



# General Assembly

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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Observations on communications transmitted to Governments and replies received**


**Report of the Special Rapporteur on the rights to freedom of peaceful  
assembly and of association\***

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## Introduction

1. The present document is submitted by the Special Rapporteur on the rights to freedom of peaceful assembly and of association, pursuant to Human Rights Council resolution 32/32. The document provides observations on the communications addressed by the Special Rapporteur to States and other actors, and on the replies received.
2. In the present report, the Special Rapporteur provides observations on communications sent to States and other actors between 26 April 2019 and 15 April 2020. This report further contains observations on responses to the aforementioned communications received from States and other actors until 31 May 2020.
3. The report contains responses received from States before 31 May 2020. A number of replies received before 31 May 2020 could not be included because translation of these documents was not available at the time of finalising the report. In October 2019, the United Nations was forced to take extraordinary measures to curtail expenditures in order to address the liquidity crisis faced by the Organisation.
4. In order to avoid duplicating information, the addendum limits itself to reporting on those communications which have not been covered by the extensive addendum “Observations on communications transmitted to Governments and replies received” submitted by the Special Rapporteur on the situation of human rights defenders to the Human Rights Council during its 43th session on 18 February 2020. Instead, a list of these communications will be provided in the annex. The Special Rapporteur thanks all of those States and other actors who provided replies to communications sent which are not explicitly reported on in this addendum.
5. The Special Rapporteur is grateful to all States, which have transmitted substantive responses to his communications. He trusts that States who have not provided substantive responses to his communications will do so shortly.
6. Communications sent and responses received during the reporting period are accessible electronically through the hyperlink below. The Special Rapporteur is aware of responses received after the reporting deadline that could not be reflected in the present report and takes this opportunity to highlight the importance of receiving timely replies.
7. Each communication is referenced as an urgent appeal (UA), joint urgent appeal (JUA), allegation letter (AL), joint allegation letter (JAL), other letter (OL) or joint other letter (JOL), followed by the date the communication was issued, the case number and the date of the State reply, if any. The communications included in this report and the replies received from the concerned States, respectively, can be consulted in the Communication report and search webpage.
8. The Special Rapporteur is grateful to all States and other actors that have transmitted responses to communications sent. He considers interaction through his communications as an important part of cooperation with States and encourages States (and others) to benefit from this opportunity to have a constructive dialogue through the use of this tool. In this context, the Special Rapporteur recalls paragraph 2 of the Human Rights Council resolution 32/32 that calls upon States “to continue to cooperate fully with and assist him in the performance of his mandate [and] to respond promptly to his urgent appeals and other communications...” Therefore, he urges all States which have not yet replied to his communications to do so without further delay.

## Summary

9. Between 26 April 2019 and 15 April 2020, the Special Rapporteur sent 168 communications, either individually or jointly with other mandate holders of the Human Rights Council, to 81 States and 6 other actors, of which 30 were urgent appeals, 86 were allegation letters and 51 were other letters.
10. Examined by region, the figures show that 20 were addressed to countries in the Africa region (12 per cent), 55 to countries in the Americas region (32 per cent), 50 in the Asia-

Pacific region (30 per cent), 10 in the Europe and Central Asia region (6 per cent), and 27 in the Middle East and North Africa region (16 per cent), while 6 communications were addressed to other actors (3 per cent). ). The disparities in the percentages among regions does not indicate the number of alleged violations, it rather reflects the level of active engagement from civil society and victims with the mandate in each region.

11. Of the 168 communications sent during the reporting period, the Special Rapporteur received 105 responses to 79 communications, giving an average response-rate of 47 per cent, a slightly lower rate than was noted in the last observations report of the mandate. While certain replies were simple acknowledgments of receipts, the Special Rapporteur wishes to thank countries who have fully engaged and cooperated with his mandate and provided detailed information in response to the allegations addressed in the communications sent.

12. During the reporting period, the Special Rapporteur sent 13 communications concerning alleged acts of intimidation and reprisals against civil society activists for their cooperation with the United Nations, its representatives and mechanisms in the field of human rights. During the reporting period, he sent communications about alleged acts of reprisals to the following countries: Cameroon, Egypt, Equatorial Guinea, Honduras, India, Israel, Malaysia, Nicaragua, Philippines, Saudi Arabia and Viet Nam. In this context, the Special Rapporteur wishes to reiterate that the Human Rights Council, in his resolution 22/6, strongly called upon all States to “refrain from, and ensure adequate protection from, any act of intimidation or reprisals against those who cooperate, have cooperated or seek to cooperate with the United Nations, its representatives and mechanisms in the field of human rights, or who have provided testimony or information to them. The resolution also urges States to ensure accountability for any acts of such intimidation or reprisal. The United Nations Secretary General, in his 2018 report to the Human Rights Council on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, reiterated that States must end acts of reprisal, investigate all allegations, provide effective remedies and adopt and implement measures to prevent reoccurrence (A/HRC/39/41).

## **AFRICA REGION**

### **Cameroon**

13. JAL 15/05/2019 Case no: CMR 1/2020 State reply: none to date

**Allegations concernant des informations recues sur des actes d'agression et d'intimidation contre Mme. Maximilienne Ngo Mbe, ainsi qu'un incendie perpetré contre le siège du REDHAC, une coalition des défenseurs des droits de l'homme dont Mme. Ngo Mbe est la Directrice exécutive.**

### **Côte d'Ivoire**

14. JAL 11/12/2019 Case no: CIV 2/2019 State reply: 11/02/2020

**Allégations sur des informations reçues concernant l'arrestation et la détention de M. Konan Hubert Yao ainsi qu'aux poursuites pénales à son encontre.**

15. JAL 26/02/2020 Case no: CIV 1/2020 State reply: 21/02/2020

**Allégations sur des informations reçues concernant l'arrestation et la privation de liberté de MM. Aboubacar Toure; Alain Lobognon; Babou Traore; Camara Loukimane; Dahafolo Kone; Félicien Sekongo; Gnamiand Stéphane N'Drin; Kamaraté Souleymane Kone; Kanigui Soro; Karidioula Souleymane; Ladjji Ouattara; Mamadou Djibo; Marc Kidou Ouattara; Parla Rigobert Soro; Simon Soro; Soumahoro Kando; Tehfour Kone et Yao Soumaila par les autorités ivoiriennes, entre le 23 décembre 2019 et le 14 janvier 2020. Ces 18 individus seraient liés à l'opposition et sont proches de M. Guillaume Kigbafori Soro, Président du parti « Générations et peuples solidaires » (GPS), ancien Premier Ministre, ancien Président de l'Assemblée et candidat aux élections présidentielles de 2020. Un mandat d'arrêt international a été émis le 23 décembre 2019 contre ce dernier.**

### **Ethiopia**

16. JOL 19/06/2019 Case no: ETH 3/2019 State reply: none to date

**Allegations concerning the Proclamation to provide for the Prevention and Suppression of Terrorism 2019 ("the Proclamation"), which raises serious concerns regarding a number of human rights and advance my views on this pending legislation, encouraging review and reconsideration of certain key aspects to ensure that new legislation is in compliance with Ethiopia's international human rights obligations.**

### **Malawi**

17. JAL 31/03/2020 Case no: MWI 1/2020 State reply: none to date

**Allegations concerning the alleged arbitrary detention of human rights defenders, Messrs. Macdonald Sembereka, Gift Trapence and Timothy Mtambo for having issued a call to the public to assemble on 25 March 2020.**

### **Niger**

18. JAL 2/04/2020 Case no: NER 1/2020 State reply: none to date

**Allégations sur des informations reçues concernant des allégations d'arrestation et de détention de huit leaders de la société civile, notamment Messieurs Halidou Mounkaila, Moussa Tchangari, Maikoul Zodi, Karim Tonko, Moudi Moussa, Habibou Soumaila, Seyni Djibo, Issaka Sido pour avoir exercé leurs droits à la liberté de réunion pacifique et d'association, ainsi que d'interdictions récurrentes de manifestations au Niger.**

## Nigeria

19. JAL 17/09/2019 Case no: NGA 4/2019 State reply: none to date  
**Allegations concerning the arrest and detention of Mr. Omoyele Sowore.**
20. JAL 27/09/2019 Case no: NGA5/2019 State reply: none to date

**Information received concerning allegations of excessive use of force by Nigerian police officers against members of the Islamic Movement in Nigeria (IMN) during a demonstration in Abuja on 22 July 2019 and during the Ashura processions in different cities of Nigeria on 10 September 2019.**

## Tanzania

21. JAL 31/02/2020 Case no: TZA 1/2020 State reply: none to date

**Allegations concerning the enforced disappearance alleged arbitrary detention and subsequent charges with non-bailable financial crimes against human rights lawyer Tito Magoti and journalist Erick Kabendera.**

## Zimbabwe

22. JAL 12/07/2019 Case no: ZWE 4/2019 State reply: 19/07/2019

**Allegations concerning the criminalisation and arbitrary detention of six human rights defenders which appears to be directly motivated by their legitimate and peaceful human rights activities.**

## Responses to communications

23. During the present reporting period, the Special Rapporteur sent 20 to 13 countries in the African region, receiving 7 responses to 6 of them. The Special Rapporteur takes note of a slightly decreased rate response from countries in the region in comparison to the previous reporting period, having only 30 per cent of communications with replies compared to 38 per cent noted during the last reporting period. The Special Rapporteur strongly urges States who have not responded to do so without further delay.

## Freedom of peaceful assembly

24. This report provides observations to communications sent by the Special Rapporteur concerning the right to freedom of peaceful assembly to Côte d'Ivoire, Ethiopia, Malawi, Niger and Zimbabwe, during the reporting period. The Special Rapporteur thanks the Government of Côte d'Ivoire for its response dated 11 February 2020. He thanks the Government of Zimbabwe for its response dated 17 July 2019 but regrets that that the response was limited to acknowledgement of receipt. The Special Rapporteur regrets that he received no responses from Cameroon, Ethiopia, Malawi, Niger, for the communications sent on 15 April 2020, 19 June 2019, 31 March 2020 and 2 April 2020 respectively. Furthermore, he also regrets not having received any response from Nigeria on communications sent on 17 and 27 September 2019, from Tanzania on communication sent on 31 January 2020 and from Zimbabwe on communication sent on 12 July 2019. He hopes to receive responses to all of the communications sent as soon as possible.

