022. See Government replies at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36970>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27705>.

¹⁸³ See also <https://www.ohchr.org/en/press-releases/2022/11/guatemala-un-expert-condemns-targeting-prosecutor-and-judge>.

¹⁸⁴ A/HRC/WGAD/2023/24, para. 109.

¹⁸⁵ <https://x.com/UNHumanRights/status/1743321384212672709?s=20>.

¹⁸⁶ A/HRC/55/21, para. 68.

¹⁸⁷ A/HRC/54/61, para. 71 and Annex I para. 52.

¹⁸⁸ See Government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37707>.

¹⁸⁹ A/HRC/55/21, para. 69.

¹⁹⁰ A/HRC/51/47, Annex I, paras. 27–30.

¹⁹¹ A/HRC/52/23, para. 60.

98. According to information received by OHCHR, on 15 May 2023 Ms. Escobar was prosecuted for abuse of authority, even if a first instance judge had dismissed all charges against her on 11 March 2022. On 18 August 2023, an appeals court revoked the detention order. Ms. Escobar was released on 1 September 2023, after 109 days in detention. Her case was included in the 2023 report of the High Commissioner for Human Rights.¹⁹²

99. On 29 August 2023, arrest orders were issued against **Mr. Juan Francisco Sandoval Alfaro and Ms. Eva Siomara Sosa Pérez** for abuse of authority. The case is allegedly linked to their investigations at the General Attorney's Office against Impunity, in collaboration with CICIG, of alleged influence peddling by a Supreme Court justice (*GTM 5/2023* and see also Annex I).

100. During the reporting period, reprisals also allegedly continued against former judges **Mr. Carlos Ruano Pineda**¹⁹³ and **Ms. Erika Aifán Dávila**,¹⁹⁴ judge **Ms. Yassmín Barrios Aguilar**¹⁹⁵ and judge **Mr. Pablo Xitumul de Paz**.¹⁹⁶

101. In July 2023, mandate holders addressed allegations of criminalization of **Mr. Ruano Pineda** and online attacks against him (*GTM 3/2023*),¹⁹⁷ to which the Government responded.¹⁹⁸ According to information received by OHCHR, legal proceedings to lift his immunity continued during the period. On 6 September 2023, Mr. Ruano resigned from his functions and left the country. In his 2023 report, the High Commissioner for Human Rights noted that Mr. Ruano did not receive protection despite pursuing the relevant legal remedies.¹⁹⁹

102. On 3 May 2023, an arrest order was issued against former high-risk judge **Ms. Aifán** for her judicial functions in a high-profile case investigated in collaboration with CICIG. According to information received by OHCHR, Ms. Aifán phone has been hacked and her communications have been interfered with.

103. On 6 July 2023, mandate holders addressed allegations of criminal investigations against judge **Ms. Yassmín Barrios Aguilar** (*GTM 3/2023*) to which the Government responded.²⁰⁰ On 10 October 2023, mandate holders also addressed allegations of a notification by the National Police announcing the withdrawal of her security (*GTM 7/2023*), to which the Government responded.²⁰¹

104. According to information received by OHCHR, **Mr. Pablo Xitumul de Paz** continues to be suspended from his functions since his judicial immunity was lifted by the Supreme Court of Justice on 9 February 2022. On 5 September 2023, the Prosecution requested a detention order against him, but the judge did not authorize it.

105. The case of **Ms. Claudia Maselli**, former Deputy Ombudsperson of the national human rights institution, was included in the 2022 and 2023 reports²⁰² of the Secretary-General following attempts to undermine the institution for its support to the work of the CICIG. Ms. Maselli faced criminal proceedings related to the exercise of her official

¹⁹² *A/HRC/55/21*, para. 69.

¹⁹³ *A/HRC/54/61*, para. 71 and Annex I, para. 54.

¹⁹⁴ *A/HRC/42/30*, para. 54 and Annex I, para. 42; *A/HRC/45/36*, Annex II, para. 57; *A/HRC/48/28*, Annex II, paras. 54, 57; *A/HRC/51/47*, Annex II, para. 76; *A/HRC/54/61*, Annex II, paras. 67 and 68.

¹⁹⁵ *A/HRC/42/30*, para. 54 and Annex I, para. 42; *A/HRC/51/47*, Annex II, para. 76.

¹⁹⁶ *A/HRC/42/30*, para. 54 and Annex I, para. 42; *A/HRC/45/36*, Annex II, para. 57; *A/HRC/48/28*, Annex II, para. 54; *A/HRC/51/47*, Annex II, para. 76; *A/HRC/54/61*, Annex II, para. 69.

¹⁹⁷ <https://www.ohchr.org/en/press-releases/2023/07/guatemala-un-expert-concerned-proceedings-against-judge-carlos-giovanni>.

¹⁹⁸ See Government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37693>; and <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37694>

¹⁹⁹ *A/HRC/55/21*, para. 70.

²⁰⁰ See Government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28223>.

²⁰¹ See Government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28533>.

²⁰² *A/HRC/51/47*, Annex II para. 78; *A/HRC/54/61*, Annex II, para. 70.

duties on charges of alleged non-performance of duties and abuse of authority.²⁰³ According to information received by OHCHR, on 14 November 2023 the judge dismissed the criminal charges against her for abuse of authority and breach of duties. However, on 12 December 2023 the Third Chamber of the Criminal Court of Appeals revoked that decision.

106. On 4 July 2024, the Government responded to the note verbale sent in connection to the present report recognising the important work done by justice officials in the fight against corruption and impunity in the country and expressing concern about the cases included in the report. The Government provided a number of factual corrections regarding ongoing legal proceedings concerning the cases described above that were incorporated in the report.

14. India

107. 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 reports²⁰⁴ 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.

108. 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,²⁰⁵ to which the Government has responded.²⁰⁶ 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.

109. 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](#)).

110. Reportedly, the judicial detention of Mr. Parvez and Mr. Mehraj has been extended during the period to allow more time for the National Investigation Unit 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. At the time of writing, they remain detained at the Rohini Jail Complex and, if convicted, could face up to 14 years of imprisonment or even the death penalty.

111. 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-General²⁰⁷ since 2020 and, prior to that, in 2018. Reportedly, 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.²⁰⁸ According to information received by OHCHR, in relation to CPSC license

²⁰³ [A/HRC/49/20](#), para. 10.

²⁰⁴ [A/HRC/36/31](#), Annex I paras. 39–42; [A/HRC/42/30](#), Annex II, para. 59; [A/HRC/48/28](#), Annex II paras. 62–64; [A/HRC/51/47](#), Annex II paras. 82–83; [A/HRC/54/61](#), Annex II, paras. 76–77.

²⁰⁵ [IND 7/2016](#); [IND 9/2016](#); [IND 2/2020](#); [IND 19/2021](#).

²⁰⁶ See government replies at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35607>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35606>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=2113>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36734>.

²⁰⁷ [A/HRC/39/41](#), para. 50, and Annex I, paras. 61–62; [A/HRC/42/30](#), para. 58 and Annex II, para. 58; [A/HRC/48/28](#), Annex II para. 65; [A/HRC/51/47](#), Annex II paras. 84–85.