25. The Special Rapporteur is also gravely concerned at Mr. Yao's arrest and detention, the allegations of violence allegedly committed by the police at the time of his arrest, the allegations of procedural irregularities regarding his lack of access to a lawyer, and his current conditions of detention (CIV 2/2019). Mr. Yao who reportedly assisted his community in organizing a demonstration in N'da-kouassikro against the opening of the gold mine. Furthermore, he is greatly preoccupied by reports of excessive use of force and of tear gas by the police during the protest, which caused Mr. Yao, lost his consciousness. The Special rapporteur wishes to thank the Government of Ivory Coast for the information

provided in its response, however, he regrets that the response represents a denial of the allegations raised.

26. In Malawi, the Special Rapporteur expressed his concern in relation to allegations of arbitrary arrest and detention of the three human rights defenders which seemed to be directly linked to the call for peaceful demonstrations on 25 March 2019 (MWI 1/2020). Furthermore, he is worried that these alleged acts might have a chilling effect on civic space since the arrests may be an attempt to delegitimise and criminalise human rights defenders for the exercise of their rights to freedom of peaceful assembly in the country.

27. In Niger, the Special Rapporteur raised his concern over allegations of arrest and detention of 8 civil society leaders for exercising their rights to freedom of peaceful assembly and of association as well as recurrent bans on demonstrations in Niger (NER 1/2020). He is deeply preoccupied that the majority of those prosecuted, even if they are granted provisional release, will remain with a judicial precedent, which can be reactivated and be grounds for a harsher sentence in the event of recidivism, including for the mere exercise of the right to freedom of peaceful assembly. The Special Rapporteur also expressed concern about a series of legal prohibitions on peaceful demonstrations, which state that a prior declaration must be made to all demonstrations on the public highway with the exception, however, of gatherings organized during electoral campaign.

28. On 15 March 2020, members of civil society took part in a demonstration to call for investigations into alleged misuse revealed by a Ministry of Defence audit. The request for authorisation for this demonstration had been presented to the authorities on 9 March 2020 by the NGO Tournons la Page Niger as required by a law related to demonstrations on the public highway. According to article 5 of the said law, "if the authority vested with police powers considers that the planned demonstration is likely to seriously disturb public order, it shall prohibit it by means of a reasoned order which it shall immediately notify to the signatories of the declaration at the elected domicile. According to the information received, the competent authorities did not release on this specific request for a demonstration, however, a decision of the Council of Ministers of Friday, March 13, 2020 prohibited "any gathering of a political, cultural or sporting nature likely to bring together more than 1,000 people" and this, as part of prevention measures against the coronavirus pandemic.

29. In Nigeria, the Special Rapporteur expressed his concerns over allegations of excessive use of force by Nigerian police officers against members of the Islamic Movement in Nigeria (IMN), during a demonstration in Abuja on 22 July 2019 (NGA 5/2019). He is further concerned that such demonstration resulted in a killing of a Deputy Commissioner of Police, a journalist and an unknown number of IMN member; and during the Ashura processions in different cities of Nigeria on 10 September 2019. In particular, he expressed serious concerns over allegations about several deaths occurred in police custody. Furthermore, there is significant cause for concern that due process and fair trial guarantees may have not been followed in some or all of the above-mentioned cases that went to court.

30. In Zimbabwe, the Special Rapporteur raised serious concern regarding allegations of arbitrary detention and ongoing judicial proceedings against human rights defenders in Zimbabwe as a result of exercising their legitimate and human rights activities (ZWE 4/2019), in particular by the alleged use of treason charges to criminalise their work defending human rights in Zimbabwe. Furthermore, he is preoccupied by their alleged arrest coinciding with their return from human rights related training abroad. He also expressed concern by the allegations of the denial of adequate medical treatment to Ms. Rita Nyampinga while she was in detention.

### **Freedom of association**

31. This report provides observations to communications sent by the Special Rapporteur concerning the right to freedom of association to Cameroon and Côte d'Ivoire, during the reporting period. The Special Rapporteur thanks the Government of Côte d'Ivoire for its reply dated 21 April 2020.

32. Allegations of arbitrary arrest and detention during protests were also raised by the Special Rapporteur with the Government of Côte d'Ivoire (CIV 1/2020). The Special Rapporteur expressed deep concern about the arrest and deprivation of liberty of 18



individuals as well as the international arrest warrant issued against Mr. Soro, which appear to be vitiated by procedural irregularities, and which could be motivated by a desire to intimidate the political opposition. The Special Rapporteur thanks the Government of Côte d'Ivoire for the comprehensive information provided regarding investigations underway and invites the Government to share the results of these investigations in due course.

33. In Cameroon, the Special Rapporteur raised serious concerns regarding reports of physical attacks against Ms. Ngo Mbe, the Executive Director of REDHAC, a human rights defenders coalition, as well as the defamatory statements, and acts of intimidation against REDHAC staff in Cameroon, including the arson attack of its headquarters, which resulted in the destruction of its archives (CMR 1/2020). The Special Rapporteur noted with concern that such allegations clearly seem to be in line with the physical attacks and threats faced by REDHAC and its management team for several years and which have been the subject of several letters of allegation sent by the Special Rapporteurs (CMR 1/2015). These acts seem very clearly linked to the human rights activities carried out by REDHAC in Cameroon, including its denunciations of human rights violations in the so-called "Anglophone" crisis. Furthermore, he regrets that the Government has provided no response to both communications. He urges the Government to send responses as soon as possible.

## **AMERICAS REGION**

### **Chile**

34. OL 23/01/2020 Case no: CHL1/2020 State reply: 27/01/2020

**Preocupación ante la aprobación del proyecto de ley que modifica el Código Penal para tipificar acciones que atenten contra la libertad de circulación de las personas en la vía pública a través de medios violentos e intimidatorios (Boletín 13090)**

### **Colombia**

35. JAL 23/01/2020 Case no: COL 1/2020 State reply: 12/03/2020

**Alegaciones de serias violaciones de los derechos a la vida, a no ser sometidos a torturas ni a otros malos tratos, a la libertad y la seguridad personal, al acceso a un juicio justo, a no ser sometido a injerencias ilegales o arbitrarias en el hogar, a la libertad de opinión y expresión, a la libertad de reunión y asociación en Colombia, en el contexto de las movilizaciones del Paro Nacional que comenzó el pasado 21 de noviembre hasta el 19 de diciembre de 2019. Durante este periodo se han registrado cerca de 1662 casos de detención de nacionales y extranjeros y aproximadamente unos 36 casos de manifestantes heridos, así como 4 agentes de la fuerza pública, incluyendo al menos una persona que habría perdido la vida mientras participaba en las manifestaciones y dos más en eventos no relacionados con las protestas que ocurrieron en las mismas fechas del Paro Nacional.**

### **Guatemala**

36. JOL 21/02/2020 Case no: GTM 2/2020 State reply: none to date

**Preocupación ante la aprobación de la iniciativa de Ley No. 5257 que dispone aprobar e formas al Decreto No. 02-2003 sobre Organizaciones no Gubernamentales para el Desarrollo, el 11 de febrero de 2020 por el Congreso.**

### **Honduras**

37. JOL 12/12/2019 Case no: HND 6/2019 State reply: 12/02/2020

**Información recibida en relación con una moción presentada el 15 de octubre ante el Congreso Nacional de Honduras, y el posible impacto en la labor de las personas defensoras de derechos humanos en el marco del contexto actual de crisis migratoria en Centro y Norte América.**

### **Venezuela**

38. JAL 14/04/2020 Case no: VEN 4/2020 State reply: none to date

**Información recibida en relación con las agresiones verbales y físicas sufridas por al menos 12 periodistas que se encontraban cubriendo la llegada al país del diputado Juan Guaidó en el Aeropuerto Internacional Simón Bolívar y en la ciudad de Lara, así como las posteriores declaraciones vertidas por el vicepresidente del partido del gobierno (Partido Socialista Unido de Venezuela) y presidente de la Asamblea Nacional Constituyente.**

### **Responses to communications**

39. The Special Rapporteur sent 55 communications to 33 countries in the Americas region during the reporting period. He received 25 responses to 18 of them (32 per cent) and takes note of a significant decrease response rate from countries in the region in comparison

to the previous reporting period (44 per cent). The Special Rapporteur reiterates the importance of providing replies to the communications sent in order to engage efficiently and to better safeguard human rights in the region.

### **Freedom of peaceful assembly**

40. This report provides observations to communications sent by the Special Rapporteur concerning the right to freedom of peaceful assembly to Chile, Colombia and Honduras, during the reporting period. He thanks the Government of Chile, Colombia and Honduras for their responses dated 27 January 2020, 13 March 2020 and 12 February 2020 respectively and hopes to soon receive responses to the other communications.

41. On 16 January 2020, the Chamber of Deputies of Chile adopted the bill, known as "Anti-Pillage" (CHL1/2020) (which modifies the provisions of the Criminal Code and adds a single article to criminalize the alteration of public order through the execution of acts of violence, and increases the applicable penalties. In the Special Rapporteur's view, the objective of the reform is the criminalization of intentional acts of violence or intimidation that could occur in the context of demonstrations. While acts of theft, looting or damage are illegal and punishable conduct, in this instance the legislator seems to be failing to distinguish between interrupting freedom of movement through violence, and simply interrupting freedom of movement during demonstrations. Whether or not it is authorized, installing obstacles or interposing vehicles on the public road in the context of demonstrations is a common phenomenon that should not be criminalized. The Special Rapporteur regrets the passing of this law within the context of the demonstrations that took place in October last year where he expressed concern about the excessive use of force against demonstrators (UA CHL 4/2019). The Special Rapporteur acknowledges the response of the Government of Chile to the communication sent. The Special Rapporteur takes note that the recently adopted regulation (article 268 of the Criminal Code) guarantees the right to peaceful assembly, enabling space for people to express their opinions in the public domain, disrupting and even interrupting traffic, provided that they do it peacefully and without the use of barriers, obstacles, barricades or other obstructions. However, he regrets that the State considers that there is no infringement on the rights to freedoms of peaceful assembly and of association. The Special Rapporteur thanks the Government for its response and the detailed information on the guarantees within the national legal framework on the right to peaceful assembly. However, he regrets that no information was provided on specific cases of the allegations raised.

42. In November and December 2019 numerous protests and assemblies were held throughout the whole territory of Colombia. The Special Rapporteur transmitted his concern about information received about allegations from numerous violations of human rights, in particular of the rights to life, personal integrity, freedom of expression, peaceful assembly and association, on instances of excessive use of force against demonstrators and cases of alleged arbitrary arrests and violence in detention. The Special Rapporteur is grateful for the information received from the Government, which allows to better understand the legal framework that exists in the country to guarantee the exercise of freedom of peaceful assembly. The Special Rapporteur reiterates his concern about the apparent excessive use of force against demonstrators that resulted in numerous injuries, and at least one death; alleged mass arrests, and events that could constitute torture, cruel, inhuman and degrading treatment or punishment in detention centres. The Special Rapporteur recalls the Government to allow the protests to take place in a peaceful manner, isolating those who resort to violence while ensuring that all persons in the country can enjoy their rights.

43. On 15 October 2019, a motion was submitted to the Honduran National Congress on the possible increase in the number of military police, the extension of extradition cases to include crimes against life, trafficking and smuggling of persons and the possible criminalization of human rights defenders who provide humanitarian aid to migrants (HND 6/2019). The Special Rapporteur expressed concern about the broad framework of implementation that these points could have, if translated into legislative instruments, and consequently about their impact on the enjoyment of human rights and on the work of human rights defenders. He is preoccupied that such motion contributes to creating an intimidating

effect on the legitimate exercise of the right to freedom of expression, assembly, association, in the field of human rights work. While the Special Rapporteur thanks the Government for its response, he regrets that no information was received on measures taken to ensure that the motion has the necessary prior consultation and dialogue with different civil society actors, before the draft law is passed. The Special Rapporteur wishes to receive further information on recent developments in this regard.

### **Freedom of association**

44. This report provides observations to a communication sent by the Special Rapporteur concerning the right to freedom of association to Guatemala, during the reporting period. He regrets that no response was received to any communication and hopes to receive replies to these communications soon. The Special Rapporteur reiterated his concern about a draft law that was subject to a communication in 2018 (OL GTM 8/2018). He expresses his concern about the introduction of new requirements and controls in that law for non-governmental organizations (NGOs), both national and international. These requirements and controls would have the effect of limiting human rights defenders and civil society in general, so that these NGOs would be unable to carry out their activities fully, particularly in the promotion and protection of human rights.

## **ASIA-PACIFIC REGION**

### **Australia**

45. JOL 03/12/2019 Case no: AUS 8/2019 State reply: 04/02/2020

**Allegations concerning the Summary Offences and Other Legislation Amendment Act 2019 that was adopted by the Queensland Parliament on 24 October 2019, which contains a number of provisions that unduly restrict the right to freedom of peaceful assembly and to freedom of expression.**

### **Cambodia**

46. JAL 25/06/2019 Case no: KHM 3/2019 State reply: 25/06/2019

**Allegations concerning the continued arbitrary detention of Mr. Kem Sokha, leader of the former Cambodia National Rescue Party (CNRP).**

### **China**

47. JAL 11/2/52019 Case no: CHN 22/2019 State reply: 23/122019

**Alleged arbitrary detention, short-term enforced disappearance and charging of healthrights defenders from the organisation Changsha Funeng, Messrs. Cheng Yuan, Liu Dazhi and Wu Gejianxiong, in connection with their advocacy for non-discrimination and the rights of disadvantaged groups, as well as the investigations opened against Mr. Cheng's wife and brother.**

48. JAL 29/01/2020 Case no: CHN 2/2020 State reply: none to date

**Allegedly inappropriate use of chemical agents during demonstrations from June to December of 2019 in Hong Kong. These agents include hazardous substances such as tear gas used against protestors, journalists, human rights defenders, social workers, volunteer medics and other humanitarian workers. Police officers at the frontline of events have also been exposed. The allegations include the use of these chemical agents in the densely populated city of Hong Kong, in closed spaces, in close vicinity of schools, kindergartens and institutions housing sensitive segments of the population.**

49. JAL 19/02/2020 Case no: CHN 3/2020 State reply: 28/05/2020

**Alleged harassment, intimidation and arrest of healthcare workers including first-aiders; restrictions imposed on impartial healthcare, as well as the misuse of healthcare**

**transport, facilities, and confidential information. These incidents allegedly occurred in the context of the large-scale civil rights protests that broke out in Hong Kong in June 2019.**

50. JAL 09/03/2020 Case no: CHN 6/2020 State reply: 02/04/2020

**Alleged arbitrary arrest and enforced disappearance of three human rights defenders. Mr. Ding Jiayi, Mr. Zhang Zhongshun and Mr. Dai Zhenya, who were arrested on 26 December at different locations and placed under Residential Surveillance in Designated Location (RSDL).**

## **India**

51. JAL 28/02/2020 Case no: IND 3/2020 State reply: none to date

**Allegations of excessive use of force, arrests and arbitrary detention of protestors since December 2019, in the context of demonstrations against the Citizenship (Amendment) Act (CAA).**

## **Iran**

52. JAL 21/08/2019 Case no: IRN 11/2019 State reply: 03/12/2019

**Allegations concerning the arrest and charges against Mr. Mohammad Rasoulof, an award-winning Iranian filmmaker.**

53. JAL 21/11/2019 Case no: IRN 16/2019 State reply: 19/02/2020

**Allegations concerning the use of force against protestors leading to the killing of at least 12 individuals, and the reported arrest of 1000 individuals.**

54. JAL 18/12/2019 Case no: IRN 17/2019 State reply: 19/02/2020

**Allegations concerning the use of force against protestors leading to the killing of at least 234 individuals, and the reported arrest of 7000 individuals. Concerns relating to conditions of detention including mistreatment of detainees, as well as restrictions on journalists covering the events.**

55. JAL 19/02/2020 Case no: IRN 2/2020 State reply: none to date

**Allegations concerning protests held in various parts of Iran since 11 January 2020 and the alleged disproportionate response by law enforcement, including excessive use of force leading to injury, arbitrary arrest and detention, enforced disappearance, and ill-treatment of protestors.**

56. JUA 05/03/2020 Case no: IRN 4/2020 State reply: none to date

**Allegations concerning attacks, harassment and serious threats made against the BBC Persian Service and the BBC World Service and its staff by the authorities of Iran (the Islamic Republic of) in conjunction with its coverage of the civil unrest and the extent of the casualties caused by a strong reaction to protests linked to an increase in fuel prices and the introduction of petrol rationing.**

## **Myanmar**

57. JAL 30/10/2019 Case no: MMR 12/2019 State reply: 23/12/2019

**Allegations concerning the excessive use of force during protests against the expansion of a coal-powered cement plant in the village of Aung Tha Pyay in Mandalay, including allegations of arbitrary detention of journalist Mr Kyi Myint Aung.**

58. JUA 31/03/2020 Case no: MMR 1/2020 State reply: none to date

**Allegations concerning the arrests, detention and charges against a number of protesters in the context of a demonstration in Yangon calling for the internet in Rakhine State to be restored.**

## **Nepal**

59. JAL 28/10/2019 Case no: NPL 3/2019 State reply: 03/01/2020

**Alleged excessive use of force and extrajudicial executions by police officers in Terai, including during demonstrations.**

## **Pakistan**

60. JAL 25/02/2020 Case no: PAK 1/2020 State reply: 23/04/2020

**Allegations concerning the detention and prosecution of Mr. Manzoor Ahmad Pashteen and twenty other activists' members of the Pashtun Tahafuz Movement (PTM), a human rights movement defending the rights of the ethnic Pashtun community in Pakistan.**

## **Philippines**

61. JUA 26/12/2019 Case no: PHL 7/2019 State reply: none to date

**Allegations concerning the arrests of at least 62 individuals following raids at the offices of several civil society organisations, as well as the houses of their members, and the alleged abduction of human rights defender Ms. Honey Mae Suazo.**

62. JUA15/04/2020 Case no: PHL 1/2020 State reply: none to date

**Information received concerning the alleged killings of human rights defenders Mr. Ryan Hubilla and Ms. Nelly Bagasala as well as the alleged threats, arbitrary detention and legal cases brought against other human rights defenders from the organisations Karapatan, Gabriela and Rural Missionaries of the Philippines which work on issues including enforced disappearances and extrajudicial killings. The individuals concerned include Ms. Elisa Tita Lubi, Ms. Cristina Palabay, Mr. Reylan Vergara, Mr. Roneo Clamor, Ms. Kiri Dalena, Dr. Edita Burgos, Fr. Wilfredo Ruazol, and Mr. Jose Mari Callueng, Sr. Elenita Belardo, Sr. Emma Cupin, Ms. Gertrudes Libang, Ms. Joan May Salvador, Ms. Jennefer Aguhob and Mr. Alexander Philip Abinguna.**

## **Thailand**

63. JAL 20/01/2020 Case no: THA 1/2020 State reply: 20/01/2020

**Allegations concerning judicial proceedings against the political party the Future Forward Party, which may lead to its dissolution.**

## **Timor Leste**

64. JAL 12/06/2019 Case no: TLS 1/2019 State reply: none to date

**Alleged unlawful killings of three individuals by off duty police men in November 2018 and injuries to five others as well as a lack of access to adequate health care for the injured and alleged ill treatment by members of the police forces against seven individuals in October 2018.**

## Viet Nam

65. JAL 27/01/2020 Case no: VNM 5/2019 State reply: 20/03/2020

**Allegations concerning the detention of human rights defender Ms. Dinh Thi Phuong Thao and the confiscation of her passport by the Vietnamese authorities, as well as the detention of independent journalist Mr. Pham Chi Dung, in what appears to be an act of reprisal for his human rights advocacy.**

66. JUA 21/03/2020 Case no: VNM 1/2020 Statereply25/05/2020

**Alleged arbitrary arrest and potential enforced disappearance of Ms. Truong Thi Ha while crossing the border from Laos to Viet Nam, in what appears to be an act of reprisal for her human rights advocacy.**

## Responses to communications

67. During the reporting period, the Special Rapporteur sent 50 communications to 16 countries in the Asia Pacific region, receiving 32 responses to 27 of them. He is pleased to notes an improvement in the response rate from the region of 54 per cent, an increase from the figure of 27 per cent noted in the last reporting period. The Special Rapporteur encourages States which did not send replies to improve their interaction with his mandate in line with resolution 32/32 and with the Special Procedures of the Human Rights Council overall. The Special Rapporteur reiterates the importance of providing replies to the communications sent in order to foster a greater spirit of engagement and to better safeguard human rights in the region.