²⁰⁸ [IND 14/2018](#); [OTH 27/2017](#).

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.

112. The situation of the **Centre for Social Development (CSD)** in Manipur and its staff, including the case of its secretary **Mr. Nobokishore Urikhimbam and his close relatives**, have been included since 2018 in the reports of the Secretary-General.²⁰⁹ Reportedly, staff from the CSD and Mr. Nobokishore Urikhimbam have been subjected to surveillance, freezing of bank accounts under the FCRA, and attempted killing and abduction of close relatives for their engagement with the United Nations in relation to uranium mining and cement factories in Meghalaya.

113. According to information received by OHCHR, the CSD's office and its staff continue to be under permanent surveillance by unknown individuals, allegedly linked to the security forces. On several occasions during the reporting period, men in civilian clothes have approached CSD's clients and visited CSD's offices inquiring about their work. Reportedly, since January 2024, two individuals have been constantly monitoring the movements of Mr. Nobokishore Urikhimbam and CSD's vehicles.

114. Regarding the attempted murder in 2019 of Mr. Nobokishore Urikhimbam's daughter,²¹⁰ on 19 March 2024 the Manipur Human Rights Commission reportedly closed the case based on the lack of evidence. Concerning the attack against the wife of Mr. Nobokishore Urikhimbam and the failed abduction of one of his sons in 2022, on 4 April 2024 the High Court of Manipur reportedly dismissed the Writ Petition filed in 2022 arguing that the complainant had not complied with the procedure.

115. Following the extension in March 2023 of CSD's registration under the FCRA until September 2023, at the time of writing, CSD had not received any updates regarding the renewal of such registration.

116. In October 2023, special procedures mandate holders provided a review of the acts and agencies²¹¹ that outline and enforce India's **Anti-Money Laundering/Combating the Financing of Terrorism (AML/CFT)** legislation. They expressed concerns over **the use of the Foreign Contribution (Regulation) Act of 2010** to restrict the work of non-profit/non-governmental organizations.²¹² Mandate holders observed heightened licensing requirements under the FCRA and its 2020 amendments noting that the FCRA seems to be used to arbitrarily target non-profit organizations, particularly those with diverse or critical views. Mandate-holders urged the Government to ensure that any procedures governing the licensing of non-profit organizations under the FCRA are transparent, accessible, non-discriminatory, expeditious, inexpensive, and allow for the possibility of appeal ([IND 10/2023](#)).

117. On 5 July 2024, the Government responded to the note verbale sent in connection to the present report noting its commitment to meaningful engagement with the United Nations system in the spirit of constructive dialogue and cooperation. The Government referred to its previous replies on the cases above which it trusted would be taken into consideration. The Government noted its commitment to ensuring a safe working environment for people engaged in the promotion and protection of human rights as long as their activities are in conformity with the national legislation.

²⁰⁹ [A/HRC/51/47](#), para. 61, Annex II. paras. 80–81; [A/HRC/48/28](#), Annex II. paras. 66–68; [A/HRC/45/36](#), para. 76, Annex II. paras. 72–73; [A/HRC/42/30](#), Annex II, para. 57; [A/HRC/39/41](#), Annex I paras. 63–65.

²¹⁰ [IND 18/2019](#).

²¹¹ The 2006 Foreign Contribution (Regulation) Act (FCRA) and its amendments, the 2002 Prevention of Money Laundering Act (PMLA) and its amendments, and the Unlawful Activities (Prevention) Act (UAPA) and its amendments, as well as the National Investigation Agency (NIA) and Enforcement Directorate (ED).

²¹² See also [IND 2/2016](#); [IND 10/2016](#); [IND 28/2018](#); [IND 6/2023](#).

118. Regarding the situation of Mr. Parvez, the Government noted that his preventive detention was based on the cases registered against him under the Code of Criminal Procedure for his activities against public order. The Government also noted that law enforcement agencies had found Mr. Parvez to be instigating and executing violent acts and disturbances since July 2016. The Government informed that Mr. Parvez had been provided with the necessary medical assistance and experienced no hindrance to access his legal counsel.

119. Regarding the reference to the Foreign Contribution (Regulation) Act 2010, the Government noted that the Act was enacted to regulate the acceptance and use of foreign contributions by individuals or associations to ensure that funds are not used for purposes detrimental to national interests. Concerning the situation of the Centre for Social Development, the Government noted that its FCRA registration had been suspended (on 29 June 2024) as it had been found to be in violation of this Act.

15. Indonesia

120. The case of **Mr. Victor Yeimo**, a human rights activist in West Papua who is the international spokesperson of the West Papua National Committee (Komite Nasional Papua Barat/KNPB), was included in the 2021 and 2022 reports of the Secretary-General,²¹³ on allegations of arrest without warrant and charges, inter alia, of incitement (to riots) and treason, reportedly in connection to his calls for self-determination of the Papuan people, including at the United Nations Human Rights Council in Geneva in March 2019.²¹⁴ In 2021, special procedure mandate holders addressed allegations of reprisals and the criminal charges against Mr. Yeimo and called on the Government to provide him with proper medical care to prevent his death in prison (See [IDN/6/21](#)),²¹⁵ to which the Government responded.²¹⁶

121. According to information received by OHCHR, on 5 May 2023, the Jayapura District Court acquitted Mr. Yeimo of treason, but found him guilty of violating Article 155 paragraph (1) of the Criminal Code that regulates the broadcasting, displaying, or pasting writings or paintings in public that contain expressions of feelings of hostility, hatred, or contempt for the Government of Indonesia. Mr. Yeimo was sentenced to eight months in prison. Reportedly, this verdict was controversial because Article 155, paragraph (1) of the Criminal Code had never been cited in the charges against Mr. Yeimo, and the article had been revoked by the Constitutional Court in 2007. On 12 May 2023, the Public Prosecutor filed an appeal at the Jayapura High Court against the decision. In its appeal decision, the Jayapura Panel of Judges overturned the district court's decision stating that Mr. Yeimo had been legally and conclusively proven guilty of committing treason and sentenced him to one year's imprisonment (including the time spent in prison). On 23 September 2023, Mr. Yeimo was released from Abepura prison in Jayapura City after having served a sentence of one year.

122. The case of **Mr. Yones Douw**, a member of the indigenous Me tribe who documents alleged violations in West Papua ([IDN 2/2020](#))²¹⁷, was included in the 2021 and 2022 reports of the Secretary-General on allegations that he had been targeted, questioned by military officers, monitored and followed in relation to documentation and reporting of alleged human rights violations to OHCHR.²¹⁸

123. According to information received by OHCHR, during the reporting period, Mr. Douw was put under the surveillance of unidentified individuals, who follow him and monitor his house. Since 27 January 2024, Mr. Douw has reportedly observed what appears to be a drone hovering over his house at least two to three times per week between 9 pm and 1 am. This situation continued at the time of writing. Reportedly, local community members

²¹³ [A/HRC/48/28](#), para. 73, Annex I, para. 49, [A/HRC/51/47](#), Annex II, para. 92.

²¹⁴ See <https://media.un.org/en/asset/k15/k15al6ps0l>.

²¹⁵ <https://www.ohchr.org/en/press-releases/2021/09/indonesia-life-jailed-west-papuan-activist-danger-without-urgent-medical>.

²¹⁶ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36530>.

²¹⁷ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35417>.

²¹⁸ [A/HRC/48/28](#), para. 71, Annex I, paras. 46 and [A/HRC/51/47](#), Annex II, paras. 92.

as well as members of the indigenous Me community have been approached intermittently by personnel from the Military Intelligence unit in Nabire (Intel Kodim Nabire) with questions about their engagement with Mr. Douw and requesting Mr. Douw's mobile phone number and address, in an attempt to intimidate both him and his community and deter him from carrying out his work as a human rights defender in Papua, including through cooperation with the United Nations. During the reporting period, Mr. Douw continued to share information and testimonies with the United Nations on human rights.

124. In its concluding observations of 14 March 2024, the Committee on Economic, Social and Cultural Rights, expressed concern about cases of intimidation and reprisals against human rights defenders, in particular those advocating for the rights of Indigenous Peoples and on environmental and land-related issues, including with references to the allegations of reprisals included in the Secretary General's report since 2021. In this connection, the committee also raised concerns about the use of Law No. 11/2008, on electronic information and transactions, to criminalize the work of human rights defenders (E/C.12/IDN/CO/2, para. 8). The Committee recommended that the State party ensure a safe and enabling environment for human rights defenders, in particular those advocating for the rights of Indigenous Peoples and on environmental and land-related issues, to amend or repeal overbroad criminal provisions contained in articles 27 and 28 of the revised Law No. 11/2008 as well as to conduct prompt, thorough and impartial investigations into all reports of harassment, intimidation and reprisals against human rights defenders and ensure that perpetrators are brought to justice (E/C.12/IDN/CO/2, para. 9 (a), (b) (c)).

16. Iran (Islamic Republic of)

125. The case of **Mr. Manouchehr Bakhtiyari**, the father of Pouya Bakhtiari, a protestor who was shot in the head by security forces and killed during the nationwide November 2019 protests, has been included in reports of the Secretary General since 2021²¹⁹ on allegations of repeated arrests, interrogations and threats for publicly calling for justice for his son's death, including in an open letter addressed to the United Nations High Commissioner for Human Rights and others. He was arrested in January 2020 with other members of his family, convicted on national security charges and sentenced to three years' imprisonment and one-year exile outside the city of Tehran.²²⁰

126. Mr. Bakhtiyari has been in detention since 29 April 2021. On 30 July 2022 his conviction and sentence on national security charges by the first chamber of Karaj's Revolutionary Court in 2021 was revoked by the ninth Chamber of the Supreme Court and the case was returned for retrial. He was charged with "insulting the Supreme Leader" and "inciting and encouraging individuals to spark riots" against him, as confirmed by the Government.²²¹

127. On 4 July 2023, special procedures mandate holders addressed the decision of 30 July 2022 of the 9th Chamber of the Supreme Court to revoke the conviction and sentencing on national security charges against Mr. Bakhtiyari by the first Chamber of Karaj's Revolutionary Court in July 2021 (IRN 12/2023). According to information received by OHCHR, the aforementioned decision also ordered the termination of the enforcement of the sentence. Reportedly, in November 2023, the Chief of Justice of Iran revoked the ruling of the 9th Chamber of the Supreme Court, using his authority under article 477 of the Islamic Criminal Procedure. Subsequently, the 2nd Chamber of the Supreme Court ruled to return the case to the first Chamber of Karaj's Revolutionary Court" to correct the defects identified and to take appropriate legal measures with each of the charges.

128. Mandate holders also addressed, the charge of "insulting the Supreme Leader" against Mr. Bakhtiyari and noted that the first chamber of the Qazvin Revolutionary Court had returned the case to the Prosecution Office for further evidence. Mandate holders noted with

²¹⁹ A/HRC/48/28, para. 76 and Annex I, para. 52, A/HRC/51/47, Annex II, paras. 94–95, A/HRC/54/61, paras. 85–88.

²²⁰ A/HRC/49/75, para. 64.

²²¹ A/HRC/54/61, para. 88.

concern the reported deterioration of his health, due to alleged torture and injuries inflicted during interrogation and the reported denial of medical furlough (IRN 12/2023). According to information received by OHCHR, on 1 November 2023 Mr. Bakhtiyar was sentenced to 6 months in prison by the first Chamber of Gazin's Revolutionary court for "insulting the Supreme Leader," a sentence that was upheld by the sixth chamber of Karaj's Revolutionary court on 13 February 2024.

129. According to information received by OHCHR, on 9 January 2024, Mr. Bakhtiyari was sentenced on a different case against him to 18 years' imprisonment and 74 lashes by the first Chamber of the Karaj's Revolutionary Court on multiple charges. These charges included "gathering and collusion to commit a crime against security and forming and managing a group on cyberspace with the aim of disrupting the security of the country," charges of "propaganda activity against the Islamic Republic and harming public opinion," of "cooperating with groups opposed to the Islamic Republic and of "spreading lies". Reportedly, the Court decision made an explicit reference to "the publication of false information through a complaint against the country to the United Nations Human Rights Council." Allegedly, on 20 April 2024 the 1st Chamber of the Alborz province's Appeal Court overturned the convictions on procedural grounds, namely "lack of jurisdiction".

130. The case of **stigmatization and threats against family members of journalists of the British Broadcasting Corporation (BBC) Persian service** for the journalists' statement at the Human Rights Council was included in the 2019 and 2020 reports of the Secretary General on reprisals.²²² On 24 April 2024, special procedures mandate holders addressed the recent detention of family members of a BBC News Persian staff member by the Intelligence Service. The family members were allegedly interrogated about the whereabouts and motivations of the BBC journalist and threatened with solitary confinement. (IRN 7/2024). Mandate holders also addressed allegations of the conviction in absentia of ten current and former BBC News Persian journalists in February 2022 for the crime of "propaganda against the Islamic Republic", that only become publicly known in February 2024. (IRN 7/2024).

131. On 19 December 2023, the General Assembly in resolution [78/220](#) on the situation of human rights in the Islamic Republic of Iran called upon the Iranian authorities to end reprisals against individuals who cooperate or attempt to cooperate with the United Nations human rights mechanisms.

132. In its report to the Human Rights Council, the Fact Finding Mission on Iran thanked those who had contributed to the investigation by providing material and analysis, and particularly victims, their families, and witnesses, who had taken risks to give their first-hand accounts, adding that under no circumstances should anyone face reprisals for their cooperation with the mission. ([A/HRC/55/67](#) para. 3). The fact-finding mission clarified that the names and details of those concerned had been withheld in the report due to fear of reprisals and that its initial protection assessment indicated that individuals who speak out about the human rights situation in Iran and who engage with United Nations mechanisms have been subjected to reprisals. ([A/HRC/55/CRP.1](#), paras. 39 and 40).