## Freedom of peaceful assembly

68. This report provides observations to communications sent by the Special Rapporteur concerning the right to freedom of peaceful assembly to Australia, China, India, Iran, Myanmar and Nepal, Pakistan and Timor Leste, during the reporting period.

69. The Special Rapporteur raised his concerns with the Government of Australia (AUS 8/2019) over alleged violations of the right to freedom of peaceful assembly in the law adopted by the Government of Queensland state. The ‘Summary Offences and Other Legislation Amendment Act 2019’ was adopted by the Queensland Parliament on 24 October 2019, in a context of increasing protests linked to environmental concerns. The Act aims to prevent protesters from locking themselves onto equipment, infrastructure and other objects in order to obstruct lawful activities. The Special Rapporteur thanks the Government for its reply dated 4 February 2020. However, the Special Rapporteur remains concerned that the Act allows for the criminalisation of peaceful protesters, and imposes disproportionately severe penalties including imprisonment of up to two years for using a ‘dangerous attachment device,’ the definition of which is overly broad and open to divergent interpretation. The Special Rapporteur remains concerned that the Act appears to prioritise business interests over the defence of land and environment rights that protesters may pursue.

70. Concerns were also raised by the Special Rapporteur with the Government of China with regards to the allegedly inappropriate use of chemical agents during the large scale civil rights demonstrations between June and December of 2019 in Hong Kong (CHN 2/2020). These agents include hazardous substances such as tear gas, pepper spray, pepper balls and irritating chemical constituents dispersed from water cannons and other mobile sprayers against protestors, journalists, human rights defenders, social workers, volunteer medics and other humanitarian workers. Police officers at the frontline of events were also allegedly exposed. The Special Rapporteur expressed his concern at the alleged use of these chemical agents in the densely populated city of Hong Kong, in closed spaces, in close vicinity of schools, kindergartens and institutions housing sensitive segments of the population. More than ten schools and at least two kindergartens were allegedly affected by the use of tear gas by the Hong Kong Police force (HKPF). The Special Rapporteur further expressed concern

at the reported lack of publicly available information about the composition of the chemicals, which increased the anxiety, fear and health issues suffered by the population. It also presented a challenge to the provision of proper medical care. The Special Rapporteur regrets that no reply from the Government has been received to date.

71. Communication CHN 3/2020 also related to the above-mentioned protests in Hong Kong, focusing on the alleged harassment, intimidation and arrest of healthcare workers including first-aiders; restrictions imposed on impartial healthcare, and the misuse of healthcare transport, facilities, and confidential information. The Special Rapporteur raised serious concerns regarding reports of large numbers of healthcare workers allegedly being arrested in the course of performing their legitimate healthcare duties during the protests, detained for 24 hours and then released on police bail pending possible charges, despite having provided identification proving their credentials. In addition, documented cases appeared to show that police officers denied injured protesters prompt access to medical care despite the serious injuries suffered. Furthermore, law enforcement officers are alleged to have used ambulances to transport personnel and equipment including weapons and ammunitions, while undercover police officers have allegedly impersonated first-aiders to arrest injured protesters. The Special Rapporteur also expressed his serious concern at reports of police patrols around hospitals and undue tracking of confidential medical information, which have reportedly caused widespread fear amongst the public and undermined confidence in patient confidentiality. The Special Rapporteur thanks the Government for its detailed reply received 28 May 2020. The Special Rapporteur acknowledges the challenging environment in which both police and healthcare workers (including first-aiders) were called upon to exercise their professional duties in the context of the protests and, while remaining concerned in regard to certain allegations, appreciates the clarifications provided

72. In joint communication CHN 6/2020 sent on 9 March 2020, the Special Rapporteur expressed serious concern at the alleged arbitrary arrest and enforced disappearance of three human rights defenders, Mr. Ding Jiayi, Mr. Zhang Zhongshun and Mr. Dai Zhenya, who were arrested on 26 December at different locations and placed under Residential Surveillance in Designated Location (RSDL). All three had participated in a meeting of human rights defenders, activists and lawyers on the 7 and 8 December 2019 in Xiamen city, where they discussed the situation of civil society and politics in China, particularly regarding how to create space for the discussion and enjoyment of human rights. All three human rights defenders have reportedly been charged with “inciting subversion of state power”. The Special Rapporteur expressed his concern that the targeting of these defenders is in direct retaliation to the exercise of their fundamental freedoms, especially their rights to freedom of peaceful assembly and freedom of expression. The Special Rapporteur renewed his concern that the practice of imposing Residential Surveillance in a Designated Location without judicial oversight, without formal charges, in conditions amounting to incommunicado detention or solitary confinement, contravenes the right of every person not to be arbitrarily deprived of his or her liberty and to challenge the lawfulness of detention before a court and without delay. The Special Rapporteur expressed his concern at the repeated use of national security legislation to target human rights defenders and all those who express dissenting opinions from that of the Government. The Special Rapporteur thanks the Government for its response dated 2 April 2020 in which the Government provided assurances that the three individuals are being investigated in accordance with the law, and that their legal rights are being respected. The Special Rapporteur nonetheless regrets that the Government’s reply failed to address most of the questions addressed to it in the letter of allegation, and therefore renews his concerns.

73. On the 28 Feb 2020 the Special Rapporteur expressed his concerns in a joint communication to the Government of India (IND 3/2020), concerning the alleged excessive use of force against protestors in the context of demonstrations against the Citizenship (Amendment) Act (CAA), as well as alleged arbitrary detention of protesters and undue restrictions to freedom of peaceful assembly. Beginning early December 2019, mass protests took place throughout the country against the enactment of the CAA. The protests had reportedly led to at least 50 deaths at the time the communication was sent, many of which allegedly resulted from the excessive use of force by security forces, including the use of live ammunition, rubber bullets, batons and large quantities of tear gas to disperse protesters. Furthermore, Section 144 of the Criminal Procedure Code (CPrC), which forbids



unauthorised assemblies of four or more people, was allegedly invoked to restrict assemblies in several states, resulting in the detention of large numbers of peaceful protesters.

74. Authorities also reportedly restricted the right of peaceful assembly by refusing legitimate authorisation requests. The Special Rapporteur additionally raised concern at reports of attacks on protesters by alleged sympathisers of political groups, and - in certain cases - the alleged failure on the part of authorities to intervene to ensure a safe environment for protesters to assemble safely, or to take action against those who instigate violence regardless of their political sympathies. The Special Rapporteur regrets that no reply from the Government has been received to date.

75. Mass protests were also the subject of three communications sent to the Government of Iran during the reporting period (IRN 16/2019, IRN 17/2019 and IRN 2/2020). The three communications, sent on 21 November and 18 December 2019, and 19 February 2020, raised concerns regarding the use of force as well as large-scale arrests, and alleged arbitrary detention and ill-treatment of protesters.

76. According to official sources, between 15 and 19 November 2019 up to 200,000 people participated in mostly peaceful protests throughout the country, instigated by a rise in fuel prices. Security forces reportedly used water cannons, tear gas and live ammunition to disperse protesters, with footage and reports indicating cases of security forces shooting protesters in the back as they ran away. Reports indicated hundreds of deaths. Official sources stated that over 7,000 people were arrested during the protests, thousands of whom were detained. The Special Rapporteur further expressed serious concern at reports suggesting the ill-treatment of persons detained, including the forced transfer of injured persons from medical care to detention facilities, denial of medical care, ill-treatment for the purpose of extracting confessions, denial of fair trial guarantees, and the denial of access to legal representation and contact with their family members. The Special Rapporteur thanks the Government for its reply dated 19 February 2020.

77. Communication IRN 2/2020 related to the sit-ins and protests held around the country between 11 and 14 January 2020, triggered by the circumstances surrounding the crash of Ukraine International Airlines Flight SB752, which resulted in 176 victims. Following the two above-mentioned communications addressed to the Government of Iran regarding the November 2019 protests, the Special Rapporteur regretted to note continued reports of systematic intimidation and harassment of protesters and their family members; unnecessary and disproportionate use of force, including live ammunition; ill-treatment of detained protesters; denial of access to legal representation and of contact with relatives; reprisals against those seeking information on their relatives and the violent suppression of the rights to freedom of expression, peaceful assembly and association. The Special Rapporteur also noted with concern allegations that political, judicial and religious leaders made public statements that incited hatred and violence against protesters. The Special Rapporteur looks forward to receiving a reply to this communication.

78. In the communication MMR 12/2019 sent to the Government of Myanmar on 30 Oct 2019, the Special Rapporteur expressed his concerns regarding the alleged excessive use of force during protests against the expansion of a coal-powered cement plant in the village of Aung Tha Pyay in Mandalay, including allegations of arbitrary detention of journalist Mr Kyi Myint Aung. The protests on 14 and 15 May 2019, which followed on from similar protests occurring since July 2018, were allegedly violently suppressed by police using rubber bullets, injuring at least 17 people. Kyi Myint Aung, a journalist with Channel Mandalay TV, filmed the demonstrations and the police's actions and live-streamed them on Facebook. He was arrested on 15 May 2019, with the police alleging that he attacked them with a stick. Numerous eyewitnesses reportedly refuted that allegation. A total of 18 demonstrators were charged under the Regional Road and Transportation Law and the Right to Peaceful Assembly and Peaceful Procession Law in relation to the demonstration. The Special Rapporteur thanks the Government for its reply dated 23 December 2019.

79. In the joint communication MMR 1/2020 sent on 31 March 2020, the Special Rapporteur raised his concerns in relation to a demonstration in Yangon on 23 February 2020 calling for the internet in Rakhine State to be restored. The Special Rapporteur expressed concern at the arrests, detention and charges against a number of protesters, in what appear

to be undue restrictions to the right to freedom of peaceful assembly. The Special Rapporteur looks forward to receiving a reply from the Government in due course, including information on the factual and legal basis for the charges against the protesters referred to in the communication.

80. In joint communication NPL 3/2019 sent to the Government of Nepal on 28 October 2019, the Special Rapporteur raised concerns regarding the alleged excessive use of force by police officers in Terai during the demonstration which took place on 29 June 2019 in Ishwarpur Municipality 13, following the death of a twelve-year-old boy which reportedly resulted from illegal sand mining. One protester was killed in the course of the police response. The Special Rapporteur also expressed serious concern at allegations of extrajudicial executions of two individuals in separate incidents. The Special Rapporteur thanks the Government for its detailed reply dated 3 January 2020.

81. Special Rapporteur jointly addressed a communication to the Government of Pakistan on 25 February (PAK 1/2020), expressing concern in regard to the detention and prosecution of Mr. Manzoor Ahmad Pashteen and other activist members of the Pashtun Tahafuz Movement (PTM), a peaceful human rights movement defending the rights of the ethnic Pashtun community in Pakistan. The charges against Mr. Pashteen reportedly related to a speech he made on 16 January 2020, in which he allegedly referred to the Pakistani Constitution as “wrong” and “against human rights” because it enshrined the rule of the Punjabi majority and stripped members of the Pashtun minority of power. Peaceful protests in response to Mr. Pashteen’s detention on 28 January, in Islamabad and in Bannu, were reportedly met with excessive police force, and the arrest of 29 protesters. The Special Rapporteur acknowledges the Government’s letter dated 23 April 2020, requesting an extension of 60 days for the provision of its formal reply, as a result of delays linked to the Covid-19 lockdown in the country.

82. In communication TLS 1/2019 addressed to the Government of Timor Leste on 12 June 2019, the Special Rapporteur expressed his serious concern at the alleged unlawful killings of four individuals by police and security personnel in two separate incidents in October and November 2018 and injuries to several others, as well as a lack of access to adequate health care for the injured and social assistance for the family members of the deceased. The Special rapporteur further expressed his concern at reports of injuries to peaceful protestors in the course of a demonstration by mobile street vendors on 2 April 2019 against restrictions which prohibit them from selling their goods in some of the city’s public spaces. The police used teargas to disperse the protestors which resulted in several injuries. Police stated the protestors had not informed the authorities of the planned protest, as is required by law, and were demonstrating within 100 meters of government buildings, which is prohibited in the Law on Freedom of Assembly and Demonstration (Law 1/2006). The Special Rapporteur expressed his concern that this restriction may be neither necessary nor adequate in the Timor-Leste context.

### **Freedom of association**

83. This report provides observations to communications sent by the Special Rapporteur concerning the right to freedom of association to the Governments of China, Iran, the Philippines, Thailand and Vietnam, during the reporting period.

84. In the joint communication CHN 22/2019 addressed to the Government of China on 11 December 2019, the Special Rapporteur expressed serious concerns regarding the alleged arbitrary detention, short-term enforced disappearance and formal arrest of Messrs. Cheng, Liu and Wu, and the serious charges brought against them, which appear to be a direct result of their human rights activism, in particular their advocacy for non-discrimination and the rights of disadvantaged groups in the realization of their right to health. The Special Rapporteur further expressed concern that their detention seriously undermines their right to associate freely. Their treatment in detention is also a cause of concern, such as limits on contact with their families and the legal representatives, as is the placement of Mr. Cheng’s wife under residential surveillance and the investigation opened against her and Mr. Cheng’s brother, which appear to be a result of their peaceful exercise of the right to freedom of

expression and their family ties with Mr. Cheng. The Special Rapporteur thanks the Government for its reply dated 23 December 2019, in which the Government provided assurances that the arrests and detention had been carried out in conformity with the relevant laws, and that Messrs. Cheng Yuan, Liu Dazhi and Wu Gejianxiong were in good health. The Special Rapporteur nonetheless regrets that the Government's reply failed to address most of the questions posed in the letter of allegation and renews his concerns.

85. In the communication IRN 4/2020 sent to the Government of Iran on 5 March 2020, the Special Rapporteur expressed preoccupation in regard to alleged attacks, harassment and serious threats made against staff members of the BBC Persian Service and the BBC World Service by the authorities of the Islamic Republic of Iran. The alleged harassment and threats reportedly stem from the BBC Persian Service's coverage of the November 2019 protests in Iran, including the extent of casualties caused by Iranian security forces in response to the protests. The Special Rapporteur called on the Government to take all necessary measures to put an end to repeated threats and harassment against journalists living abroad and their families living in the Islamic Republic of Iran. The Special Rapporteur look forward to receiving a reply to this communication.

86. In communication 11/2019 sent on 21 August 2019, the Special Rapporteur expressed his concerns regarding the arrest of and charges against Mr. Mohammad Rasoulof, an award-winning Iranian filmmaker. On 20 July 2019, Mr. Rasoulof was sentenced to one year in prison and was banned from "membership in political and social parties and organizations" for two years under the charge of "propaganda against the state". The sentencing followed extensive interrogation of Mr. Rasoulof. The Special Rapporteur thanks the Government for its reply dated 3 December 2019, assuring that due process was followed and informing that Mr. Mohammad Rasoulof was sentenced to two years of imprisonment on the charge of "launching a vicious propaganda against the Islamic Republic of Iran" as well as a two-year ban on exiting the country and in joining political parties or entities. The Special Rapporteur renews his concern at the possible infringement upon the legitimate exercise of Mr. Rasoulof's rights to freedom of opinion, expression and association, including through the use of criminal law sanctions.

87. In the communication addressed to the Government of the Philippines (PHL 7/2019) dated 26 December 2019, the Special Rapporteur expressed grave concerns regarding the arrests of at least 62 individuals following raids at the offices of several civil society organisations, as well as the houses of their members, on 31 October and 1 November 2019. They also expressed their grave concerns at the alleged abduction of human rights defender Ms. Honey Mae Suazo and threats against the human rights defender Ms. Cristina Palabay. The Special Rapporteur remains concerned at the statements made by high-level officials threatening human rights organisations and accusing them of having ties with the communist movement. Such statements reflect a worrying broader trend in the Philippines of so-called "red-tagging" of, for example, human rights defenders, journalists, rural communities and legitimate organizations, perceived as threats or enemies of the State, as having links to communists groups. The Special Rapporteur fears that such statements, combined with actions such as the raids on NGOs mentioned above, may have a chilling effect on the legitimate work of human rights defenders in the country and the right to freedom of association. The Special Rapporteur regrets the absence of response from the Government, all the more so in view of the grave nature of the allegations.

88. In the joint communication PHL 1/2020, the Special Rapporteur expressed his grave concerns regarding the alleged killings of human rights defenders Mr. Ryan Hubilla and Ms. Nelly Bagasala as well as the alleged threats, arbitrary detention and legal cases brought against other human rights defenders from the organisations Karapatan, Gabriela and Rural Missionaries of the Philippines which work on issues including enforced disappearances and extrajudicial killings. The individuals concerned include Ms. Elisa Tita Lubi, Ms. Cristina Palabay, Mr. Reyland Vergara, Mr. Roneo Clamor, Ms. Kiri Dalena, Dr. Edita Burgos, Fr. Wilfredo Ruazol, and Mr. Jose Mari Callueng, Sr. Elenita Belardo, Sr. Emma Cupin, Ms. Gertrudes Libang, Ms. Joan May Salvador, Ms. Jennefer Aguhob and Mr. Alexander Philip Abinguna. The Special Rapporteur is also gravely concerned that the alleged acts reported in the communication appear to have been in retaliation for their human rights activities including their engagement with the UN Human Rights Council and that, despite repeated

requests, including through the legal system, no protection has been provided to these persons. Instead, Karapatan, Gabriela and RMP members have faced a counter suit which may also be a retaliation for their human rights activities. The Special Rapporteur regrets the absence of response from the Government, all the more so in view of the grave nature of the allegations, including the continuing risks to the life, personal security and liberty of members of Karapatan, RMP and Gabriela human rights NGOs.

89. The Special Rapporteur remains extremely concerned at the continued allegations of arbitrary arrests, detention, extrajudicial killings, and threats of death and of sexual violence against human rights defenders in the Philippines, some of which allegedly emanate from law enforcement agencies. Despite repeated communications to the Government raising these issues, the Special Rapporteur continues to receive information that, rather than improving, the situation for human rights defenders in the Philippines continues to deteriorate. The Special Rapporteur renews his call on the Government to take urgent and effective steps to ensure the safety and security of human rights defenders and to create an enabling environment for the exercise of freedom of association and expression free from any forms of intimidation.

90. In the joint communication addressed to the Government of Thailand (THA 1/2020 dated 20 January 2020), the Special Rapporteur expressed his concern at the judicial proceedings against the political party the Future Forward Party (FFP), which could lead to its dissolution. The FFP was formed in March 2018 by Mr. Thanathorn Juangroongruangkit and has campaigned for the amendment of the 2017 military-drafted Constitution and for military reforms, including reducing the military budget, removing the military's interference in domestic politics, reducing the number of generals in the army, and ending conscription. In the general election of 24 March 2019, the FFP received around six million votes and obtained the third highest number of seats (80) in the lower house of Parliament. The Special Rapporteur expressed his concern that the proceedings may result in party members being prevented from exercising their right to freedom of association and freedom of expression and may intimidate and deter other individuals, including members of other political parties, civil society and human rights defenders, and others, from speaking on the role of the military and the monarchy in Thai politics and other issues of public interest. The Special Rapporteur also expressed serious concern that the various judicial cases, including those related to the holding of a gathering without notification, brought against members of the Future Forward Party, may appear to be related to their views on the influence of the military in domestic politics. The Special Rapporteur regrets the absence of response from the Government to date.

91. In the joint communication addressed to the Government of Vietnam on 22 January 2020 (VNM 5/2019), the Special Rapporteur raised his concerns in regard to allegations concerning the detention of human rights defender Ms. Dinh Thi Phuong Thao and the confiscation of her passport by the Vietnamese authorities, as well as the detention of independent journalist Mr. Pham Chi Dung, in what appears to be an act of reprisal for his human rights advocacy. Ms. Dinh Thi Phuong Thao, a prominent Vietnamese human rights defender who has previously participated in a session of the Human Rights Council, was detained on 15 November 2019, upon her arrival at Hanoi International Airport, by security officers from the Ministry of Public Security. The Special Rapporteur expressed his concern at allegations that she was interrogated for 8 hours without access to a lawyer or communication with family members, and was not informed of the charges against her. She was allegedly told at the beginning of the interrogation that she was being questioned because of her advocacy work and her involvement with the non-profit organisation VOICE. At approximately 5:00 pm on the same day, Ms. Thao was released without charges. However, her passport was allegedly confiscated by the Vietnamese authorities which prevents her from leaving the country, returning to her place of residence and pursuing her advocacy activities with international actors.