17. Israel

133. 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 and 2023 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.²²³

²²² [A/HRC/42/30](#), para. 59, and Annex I paras. 54–55, [A/HRC/45/36](#) paras. 77–79.

²²³ [A/HRC/51/47](#), Annex I, paras. 35–39, [A/HRC/54/61](#), Annex II, paras. 89–97.

UN actors condemned the designations²²⁴ and noted the critical work of these long-standing key partners of the United Nations in the Occupied Palestinian Territory.²²⁵

134. 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.²²⁶ 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.²²⁷ 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.²²⁸ It then concluded, on the basis of reasonable grounds, that the designations were unjustified, *undertaken to silence civil society voices, and violate human rights*.²²⁹

135. During the reporting period, 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.²³⁰ 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.²³¹

136. According to information received by OHCHR, **Mr. Ubai Al-Aboudi**, the director of the Bisan Center for Research and Development, continued to be subjected to a travel ban during the reporting period.²³² Reportedly, Mr. Al-Aboudi’s travel ban was due to end at the end of April 2023, and since then, his lawyer had sent multiple requests to the Israeli authorities inquiring about the status of the travel ban, without reply. On 30 August 2023, when Mr. Al-Aboudi attempted to cross from the West Bank to Jordan, Israeli border guards reportedly prevented him from crossing, informing him orally that he had been subjected to a travel ban, and handed him an order to present himself for an interview with the Israeli Security Agency on 3 September 2023. Mr. Al-Aboudi presented himself as requested and, after waiting for over an hour with no seating or shade, he was told to leave. To date, Israeli authorities have reportedly provided no written communication to Mr. Al-Aboudi regarding the status of the ban, or the basis upon which it had been issued. At the time of writing, the travel ban continued to prevent him from traveling to and participating in-person in international human rights events, including United Nations events.

137. The case of **Mr. Issa Amro**, founder of **Youth Against Settlements** in Hebron, was included in the 2014, 2021, 2022 and 2023 reports of the Secretary-General²³³ on allegations of reprisals for his engagement with the Human Rights Council in 2013 (*ISR 7/2013*). Following almost five years of judicial proceedings, in March 2021, Mr. Amro received a three-month suspended sentence with a two-year probation period and a fine in relation to his human rights work, which he appealed.

138. According to information received by OHCHR, on 25 June 2023, following seven years of judicial proceedings, Mr. Amro was acquitted in relation to two of his six convictions, namely one count of obstructing a soldier and one count of participating in an unauthorized march.²³⁴ Reportedly, on 7 October 2023, Mr. Amro was prevented from

²²⁴ <https://www.ohchr.org/en/press-releases/2021/10/un-experts-condemn-israels-designation-palestinian-human-rights-defenders>.

²²⁵ A/HRC/49/25 para. 36.

²²⁶ A/HRC/53/22 para. 14, A/HRC/53/CRP/1 para. 59.

²²⁷ A/HRC/53/22 para. 15 A/HRC/53/CRP/1 para. 66 and footnote 111.

²²⁸ A/HRC/53/22 para. 70.

²²⁹ Ibid.

²³⁰ A/HRC/53/22 para. 16 and 17, A/HRC/53/CRP/1 paras. 60 and 61, A/78/502 para. 52.

²³¹ A/HRC/52/28, para. 70.

²³² A/HRC/54/61, Annex II, para. 94.

²³³ A/HRC/27/38, para. 25; A/HRC/48/28 Annex II para. 75, A/HRC/54/61, Annex II, paras. 95–97.

²³⁴ A/HRC/55/72 para. 45.

accessing his house and the offices of Youth Against Settlements in Hebron H2 by an Israeli settler dressed in an army uniform along with two Israeli soldiers. Reportedly, Mr. Amro was subsequently arrested and detained for a day in a caravan located at a military post in the nearby settlement of Ramat Yashai, where he was subjected to alleged ill-treatment and sexual violence at the hands of soldiers, including being threatened with rape and being repeatedly beaten, kicked, and spat on.²³⁵

18. Libya

139. During the reporting period, multiple UN actors²³⁶ continued to address the impact of requirements imposed on civil society organizations impacting their ability to engage with the United Nations in the field of human rights, which have been included in the reports of the Secretary General since 2021.²³⁷

140. On 22 May 2023, the Government of National Unity issued a decision establishing a committee to regulate civil society organizations on the basis of Law No. 19 of 2001 on the Reorganisation of Non-Governmental Organisations (Law 19/2001), a restrictive law providing for State control over civil society activities.²³⁸ On 6 October 2023, special procedure mandate holders raised concerns that reversion to Law 19/2001 may obliterate civic space in Libya and called for its repeal together with all other restrictive regulations and decrees, including Decree 286 of 2019 and Regulation 3/2016.²³⁹ Regarding Law 19/2001, special procedures mandate holders raised several concerns including on restrictions to the scope of the work of civil society organizations (article 1), restrictions on their registration (article 6) and on access to resources (articles 14 and 15). Under the law, civil society organizations would be required to obtain Government approval before receiving donations or grants from foreign entities (article 14), before engaging on fundraising (article 15) and before accessing international networks (article 14).

141. According to information received by OHCHR, legal measures curtailing the activities of civil society continued during the reporting period,²⁴⁰ including measures requiring civil society to report any interaction with United Nations officials and any other international actors and denying their registration. Reportedly, new decisions ban Libyan civil society organizations from participating in or organizing activities with the international community, including the United Nations, unless prior permission is granted by the Internal Security Agency (ISA). Specifically, on 3 February 2024, the Civil Society Commission (CSC) in Sebha required civil society organizations to obtain prior approval and security clearance from an ISA focal point both for registration and before engaging or cooperating with the United Nations. In addition, on 25 February 2024, the Acting Municipal Council in Murzuq issued a decision requiring all CSOs to obtain a permission from ISA prior to any activity involving the United Nations. The following day, ISA issued a decision instructing civil society organizations in Murzuq not to engage with national or international organizations prior to the permission and approval of ISA.

142. According to information received by OHCHR, the Libyan government endorsed the decision of the Council for Sharia Research and Studies at Dar Al Ifta forbidding the use of the term “gender” (Decision No. 2 of October 2023) and officially informed the United Nations Country Team and International Non-Governmental Organizations not to use the term.²⁴¹ Reportedly, the Council for Sharia Research and Studies published an explanatory note to its Decision No 2, in December 2023, calling the security and police authorities to implement applicable laws to punish those who advocate for and use the term. It has been

²³⁵ A/HRC/55/72 para. 46.

²³⁶ S/2023/589, para. 44 and

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28401>.

²³⁷ A/HRC/48/28, Annex I, paras. 63–68; A/HRC/51/47, Annex I, paras. 42–43; A/HRC/54/61, Annex II, 98–102.

²³⁸ S/2023/589, para. 44.

²³⁹ LBY 3/2023.

²⁴⁰ A/HRC/54/61, Annex II, para. 99 and S/2022/31, para. 53.

²⁴¹ S/2023/589, para. 44 and the following para from S/2024/301, para. 65.

reported to OHCHR that this has created fear among civil society organizations and women human rights defenders promoting women's rights and gender equality. Reportedly, some organizations have closed down and others have expressed they don't feel safe to operate in this context.