92. Mr. Pham Chi Dung, a prominent Vietnamese journalist, has published numerous articles in Vietnamese raising human rights concerns, notably on freedom of expression, the detention of human rights defenders, the lack of independent unions and other labor rights, and the harassment of independent civil society, and has also engaged with UN human rights bodies. He is a member of the Civil Society Forum and the Former Vietnamese Prisoners of

Conscience Association (FVPOC), and was also a founder of the Independent Journalists Association of Viet Nam (IJAVN). Mr. Pham Chi Dung was arrested on 19 November 2019, and his house searched. During the search, police officers reportedly forced Mr. Pham Chi Dung to log onto his computer and to print certain documents that could be related to his work as a journalist, including his work with IJAVN. According to the information received, he is currently being held under Article 117 of the Vietnamese Penal Code, which relates to “making, storing or disseminating information, documents, materials and items against the Socialist Republic of Viet Nam”, a crime which carries between 10-20 years imprisonment. The Special Rapporteur thanks the Government for its reply dated 20 March 2020. The Special Rapporteur remains concerned that these acts appear to be directly linked to the exercise by Ms. Thao and Mr. Pham Chi Dung of their rights to freedom of expression and association, and their work as human rights.

93. In communication VNM 1/2020 sent on 21 March 2020, the Special Rapporteur raised concern at the alleged arbitrary arrest and potential enforced disappearance of Vietnamese lawyer and woman human rights defender Ms. Truong Thi Ha, while crossing the border from Laos to Viet Nam on the 25-26 March 2020, and the possibility that her arrest could be an act of reprisal for her human rights advocacy. In November 2019 Ms. Truong Thi Ha had participated in a workshop organized by the Special Rapporteur on the right to freedom of peaceful assembly and association in Geneva, Switzerland. In this workshop she voiced her fear of reprisals for her cooperation with UN mechanisms. Ms. Truong was returning to Viet Nam for the first time since her participation in the aforementioned workshop. The Special Rapporteur thanks the Government for its reply dated 25 May 2020, which refutes that Ms. Truong Thi Ha was arbitrarily detained or prevented from contacting her family, and states that Ms. Truong Thi Ha had been placed in mandatory health quarantine for 14 days due to the Covid-19 pandemic. The Government of Viet Nam had introduced mandatory health quarantine for all entries to Viet Nam from March 21, 2020. The Government’s reply appears to indicate that Ms. Truong Thi Ha was able to contact friends and family to communicate her whereabouts as of 30 March 2020. However, the Special Rapporteur would like to highlight, that according to information received Ms. Truong Thi Ha was not given an official way of communicating with her family by the authorities, which would also explain why she was only able to do so as of 30 March 2020, despite having been placed in quarantine on 26 March 2020. The Government reply further states that Ms. Truong Thi Ha is free and not a subject of any criminal detention or prosecution.

## **EUROPE AND CENTRAL ASIA REGION**

### **Kzrgyztan**

94. OL 09/03/2020 Case no: KGZ 1/2020 State reply: none to date

**Allegations Information received concerning draft law No. 6-28018/19 which introduces amendments to the Law on Non-Commercial Organizations (Law on NCOs).**

### **Russian Federation**

95. JAL 14/01/2019 Case no: RUS 9/2019 State reply:30/03/2020 not translated yet

**Information received concerning raids, seizures of property, prosecution, dissolution and interdiction relating to the human rights NGOs 'Justice Initiative', 'Memorial', 'Center of Support for the Indigenous Peoples of the North', 'People in Need' and 'Siberia without Torture'.**

### **Turkey**

96. JAL 11/02/2020 Case no: TUR 1/2020 State reply: 09/04/2020

**Information received concerning alleged excessive use of force against peaceful demonstrators at the Pride Marches that took place on the campus of the Middle East Technical University on 10 May 2019, as well as alleged arbitrary arrest, detention and prosecution against them.**

### **Responses to communications**

97. The Special Rapporteur sent 10 communications to 7 countries in the Europe and Central Asia region during the present reporting period, of which 9 received replies, marking a response rate of 81 per cent for those communications where replies were requested. This marks a slight decrease in comparison to the previous reporting period. The Special Rapporteur hopes to receive replies to the two outstanding communications soon.

### **Freedom of peaceful assembly**

98. This report provides observations to a communication sent by the Special Rapporteur concerning the right to freedom of peaceful assembly to Turkey, during the reporting period.

99. The Special Rapporteur raised his concerns with regards to alleged violations of the right to freedom of peaceful assembly in the context of a planned Pride March at the Middle East Technical University (METU) in Turkey on 10 May 2019 (TUR 1/2020). The METU LGBTI+ Solidarity Club announced that the 9<sup>th</sup> METU Pride March would take place at 17:30 on 10 May 2019. Reports alleged that on 6 May 2019, the university rector sent an email to all students, graduates, and faculty members, informing them that the Rectorate was prohibiting the event, referring to the ban on LGBTI events in Ankara, issued by the Ankara Governor's office on 3 October 2018. On 10 May 2019 at 13:00, police forces entered the campus, and surrounded the area where the march was planned to start. Participants to the Pride March gathered under a sunshade at 14:00 and raised a rainbow flag. Shortly after, more than 50 police officers in riot gear surrounded them to form a barricade, forcing students to take down the sunshade and evacuate the area. At 15:00, hundreds of police officers surrounded students who were sitting around the area, even though they were not holding flags or banners. The crowd dispersed and at 16:30, but participants gathered once more shortly after. The police reportedly charged the demonstrators without warning, and dispersed the crowd using pepper spray, tear gas and plastic bullets. 22 people were arrested and released later that day, including 21 students and one professor. Shortly afterwards, the university opened administrative investigations against the students who participated in the March. 19 persons who had been arrested were notified in August 2019 that criminal cases had been opened against them for "participating in an unlawful assembly" and "resisting despite warning". The first court hearing took place in November 2019, a later one set for March 2020 was postponed. The Special Rapporteur had voiced his serious concern at alleged excessive use of force, arbitrary arrest and detention, and prosecution against individuals exercising their right to freedom of peaceful assembly, association and of expression to

uphold the human rights of LGBTI persons. The demonstration took place more than 20 days after the Ankara Administrative Appeals Court lifted the ban that had been introduced by the Governor of Ankara under the state of emergency. Furthermore, the Special Rapporteur had pointed out, that the same Court had ruled that the ban was unlawful and restricted rights and freedoms in unconditional, vague, and disproportionate ways. Furthermore, the Special Rapporteur stresses that peaceful protests should be subject to a notification regime, rather than an authorisation regime, and even failure to notify authorities of a protest does not, in and of itself, render a protest unlawful. The Special Rapporteur thanks the Government of Turkey for its response dated 9 April 2020. However, he must respectfully disagree that the responsibility lies with the management of the university, especially when security forces disperse and arrest demonstrators. Moreover, he still considers the use of pepper spray excessive, despite the explanations of the government, given that the protesters were peaceful and the government at no point mentioned fear for the safety of its security forces or any other persons present.

### **Freedom of association**

100. This report provides observations to communications sent by the Special Rapporteur concerning the right to freedom of association to Kzrgyztan and the Russian Federation, during the reporting period.

101. The Special Rapporteur expressed concern over the introduction of draft law No. 6-28018/19 in Kzrgyztan, which would introduce amendments to the Law on Non-Commercial Organizations (KGZ 1/2020). At the time of writing of the report the draft law was still in consultation. The Special Rapporteur thinks that if adopted, the draft law may have a significant and detrimental impact on the operations of all civil society organizations in Kyrgyzstan, including those that provide essential services. In his view, the amendments would unnecessarily and disproportionately restrict the right to freedom of association, as provided by Article 22 of ICCPR. The draft law would add additional reporting requirements to the existing annual income and expense reports. NGOs would need to detail the size and structure of their income and expenditures as well as the number of employees, volunteers and their remuneration. If NGOs fail to fully comply, they would face liquidation within a year. State authorities would also be allowed to undertake ad hoc inspections of NGO premises and request additional documentation and other information. The Special Rapporteur notes, that while States may have a legitimate interest in establishing reporting requirements to registered associations to ensure their compliance with the law, these requirements should not limit associations' functional autonomy and operation, by adding costly and protracted burdens. The listed new reporting requirements provided in the draft law duplicate existing reporting requirements to the Ministry of Justice, which may be burdensome for organizations, especially for small organizations that do not have the same financial capacities and resources as larger ones. Unfortunately the Special Rapporteur regrets that he has not yet received a reply from the Government of Kyrgyzstan.

102. The Special Rapporteur expresses his serious concerns over raids, seizures of property, prosecution, dissolution and interdiction relating to the human rights NGOs Justice Initiative, Memorial, Center of Support for the Indigenous Peoples of the North, Siberia without Torture and People in Need (RUS 9/2019). Many of the actions by the security forces during the raids and seizures of properties seem to have involved irregularities and dubious practices. One of the raids seems to have been conducted without presenting a search warrant. In a different case, failure to comply with certain administrative formalities, such as outdated legal address of the organisation and non-compliance of the Charter with new legislation was used as a reason to close the NGO down. The Special Rapporteur considers the closure of the NGO to be disproportionate punishment for administrative irregularities of this kind. Multiple of the NGOs mentioned above have been branded as “foreign agents” or “undesirable organisations”, which has made it either very difficult or almost impossible to run these NGOs without fear of persecution, fines or imprisonment. The Special Rapporteur considers the measures to be aimed at stopping the organisations from continuing their human rights work. Moreover, the actions taken against them appear manifestly disproportionate in regard to the administrative irregularities upon which they are, for the most part, based. He also expresses his concern about the consistently negative effects of the implementation of the “Foreign Agents Law” and the “Law on undesirable agents”. The Special Rapporteur

thanks the Government of Russia for the reply dated 31 March 2020. Unfortunately no translations has been received so far.



## **MIDDLE EAST AND NORTH AFRICA REGION**

### **Algeria**

103. JAL 30/03/2020 Case no: DZA 1/2020 State reply: 20/04/2020

**Allégations d'arrestation violente et de détention arbitraire de M. Slimane Hamitouche.**

104. JAL 14/04/2020 Case no: DZA 3/2020 State reply: none to date

**La condamnation de M. Karim Tabbou, figure du mouvement Hirak.**

### **Egypt**

105. JOL 28/02/2020 Case no: EGY 4/2020 State reply: 08/04/2020

**Concerns about proposed amendments to the Terrorist Entities Law (Law 8 of 2015) and the Anti-Terrorism Law, (Law 94 of 2015), approved by the Parliament's Legislative Committee on 10 February 2020, which toughen the penalties for terror-related crimes, expand the definition of financing of terrorism, and impose the death penalty on those found guilty of funding of terrorist groups and acts; concern at the extensive limitations on and criminalization of the exercise of fundamental rights in Egypt, in particular on the effect and application of The Right to Public Meetings, Processions and Peaceful Demonstrations Law No. 107/2013, amended on 27 April 2017, signed into law on 24 November 2013 and amended in 2017; the Law no.70/2017 on Associations and Other Foundations Working in the Field of Civil Work, signed into law in June 2017 and repealed in August 2019; and Law No. 149/2019, which regulates the activities of nongovernment organizations, ratified on 19 August 2019 and whose eighth article repealed the Association Law. The totality of these legislative enactments, and their inter-related and cumulative effects, have collective and corrosive effects on the promotion and protection of human rights.**

106. JUA 31/03/2020 Case no: EGY 6/2020 State reply: none to date

**Continued arbitrary detention of journalists Mr. Mohamed Al-Yammani and Mr. Mohamed Badr whose charges have not been communicated by authorities, and the detention, torture and ongoing judicial harassment of human rights defender Mr. Patrick George Zaki.**

### **Iraq**

107. JUA 13/01/2020 Case no: IRQ 6/2019 State reply: none to date

**Follow-up to JUA sent on 14 October regarding excessive use of force in popular protests.**

108. JUA 13/02/2020 Case no: IRQ 1/2020 State reply: none to date

**Alleged arrest and subsequent detention of Mr. Idrees Saleem Mohammed Rozhbeani, a member of the Kurdistan Free Society of Movement.**

### **Mauritania**

109. JUA 13/03/2020 Case no: MRT 1/2020 State reply: 24/04/2020

**Allégations de détention de 15 personnes en raison de la tenue et de la participation à une réunion pacifique, dont MM. Mohamed Ould Hayda, Mohamed Ould Jedou, Ahmed Mohamed El Moctar, Mohamed Abarrahmane Haddad, Mohamed Ould Amar et {...} qui se trouvent actuellement en détention et risqueraient l'application de la peine de mort.**

### **State of Palestine**

110. JAL 15/10/2019 Case no: PSE 3/2019 State reply: none to date

**The attack on Ms. Lara Kanan on 30 June 2018 and the failure of authorities to adequately investigate.**

### **Tunisia**

111. OL 11/09/2019 Case no: TUN 5/2019 State State: 20/11/2019

**Informations concernant le projet de loi sur le droit de réunion pacifique en remplacement de la loi n. 196-4 de 1969**

**Responses to communications**

112. During the present reporting period, the Special Rapporteur sent 27 communications to 12 countries in the Middle East and North Africa region, receiving responses to 15 of them. The response rate for the region was 55 per cent, a considerable increase from the response rate noted in the previous reporting period. The Special Rapporteur encourages States to continue their engagement with his mandate and looks forward to receiving responses to the other communications in the near future.

**Freedom of peaceful assembly**

113. This report provides observations to communications sent by the Special Rapporteur concerning the right to freedom of assembly to Algeria, Egypt, and Mauritania. He thanks the Governments of Algeria, Egypt and Mauritania, for their replies dated 20 April 2020, 08 April 2020, and 24 April 2020 respectively, and looks forward to receiving a response to the remaining communications sent to Governments of Algeria, and Egypt. The Special Rapporteur hopes to receive these replies soon and looks forward to a constructive engagement with these governments.

114. In Algeria, M. Slimane Hamitouche, a member of the national coordination of disappeared families was violently arrested and detained on 7 March 2020. At the police station, he was severely beaten and blamed for continuing to protest despite previous warnings to him. He had been interrogated on numerous occasions for his activities related to the association of families of the disappeared. Mr. Hamitouche was subject of previous communications sent to the State about him, in particular DZA 4/2010, DZA 2/2012, and DZA 3/2016. The Special Rapporteur thanks the Government of Algeria for its response dated 20 April 2020, however he regrets that no translation of the response was available at the time of writing and therefore the content of the response could not be analysed.

115. In Egypt, the Special Rapporteur remains preoccupied at the arrest, detention and prosecution under terrorism-related charges of human rights defenders, critics and peaceful protesters for the exercise of their rights to freedom of expression and peaceful assembly. Mr. Mostafa Maher Ibrahim Tantawi and Mr. Haytham Mohamadein, both human rights defenders, were arrested in May 2019 and detained under charges such as “aiding a terrorist organisation in achieving its goals”, “calling for illegal protests” and “misuse of social media”. These arrests were preceded by a wave of mass arrests during March 2019, of at least 196 individuals, on the basis of their suspected intention to engage in demonstrations denouncing the Egyptian Government’s role in and response to the accident which took place in Ramses Station in Cairo on 27 February 2019. Large numbers of those arrested were subjected to periods of incommunicado detention at unknown locations, potentially amounting to enforced disappearances.

116. These periods varied between 3 and 20 days. In several of the cases, torture and other ill-treatment occurred, including beatings, the use of electric shocks, hanging in stress positions and sexual assault. The Special Rapporteur raised strong concern that the judicial processes to which they were subjected were directly connected to their legitimate human rights work and that they stand as emblematic cases within broader wave of arrests, which appear to be aimed at restricting the rights of freedom of peaceful assembly and freedom of expression in Egypt and to form part of the continuing shrinking of civic space in the country. The Special Rapporteur wishes to invite the State to enhance its engagement with Special Procedures and provide a reply to communications pending one.

117. The Special Rapporteur also expressed concern over the arrest of 15 individuals for organising and participating in a peaceful assembly, including Mr. Mohamed Ould Hayda, Mohamed Ould Jedou, Ahmed Mohamed El Moctar, Mohamed Abarrahmane Haddad, and {...}. Some of the participants in this assembly were members of organisations promoting separation of State and religion in Mauritania. The individuals mentioned above were at risk of execution based on article 8 of law N°64.098 of June 1964 on associations and article 306

of the criminal code. Based on the information received, the interrogations were based on intercepted conversations of participants in the assembly via WhatsApp, where some of them had expressed ideas on Islam and religious figures in Mauritania.

118. The Special Rapporteur wishes to thank the Government of Mauritania for its reply to this communication. He however regrets that issues at stake are underestimated in the reply of the government and detainees are laddled as those who “want to sabotage the hopeful atmosphere {of the country} with communication campaigns that are derisory, injurious, false and damaging to sacred values”. The Special Rapporteur would like to remind the State that religion, whether official or not, or any widespread belief of peoples, cannot constitute the basis for infringement on rights of individuals who peacefully assemble and exercise their rights to freedoms of belief, expression, and association, without harming or causing injury to the society. In this case, he regrets that the replies of the government does not address how and on what basis, whether legal or not, interception of conversations among individuals who peacefully assembled happened. The Special Rapporteur hopes to continue the dialogue with the State.

### **Freedom of association**

119. This report provides observations to communications sent by the Special Rapporteur concerning the right to freedom of association in the region to Iraq and Morocco. The Special Rapporteur thanks the Government of Morocco for its reply to its communication on 3 October 2019. He urges the Governments of Iraq to provide a reply to the communication sent.

120. The Special Rapporteur expressed concern over the alleged arrest and subsequent detention of Mr. Idrees Saleem Mohammed Rozhbeani, a member of the Kurdistan Free Society Movement, which is a registered political party established in 2014 in Iraq. On 8 May 2019, Mr. Rozhbeani was arrested by Asayish security forces at a checkpoint in Erbil. The arrest appears to be part of a larger operation to arrest and detain members of the Kurdistan Free Society Movement in an effort to contain their political activism. Several other members of the party were recently arrested, allegedly for their affiliation with the party in different parts of the Kurdistan Region, and sometimes released shortly after. The Special Rapporteur lamented that Mr. Rozhbeani was arrested without a warrant or judicial order, did not have access to a lawyer, and was subjected to torture and mental and physical ill-treatment, including humiliation and sleep deprivation. As stated by Asayish representatives, he was arrested and subsequently detained in relation to his membership with the Kurdistan Free Society Movement. The Special Rapporteur reminded that this deprivation of liberty on the ground of Mr. Rozhbeani’s real or imputed political opinions and his affiliation to an organisation is in breach of the obligations of the State Party to the covenant on Civil and Political Rights ratified by Iraq in 1971.

121. On Morocco, the Special Rapporteur expressed concern over the allegations regarding the dissolving of Racine, a non-profit organization working for the integration of culture in public policies regarding social, economic and human development. On 5 August 2018, Racine made its premises available for the producers of an online satirical program dealing with Moroccan current affairs topics. Following the broadcast of the show, on 9 October 2018, the Governor of Casablanca filed a complaint requesting the dissolution of the Racine association, on the following grounds: *“organizing an activity involving dialogue clearly insulting the institutions, attacking the Islamic religion, humiliation of the organizing institutions and government officials, who were accused of corruption, in the context of the implementation of the programme of the national human development initiative, as well as public opinion far from the objectives for which [the organization] was created, in addition to the events accompanying this activity, i.e. alcoholic beverages in public. »*

122. The statute of the organisation had foreseen activities of artistic nature as a form of education of the public on different societal subjects. However, in its judgement of 26 December 2018, the Casablanca Court of First Instance ordered the dissolution of Racine and the liquidation of its assets on the grounds that the association had organized activities that did not fall within the objectives set out in its statutes. Racine’s directors appealed this decision on the grounds that they had not organized the event in question or contributed to its online dissemination. On 16 April 2019, the Court of Appeal upheld the trial judgment. While the Special Rapporteur takes note of the explanations provided regarding the

allegations made in communication MAR 3/2019, he remains concerned that this dissolution may have a deterrent effect on the exercise of the right to freedoms of expression, and association by civil society actors in Morocco, freedoms which are necessary for a democratic society and should be exercised far from any government's scrutiny.

123. The Special Rapporteur notes with particular concern the continuation of the deterioration of civil society space in the region, which was reported on in the previous reporting period. The space in which human rights defenders carry out their work has been restricted through both legal instruments and use of force.