19. Nicaragua

143. The cases of **Mr. Guillermo Gonzalo Carrión Maradiaga** and **Ms. Haydee Isabel Castillo Flores** were included in the 2019 report²⁴² of the Secretary-General on allegations of vilification by public officials, criminalization, and surveillance for sharing information on human rights violations with OHCHR. Mr. Carrion is a lawyer and human rights defender who was the legal director of the now dissolved Nicaraguan Center for Human Rights (CENIDH) and founder of the Human Rights Collective Nicaragua Never Again. Ms. Castillo is a woman human rights defender with the now dissolved Instituto de Liderazgo de Las Segovias-ILLS and Nicaragüenses en el Mundo (NEEM).

144. On 18 September 2023, mandate holders addressed allegations of judicial harassment of human rights defenders, including Mr. Carrion and Ms. Castillo. On 15 February 2023, the Court of Appeals of Managua applied Special Laws 1055²⁴³ and 1145²⁴⁴ to 94 individuals stripping them of their nationality and confiscating their assets in the country after they were declared traitors to the homeland, including Mr. Carrión and Ms. Castillo. On 9 and 11 May 2023, the Supreme Court of Justice, in two different resolutions, disbarred 26 lawyers and notaries, one of whom was Mr. Carrion, as a consequence of the application of Special Law 1145 (NIC 3/2023).

145. The case of **Ms. Vilma Núñez de Escorcía**, an 85-year-old woman human rights defender and head of the Nicaraguan Center for Human Rights (CENIDH), was included in the 2020, 2021 and 2023 reports of the Secretary-General²⁴⁵ on allegations of harassment, police surveillance and denial of healthcare services following her engagement with the United Nations High Commissioner for Human Rights in 2019. On 15 February 2023, the Managua Court of Appeals stripped Ms. Núñez of her nationality, declared her "fugitive from justice," and requested the confiscation of her properties.

146. In its 2023 report to the Human Rights Council, the Group of Human Rights Experts on Nicaragua referred to the situation of Ms. Núñez as an emblematic case of persecution of and pressure to leave the country on those perceived as opposing the authorities. The Group of Experts noted that by remaining in the country in a situation of statelessness, Ms. Núñez suffers the daily denial of all her human rights, for instance her pension was cancelled, and her marriage is non-existent before the law. Experts also noted that Ms. Núñez is a victim of constant harassment and surveillance (A/HRC/55/CRP.3, para. 107).²⁴⁶

147. The Group of Experts reported that Ms. Núñez filed an appeal against Special Law No. 1145 arguing that it is unconstitutional, the receipt of which was acknowledged by the clerk of the Supreme Court of Justice, but at the time of writing had not been processed. In May 2023, Ms. Núñez also filed a *writ of amparo* against the National Council of Administration and Judicial Career of the Supreme Court of Justice against her disbarment from the professions of lawyer and public notary. On 26 May 2023, the First Civil Chamber of the Court of Appeals of Managua decided not to admit the appeal for amparo due to the fact that Ms. Núñez lost her Nicaraguan nationality and her rights as citizen (A/HRC/55/CRP.3, para. 143).

²⁴² A/HRC/42/30, Annex I paras. 78–79.

²⁴³ Law on the Defence of the People's Rights to Independence, Sovereignty and Self-Determination for Peace (1055).

²⁴⁴ Special law regulating the loss of Nicaraguan nationality (1145).

²⁴⁵ A/HRC/45/36, Annex I para. 89; A/HRC/48/28, Annex II paras. 102–103; A/HRC/54/61, Annex II para. 116.

²⁴⁶ https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/grhe-nicaragua/OA-GHREN-54HRC-12SSEP23_English.docx.

20. Philippines

148. The cases of the **Karapatan Alliance of People's Rights**, a national alliance of human rights organizations, its Secretary General,²⁴⁷ **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.²⁴⁸ On 2 March 2023, Ms. Palabay and other Karapatan staff were acquitted of perjury charges levelled against them in 2019.²⁴⁹

149. According to information received by OHCHR, 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.

150. The case of **Ms. Leila de Lima**, former Chair of the Commission on Human Rights and Senator, was included in the 2018 report²⁵⁰ of the Secretary-General on allegations of defamatory and intimidating public statements directed at the Commission, its members and its Chair Mr. Chito Gascon (PHL 12/2017) due to their work and their cooperation with the United Nations. Ms. Leila M. de Lima was imprisoned in February 2018 on allegations of drug-related charges that were deemed "politically motivated" (PHL 5/2017²⁵¹).

151. On 17 November 2023, mandate holders publicly welcomed the release on bail of Ms. de Lima from prison after nearly seven years.²⁵² According to information received by OHCHR, Ms. De Lima was acquitted in two of the three drug-related cases in February 2021 and May 2023. Her motion to dismiss the last case, where she is out on bail, is expected to be resolved on 27 May 2024.

152. On 29 July 2024, the Government responded to the note verbale sent in connection to the present report denying the allegations of red-tagging and reprisals against the Karapatan Alliance of People's Rights, its Secretary-General Ms. Cristina Palabay, and its staff and noting that such allegations had been found to be unsubstantiated by national Courts. It added that, on 30 April 2019, Karapatan, Ms. Palabay and nine other individuals affiliated with Karapatan, had filed a Petition for Writ of Amparo and Writ of Habeas Data (Amparo petition) before the Supreme Court, seeking to protect them against alleged threats, harassment, surveillance by state agents and red-tagging practices and that, on 24 May, the Supreme Court had directed the Court of Appeals to hear and resolve the petition, which it had dismissed on 28 June 2019. The Government added that, on 5 November 2023, the Supreme court had denied the Petition for Review on Certiorari of the said decision dated 28 June 2019.

153. Regarding the case of Ms. Leila de Lima the Government noted that, on 24 June 2024, the Quezon City Regional Trial Court Branch 76 also cleared Ms. Leila de Lima of her two disobedience cases adding that the resolution of all criminal cases against Ms. Leila de Lima proved that she has been accorded the right to due process. The Government added that the Court had not found that the criminal cases were without merit or politically motivated, but

²⁴⁷ A/HRC/39/41, Annex I paras. 86–89; A/HRC/42/30, Annex II, para. 8; A/HRC/45/36, Annex II, paras. 100–101; A/HRC/48/28, Annex II, paras. 108–110; A/HRC/51/47, Annex II paras. 121–125; A/HRC/54/61, para. 101, Annex II paras. 119–122.

²⁴⁸ PHL 1/2020, PHL 3/2021, PHL 5/2021, see government replies at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36533>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36754>.

²⁴⁹ A/HRC/51/58, para. 35.

²⁵⁰ A/HRC/39/41, Annex I, paras.

²⁵¹ See Government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35633>.

²⁵² <https://www.ohchr.org/en/press-releases/2023/11/philippines-un-experts-welcome-release-former-senator-leila-de-lima-bail>.

rather that the prosecution had been unable to prove the defendant's guilt beyond reasonable doubt.

21. Russian Federation

154. References to the alleged **impact of the arbitrary application of restrictive legislation**,²⁵³ in particular laws on “foreign agents” or “undesirable organizations”, on the willingness and ability of civil society actors to engage with international bodies, including with the United Nations, have been included in the reports of the Secretary-General since 2019 and, prior to that, in 2013, 2014, and 2015.²⁵⁴ Multiple United Nations actors have expressed concerns on several occasions over restrictive legislative developments and the impact of the long-term application of the aforementioned legislation.²⁵⁵

155. In her 2023 report to the Human Rights Council, the Special Rapporteur on the human rights situation in the Russian Federation addressed the impact and new developments concerning restrictive legislation targeting civil society (A/HRC/54/54, paras. 19–31). She addressed the inclusion of Human Rights House Foundation along with several other international non-governmental organizations in the list of the so-called “undesirable organizations” during the reporting period, (para. 29, see also Annex I). The Special Rapporteur noted with concern that the definition of “foreign influence” in the Foreign Agents Law,²⁵⁶ could potentially include any engagement with foreign nationals or entities, including the United Nations (para. 21). She highlighted that at the end of July 2023 at least 103 organizations had been included in the list of “undesirable organizations” and 649 in the register of “foreign agents” (para. 22). The Special Rapporteur further addressed the June 2023 draft amendments to the “Law on undesirable Organizations” which, in her view, would further restrict and isolate Russian civil society (para. 31).

22. Saudi Arabia

156. The case of **Mr. Mohammad Fahad Al Qahtani**, of the Saudi Association for Civil and Political Rights (ACRPA), has been included in the 2012, 2013, 2019, 2020, 2021 and 2023 reports of the Secretary-General²⁵⁷ on allegations of interrogation, travel ban and sentencing to 10 years of imprisonment for providing false information to outside sources, including UN human rights mechanisms. Special procedures mandate holders have addressed his situation repeatedly with the relevant authorities, including raising allegations of acts of reprisals for his cooperation with the United Nations, ill treatment, and lack of contact with his family while in prison, to which the Government responded, confirming new criminal charges and his detention.²⁵⁸ According to information received by OHCHR, in May 2023, six months after his 10-year prison term ended, Mr. Al Qahtani was tried in secret by the State

²⁵³ These included the N 121-FZ Foreign Agent Law for Non-Commercial Organizations, adopted in July 2012 and amended in June 2016 (N 147-FZ and N 179-FZ) and several pieces of federal legislation signed into effect on 30 December 2020 as well as Federal Law No. 538-FC, which introduced a five-year prison sentence for libel, and Federal Law No. 525-FZ which introduced criminal liability for malicious violation of the duties of a “foreign agent” with a penalty of up to five years in prison. On 5 April 2021, Bills No.1052327-7 and 105895-7 were adopted and published introducing amendments and penalties for non-compliance with the norms mentioned above.

²⁵⁴ A/HRC/24/29, paras. 29–31; A/HRC/27/38, para. 43; A/HRC/30/29, Annex II para. 3; A/HRC/42/30, Annex II, para. 88; A/HRC/45/36, Annex II, paras. 105–107; A/HRC/48/28 Annex II, paras. 111–114; A/HRC/51/47, Annex II, paras. 126–127.

²⁵⁵ OL RUS/16/2022; CCPR/C/RUS/CO/8, para. 30 (c), 32). CERD/C/RUS/CO/25-26, paras. 18 and 19; A/HRC/50/23, para. 26; <https://www.ohchr.org/en/press-releases/2022/07/russia-un-experts-condemn-civil-society-shutdown>.

²⁵⁶ Federal Law No. 121-FZ of 20 July 2012.

²⁵⁷ A/HRC/21/18, paras. 35–37; A/HRC/24/29, para. 42; A/HRC/42/30, Annex II, para. 92; A/HRC/45/36, Annex II, para. 114; A/HRC/48/28, Annex II, paras. 119–120, A/HRC/54/61, Annex II, paras. 130–131.

²⁵⁸ SAU 13/2021, SAU 12/2017, SAU 4/2016, SAU 11/2014, SAU 5/2013, SAU 8/2013, SAU 7/2012, SAU 10/2022. See government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37348>.

Security Court in Riyadh. On 23 July 2023, his wife was informed by prison authorities in a phone call that her husband's name was "not appearing in the system anymore." Reportedly, Mr. Al Qahtani remains in detention in Riyadh and has not been permitted contact with the outside world since 23 July 2023.

157. The case of **Ms. Loujain Al-Hathloul**, a woman human rights defender, was included in the 2019, 2020, 2021 and 2023 reports of the Secretary-General²⁵⁹ on allegations of 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).²⁶⁰ On 10 February 2021, she was released from prison on probation for three years and with a five-year travel ban.²⁶¹ 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.²⁶²

158. 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.²⁶³ Reportedly, 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.

159. 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 mechanisms²⁶⁴ (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).²⁶⁵

23. United Arab Emirates

160. During the reporting period, the United Nations High Commissioner for human rights and special procedures mandate holders raised public concerns over the mass trials of 84 individuals, and over broader patterns of suppression of dissent and restrictions on civic space in the country.²⁶⁶ Those tried included victims of intimidation and reprisals for cooperation with the United Nations, namely **Mr. Mohamed al-Mansoori** and **Mr. Ahmed Al Mansoor**.

²⁵⁹ A/HRC/42/30, para. 73 and Annex I, paras. 91–93; A/HRC/45/36, Annex II, paras. 110–111; A/HRC/48/28, Annex II, paras. 114–116, A/HRC/51/47, Annex II, paras. 128–129.

²⁶⁰ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36216>.

²⁶¹ <https://www.ohchr.org/en/2021/02/bachelet-updates-human-rights-council-recent-human-rights-issues-more-50-countries?LangID=E&NewsID=26806>.

²⁶² SAU 3/2021, SAU 8/2020, SAU 1/2019, SAU 7/2018, SAU 15/2014. See also, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26593&LangID=E>, A/HRC/48/55, paras. 46–50.

²⁶³ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=38436>.

²⁶⁴ A/HRC/56/4 paras. 43.65.

²⁶⁵ <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/advance-versions/a-hrc-56-4-add-1-en-information.docx>, para. 25.

²⁶⁶ <https://www.ohchr.org/en/statements-and-speeches/2024/03/turks-global-update-human-rights-council>; United Arab Emirates: UN experts alarmed by new charges brought against civil society in UAE87 trial | OHCHR; <https://www.ohchr.org/en/press-releases/2023/12/uae-un-expert-denounces-new-charges-brought-against-jailed-human-rights>.

161. The case of **Mr. Mohamed al-Mansoori** was included in the 2014 report of the Secretary-General,²⁶⁷ 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.

162. The case of **Mr. Ahmed Mansoor**, advisor to the Gulf Centre for Human Rights and Human Rights Watch's Middle East and North Africa Division, was included in the 2014 and 2017, 2018, 2019, 2021 and 2022 reports of the Secretary-General.²⁶⁸ Mr. Mansoor is alleged to have 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).²⁶⁹ to which the Government responded.²⁷⁰

163. 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.²⁷¹

164. 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).²⁷² 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.²⁷³

165. According to information received by OHCHR, **Mr. Ahmed Mansoor**, was among the 84 civil society members facing new terrorist charges and he was reportedly seen during the court hearings.

166. 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 are able to 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).

²⁶⁷ A/HRC/27/38, para. 45.

²⁶⁸ A/HRC/36/31, para. 60 and Annex I, paras. 86–87; A/HRC/39/41, Annex II, para. 55; A/HRC/42/30, para. 79 and Annex II, paras. 103–104; A/HRC/45/36, Annex II, paras. 126–127; A/HRC/48/28, Annex II, paras. 133–135 and A/HRC/51/47, Annex II, para.

²⁶⁹ <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25866> and <https://www.ohchr.org/en/press-releases/2021/06/uae-un-expert-condemns-long-term-detention-human-rights-defenders>.

²⁷⁰ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36081>.

²⁷¹ <https://www.ohchr.org/en/statements-and-speeches/2024/03/turks-global-update-human-rights-council>.

²⁷² United Arab Emirates: UN experts alarmed by new charges brought against civil society in UAE87 trial | OHCHR; <https://www.ohchr.org/en/press-releases/2023/12/uae-un-expert-denounces-new-charges-brought-against-jailed-human-rights>.

²⁷³ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=38338>.

24. Venezuela (Bolivarian Republic of)

167. The case of **Mr. Emilio Negrín Borges** was included in the 2023²⁷⁴ report of the Secretary-General on allegations of arbitrary arrest and charges following his participation at the first session of the Social Dialogue Forum, which took place in April 2022 in Caracas (VEN 4/2022).²⁷⁵ Mr. Negrín is the leader of the court workers' union (Sindicato de Trabajadores Tribunalicios) and representative of the Confederación de Sindicatos Autónomos (CODESA).

168. According to information received by OHCHR, in August 2023, Mr. Negrín and other trade unionists were convicted for the crimes of conspiracy and criminal association based on counter-intelligence reports and were sentenced to 16 years in prison.²⁷⁶ On 20 December 2023, Mr. Negrín and the other trade unionists were conditionally released from prison. At the time of writing, the decision on the appeal of the case, expected for February 2024, was yet to be rendered.

169. The case of **Ms. Karen Caruci**, a human rights lawyer, was included in the 2022 and 2023 reports of the Secretary-General²⁷⁷ on allegations of re-arrest and police questioning about her engagement with the United Nations. Ms. Caruci was granted conditional release in March 2022. According to information received by OHCHR, a trial against State security agents reportedly responsible for acts of torture and other cruel, inhumane, and degrading treatment against Ms. Caruci is ongoing and subject to considerable delays. With regards to the trial on the charge of incitement to hatred brought against Ms. Caruci by the Attorney General, at the time of writing, the first hearing had yet to take place. This situation has reportedly contributed to the deterioration of Ms. Caruci's overall well-being, including physical and mental health, and has impacted her financially due to the high expenses incurred for her defense.

170. According to information received by OHCHR, during the period, several NGOs and their staff included in previous reports of the Secretary-General²⁷⁸ continued to be exposed to digital attacks and to stigmatisation by Government-affiliated online accounts in connection to their engagement with United Nations human rights bodies and mechanisms. The NGOs concerned are **Provea, the Observatorio Venezolano de Conflictividad Social (OVCS) and Foro Penal**. These NGOs have been portrayed as presenting unfounded, biased and malicious reports in the Human Rights Council aiming to discredit and attack the Bolivarian Revolution in Venezuela.

171. References to the **Bill on the control, regularization, performance, and financing of non-governmental and related organizations**²⁷⁹ were included in the 2023 report²⁸⁰ of the Secretary-General noting its impact on the ability of civil society groups to carry out their work, including their cooperation with the United Nations. During the reporting period, mandate holders,²⁸¹ the International Independent Fact-Finding Mission on Venezuela,²⁸² and OHCHR²⁸³ 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.²⁸⁴ 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

²⁷⁴ A/HRC/54/61, Annex I, paras. 121–122.

²⁷⁵ https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_722456/lang--en/index.htm.

²⁷⁶ A/HRC/54/57, para. 67. See also <https://www.ohchr.org/es/press-releases/2023/08/venezuela-un-experts-condemn-use-counter-terrorism-laws-convict-trade>.

²⁷⁷ A/HRC/51/47, Annex I para. 77; A/HRC/54/61, Annex II, para. 136. See also VEN 7/2021.

²⁷⁸ A/HRC/39/41, Annex I, para. 119; A/HRC/45/36, para. 121 and Annex II, paras. 137–138; A/HRC/48/28, para. 124 and Annex I, paras. 115–116; A/HRC/51/47, para. 155.

²⁷⁹ Ley de fiscalización, regularización, actuación y financiamiento de las organizaciones no gubernamentales y afines.

²⁸⁰ A/HRC/54/61, Annex I, para. 116.

²⁸¹ VNZ 2/2023.

²⁸² A/HRC/54/57, para. 109 (e).

²⁸³ A/HRC/53/54, para. 68.

²⁸⁴ <https://www.ohchr.org/en/statements-and-speeches/2024/03/deputy-high-commissioner-updates-human-rights-council-venezuela>.

lead to its approval. On 12 January the National Assembly resumed the discussion of the bill.²⁸⁵

25. Viet Nam

172. The cases of members of independent religious communities and activists who attended or sought to attend the Southeast Asia Freedom of Religion or Belief Conference (SEAFORB) were included in the 2019 and 2023 reports of the Secretary-General²⁸⁶ on allegation of threats, harassment, travel restrictions and acts of violence that either prevented their participation or took place as a result of it.²⁸⁷ The SEAFORB Conference includes interaction with the United Nations and awareness-raising about how to engage with United Nations human rights mechanisms.

173. The cases of **Mr. Y Khiu Niê and Mr. Y Sĩ Êban** were included in the 2023 report²⁸⁸ of the Secretary-General on allegations of arbitrary arrest, surveillance and travel restrictions which prevented them from participating in the 2022 SEAFORB Conference, held in Bali (Indonesia).²⁸⁹ Mr. Y Khiu Niê and Mr. Y Sĩ Êban are human rights defenders belonging to the “Montagnards” indigenous community and religious minority of Christian Protestants.

174. In its 2023 observations after the review of Viet Nam, the Committee on the Elimination of Racial Discrimination (CERD) noted reports that those working on the rights of ethnic and religious minorities, Indigenous Peoples and non-citizens were systematically targeted with violence, intimidation, surveillance, threats, and reprisals as a consequence of their work. Specifically, the Committee expressed concern about reported acts of reprisals for cooperating or attempting to cooperate with the United Nations, its representatives and mechanisms in the field of human rights, referring to the cases of Mr. Y Khiu Niê and Mr. Y Sĩ Êban (CERD/C/VNM/CO.15-17, para. 24).

175. According to information received by OHCHR, Mr. Y Khiu Niê and Mr. Y Sĩ Êban and their close relatives have been interrogated and intimidated by the police on several occasions during the reporting period, including about their contacts with organizations outside Viet Nam that document and report on the situation of ethnic Montagnards.

176. In June and September 2023, OHCHR raised concerns about the intensification of the selective application of restrictive legislation, reporting a trend of increase in prosecutions on tax evasion and vague national security charges against human rights defenders or victims, including those who engage with the United Nations.²⁹⁰ The CERD also expressed concern about the selective application of various laws and decrees with the effect of intimidating or restricting the rights of those working on the rights of ethnic minorities, Indigenous Peoples and noncitizens, including human rights defenders, lawyers and journalists (CERD/C/VNM/CO.15-17, paras. 20–22).²⁹¹

177. According to information received by OHCHR, during the reporting period civil society organizations refrained from publicly engaging with United Nations human rights bodies and mechanisms and requested anonymity and confidentiality in their contributions and engagements with the Organization due to fear of reprisals. Reportedly, this also impacted the number and type of civil society contributions to the fourth cycle of the

²⁸⁵ https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2024/022.asp.

²⁸⁶ A/HRC/45/36 para. 124, Annex I paras. 146–151 and 154; A/HRC/54/61, Annex II paras. 138–139.

²⁸⁷ VNM 2/2020, VNM 2/2023. See Government reply to VNM 2/2023 at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=38525> <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=38525>.

²⁸⁸ A/HRC/54/61, Annex II paras.

²⁸⁹ VNM 2/2023.

²⁹⁰ <https://www.ohchr.org/en/press-briefing-notes/2023/09/sentencing-environmental-human-rights-defenders-viet-nam>; <https://www.ohchr.org/en/press-briefing-notes/2023/06/viet-nam-detention-environmental-human-rights-defender-hoang-thi-minh>.

²⁹¹ In particular, the application of offences against national security (Criminal Code, articles 117 and 331), and the disproportionate use of the Law on Counter-Terrorism (No. 28/2013/QH13, articles 109, 113 and 229) to charge and convict individuals belonging to ethnic minority groups.

Universal Periodic Review of Viet Nam. Additional details of those concerned have been withheld due to fear of reprisals.

178. On 10 July 2024, the Government responded to the note verbale sent in connection to the present report noting that Vietnamese law does not prevent citizens from cooperating with non-governmental organizations and United Nations human rights mechanisms. The Government also noted that it had enacted numerous legal documents to create conditions and legal frameworks for United Nations agencies and foreign nongovernmental organizations to operate in Viet Nam, such as Decree 58/2022/ND-CP and Decree 80/2020/ND-CP. The Government further stated that it had facilitated the visits of United Nations special procedures on human rights and they are permitted to meet and contact relevant individuals to assess the human rights situation in the country.

179. Regarding the cases of Mr. Y Khiu Nie and Mr. Y Sî Eban, the Government noted that the content of mandate holders' communication VNM 2/2023 was not accurate, and the allegations concerning these two individuals were false. The Government stated that on 6 November 2022, Mr. Y Khiu Niê had not gone through procedures for departure at the airport, and that there had been no incident in which the authorities had prevented Mr. Y Khiu Niê from leaving the country. The Government further noted that Mr. Y Sî Êban's case fell under the category of "Cases in which exit is postponed" for national defense and security reasons, as per Article 36 of the Law on Entry and Exit of Vietnamese Citizens.

26. Yemen

180. The case of the **Mwatana Organization for Human Rights**, a Sana'a-based civil society organization, and members of its staff, was included in the 2019 report of the Secretary-General and later in successive reports since 2021,²⁹² on allegations of 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 Yemen²⁹³ and was subjected to a smear campaign following her participation.

181. According to information received by OHCHR, on 30 Sep 2023, the Houthis-controlled Sana'a Airport authorities prevented five staff members of Mwatana Organization for Human Rights from flying to Amman, Jordan via Sana'a Airport including Ms. Radhya al-Mutawakel. The five were flying first to Jordan to participate in peacebuilding and human rights events, and then to Geneva, to participate in the Human Rights Council. Reportedly, they were asked about the reason for their travel and travel destination and were informed they were banned from travelling. Three of them traveled a few days later. Reportedly, 21 incidents against Mwatana's field researchers and lawyers were documented during the reporting period including threats, intimidation, travel bans, investigative summonses, restrictions on freedoms, arbitrary arrests, attempted arbitrary detention, in ten governorates: Sana'a, Tai'zz, Hadramaut, Hudaydah, Lahj, Dhale', Aden, Ibb, Sa'adah, Amran, and Hajjah.

27. State of Palestine

182. The case of **several Palestinian and international women's organizations and human rights defenders** has been included in the reports of the Secretary General since 2020²⁹⁴ concerning allegations of online smearing, intimidation and threats, including death threats against them for their support for the Convention on the Elimination of Discrimination against Women (CEDAW) and for their actual or perceived engagement with the United

²⁹² A/HRC/42/30, paras. 74, 85, Annex I, para. 94, 124 and A/HRC/48/28, Annex II, paras. 160–161 and A/HRC/54/61, Annex II, para. 143.

²⁹³ <https://media.un.org/en/asset/k19/k19ame0jq8>.

²⁹⁴ A/HRC/45/36, para. 128, Annex I paras. 159–61, A/HRC/48/28 paras. 162–165, A/HRC/51/47 paras. 160–161, A/HRC/54/61, Annex II, 144–147.

Nations Committee on the Elimination of Discrimination against Women (CEDAW/C/PSE/CO/1, para. 15c),

183. During the reporting period, the Facebook page entitled “Mass Movement against CEDAW” issued statements and made posts on social media seeking to stigmatise women’s rights organisations, particularly those cooperating with the UN Committee on the Rights of the Child and the CEDAW Committee. Some of these posts called for these organizations to be treated as “criminal traitors” for receiving foreign funding and alleged that receipt of the funding required condemning Palestinian resistance.

184. According to information received by OHCHR, on 30 August 2023 the Palestinian Scholars Association in partnership with the de facto Ministry of Awqaf and Religious Affairs, the Islamic Sharia College and the Sharia and Law College at the Islamic University, the Council of Islamic Judiciary, and the Liberation Party, organized a conference in Gaza entitled “International schemes to demolish the Muslim family – CEDAW as a model.” Following the conference, the organizers published a list of 28 recommendations, including a call to relevant domestic authorities to refrain from granting new licenses to women’s associations that they allege bear a secular character and promote principles that allegedly contradict Islamic law, such as CEDAW. The conference organizers also called for a complete boycott of feminist organizations, associations, and CEDAW advocates that promote conventions and treaties that, in their view, violate Islam, calling on all institutions, official and unofficial, not to accept invitations from or to host said organizations, nor to meet them in the context of public or private programs, activities, trainings, or workshops.

185. There are concerns that these recommendations may impact the ability and willingness of women human rights defenders to engage with the United Nations in the field of women’s rights, including on the implementation of the Convention on the Elimination of all Forms of Discrimination against Women, and that they aim to punish women’s rights organizations for their work on women’s rights, including in cooperation with the United Nations.