124. As reflected in communications sent to Burkina Faso, Malawi, Nigeria, Sierra Leone, South Sudan and Togo, human rights faced increasingly restrictive legislative frameworks in carrying out their legitimate activities, especially for the registration of their civil society organisations. Some organisations found it more difficult to get registered or convene assemblies within the existing laws, while other states approved new legislation which made it more difficult for unregistered NGOs to carry out their work.

125. Excessive use of force during demonstrations in some countries in the region posed serious challenges to the right to freedom of peaceful assembly and expression for human rights defenders in this reporting period. Allegations of violent repression and arrests in the context of protests were brought to the attention of the Special Rapporteur by human rights defenders in several countries, as illustrated in the communications sent to Sudan and Zimbabwe. The Special Rapporteur is also concerned about the chilling effect that the excessive use of force employed by police may have on the exercise of freedom of expression and assembly, by individuals and groups standing up for human rights.

126. While the Special Rapporteur notes that there was a reduction in reported cases of enforced disappearance over last year's reporting period, he remains concerned about widespread arbitrary arrest, threats, physical attacks and intimidations made against human rights defenders, as reflected in the letters sent to the Democratic Republic of Congo, Djibouti, Gabon, South Sudan and Uganda. The Special Rapporteur is concerned that these arrests, many of which are not followed by fair legal proceedings, are linked to the legitimate work of human rights defenders, limiting their scope to protect and promote human rights.

127. The Special Rapporteur is concerned that attacks on human rights defenders often go unpunished. This concern is compounded by the lack of specific detail provided in Government replies regarding the status of investigations into these attacks.

128. Women human rights defenders faced challenges across the region in this reporting period. Two of the three cases involving women human rights defenders involved violent attacks facilitated by the authorities. In his report on the situation of women human rights defenders published in January 2019 (A/HRC/40/60), the Special Rapporteur singled out physical attacks as one of the major gendered risks that women human rights defenders must confront in carrying out their work. LGBTI defenders are also often the target of physical and verbal attacks, as reflected in the communication sent to Mauritius.

129. The Special Rapporteur notes with concern that human rights defenders in the Africa region are being increasingly targeted for their online activities. Defamation legislation and related charges have been used in a number of cases to persecute those who exercise their right to freedom of expression online, as illustrated in communication sent to Nigeria.

130. The Special Rapporteur urges States to comply with their international human rights law obligations and reminds them of their responsibility to ensure a safe and enabling environment, without fear of threats, prosecution or acts of intimidation and harassment of any kind.

131. The Special Rapporteur regrets to note that, during the reporting period, he received two reports on cases of reprisals and intimidation against organisations and defenders for cooperation on human rights issues with international human rights mechanisms, including the UN, its representatives and mechanisms concerning Democratic Republic of Congo (COD 1/2019) and Equatorial Guinea (GNQ 2/2019). Furthermore, three additional letters were sent in relation to COD 1/2019: one to the Chinese company - *Weihai International Economic & Technical Cooperative Co., Ltd* - (OTH 15/2019), to China (CHN 2/2019) and to the World Bank (OTH 16/2019).

## Annex

### AFRICA REGION

#### Cameroon

132. JAL 18/09/2019 Case no: CMR 5/2019 State reply: none to date

**Allégations concernant la situation des membres de l'organisation Organic Farming for Gorillas Cameroon (OFFGO) et la possible arrestation de M. Vincent Awazi.**

#### Democratic Republic of the Congo

133. JOL 19/06/2019 Case no: COD 4/2018 State reply: none to date

**Allégations concernant la Proposition de Loi Relative à la Protection et à la responsabilité du Défenseur des Droits Humains.**

134. JUA 18/07/2019 Case no: COD 4/2019 State reply: none to date

**Allégations concernant des allégations de menaces de mort à l'encontre du défenseur des droits de l'homme M. Jean-Claude Katende.**

#### Djibouti

135. JAL 28/11/2019 Case no: DJI 1/2019 State reply: 28 Jan 2020

**Allégations concernant la détention arbitraire et des actes de torture pendant sa détention de M. Osman Yonis Bogoreh, ainsi que la détention arbitraire et au secret de M. Said Abdilahi Yassin, militants de la deuxième fédération du Mouvement pour le Renouveau démocratique et le développement (MRD), principal parti d'opposition, et membres de la Ligue djiboutienne des droits humains (LDDH).**

#### Equatorial Guinea

136. JAL 03/09/2019 Case no: GNQ 2/2019 State reply: none to date

**Alegaciones en relación con alegaciones de severos actos de represión a las actividades de organizaciones de la sociedad civil ecuatoguineana, en particular sobre la disolución del Centro de Estudios e Iniciativas para el Desarrollo de Guinea Ecuatorial (CEID) y el hostigamiento del que ha sido víctima el Sr. Alfredo Okenve, los cuales podrían constituir los actos de represalias por su cooperación con mecanismos y órganos de derechos humanos de las Naciones Unidas.**

#### Malawi

137. JUA 21/05/2019 Case no: MWI 2/2019 State reply: 03/09/2019

**Allegations concerning alleged threats, intimidation and defamation against human rights defender Mr. Timothy Mtambo in the context of the tripartite elections scheduled for 21 May 2019.**

138. JUA 17/07/2019 Case no: MWI 3/2019 State reply: 03/09/2019

**Allegations concerning threats, acts of intimidation and judicial harassment directed at several human rights defenders.**

#### Nigeria

139. JAL 09/05/2019 Case no: NGA 3/2019 State reply: none to date

**Allegations concerning the sentencing to 12 years in prison of Mr. Ibrahim Garba Wala on charges of criminal defamation, public incitement and unlawful assembly.**

#### Togo

140. JOL 11/09/2019 Case no: TGO 1/2019 State reply: none to date

**Préoccupations exprimées concernant le projet de loi modifiant la loi du 16 mai 2011 fixant les conditions d'exercice de la liberté de réunion et de manifestation pacifiques et publiques adopté le 7 août 2019 par l'Assemblée Nationale.**

### **Uganda**

141. JAL 31/05/2019 Case no: UGA 3/2019 State reply: none to date

**Allegations of an attack against human rights defender Ms. Nana Annet Namata by police officers, resulting in her hospitalisation, as well as the recent arrest and ongoing trial of human rights defender Ms. Stella Nyanzi on charges of cyber harassment and offensive communication against the President Yoweri Museveni's mother.**

## **AMERICAS REGION**

### **Antigua and Barbuda**

142. JOL 15/07/2019 Case no: ATG 1/2097 State reply: none to date

**Concerns that the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) has not entered into force because it has not acquired the minimum number of 11 ratifications.**

### **Argentina**

143. JOL 15/07/2019 Case no: ARG 10/2019 State reply: 23/07/2019

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

### **Bahamas**

144. JOL 15/07/2019 Case no: BHS 02/2019 State reply: none to date

**Concerns that the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) has not entered into force because it has not acquired the minimum number of 11 ratifications.**

### **Barbados**

145. JOL 15/07/2019 Case no: BRB 01/2019 State reply: none to date

**Concerns that the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) has not entered into force because it has not acquired the minimum number of 11 ratifications.**

### **Belize**

146. JOL 15/07/2019 Case no: BLZ 01/2019 State reply: none to date

**Concerns that the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) has not entered into force because it has not acquired the minimum number of 11 ratifications.**

### **Bolivia**

147. JOL 15/07/2019 Case no: BOL 1/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y**

el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.

### **Brazil**

148. JOL 07/06/2019 Case no: BRA 08/2019 State reply: 14/08/2019

**Allegations received concerning the presidential Decree n. 9759/2019 of 11 April 2019, which according to its title “extinguishes and establishes guidelines, rules and limitations” for the administration of federal public collegiate bodies, through a number of provisions reversing the mechanisms necessary for the exercise of fundamental freedoms and the participation of civil society actors in public affairs.**

149. JOL 15/07/2019 Case no: BRA 11/2019 State reply: 26/07/2019

**Allegations concerning ratification of the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) as a matter of priority.**

### **Chile**

150. JOL 15/07/2019 Case no: CHL 3/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

151. JUA 05/11/2019 Case no: CHL 4/2019 State reply: 03/01/2020

**Alegaciones de serias violaciones a los derechos a la vida y la integridad personal, a la libertad de expresión, de reunión pacífica y de asociación en Chile, en el contexto de las manifestaciones que han tenido lugar desde el 19 de octubre de 2019 a partir de la declaratoria del Estado de Excepción Constitucional de Emergencia y hasta la fecha de la presente, en particular sobre el uso excesivo de la fuerza en contra de manifestantes (incluyendo niños, niñas y adolescentes); lo cual ha causado al menos 4316 personas detenidas y 1574 heridas, incluyendo al menos 23 personas que habrían perdido la vida mientras participaban en las protestas.**

### **Colombia**

152. JAL 06/06/2019 Case no: COL 5/2019 State reply: 30/07/2019; 09/08/2019

**Alegaciones que hemos recibido sobre un ataque con armas de fuego y granadas, así como amenazas de muerte en contra de líderes afrodescendientes en la región del Norte de Cauca.**

153. JAL 15/07/2019 Case no: COL 7/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

### **Costa Rica**

154. JOL 15/07/2019 Case no: CRI 4/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

155. JOL 07/10/2019 Case no: CRI 5/2019 State reply: 10/10/2019

**Preocupación sobre el “Proyecto de Ley para Brindar Seguridad Jurídica sobre la Huelga y sus Procedimientos” que fue debatido en la Asamblea Legislativa de Costa**

Rica el 8 de septiembre de 2018 y reenviado a consulta a la Sala Constitucional de la Corte Suprema de Justicia; y su posible incompatibilidad con las obligaciones derivadas de las normas y estándares internacionales de derechos humanos contraídas por Costa Rica.

## Cuba

156. JOL 12/06/2019 Case no: CUB 2/2019 State reply: 15/08/2019

**Preocupación ante posibles restricciones al derecho a la libertad de expresión artística y creatividad, al derecho a la libertad de expresión y al derecho a la libertad de reunión pacífica y a la libertad de asociación impuestas en el Decreto 349 sobre “Contravenciones de las regulaciones en material de política cultural y sobre la prestación de servicios artísticos”, que entró en vigor el 7 de diciembre de 2018.**

157. JOL 15/07/2019 Case no: CUB 4/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

158. JAL 04/09/2019 Case no: CUB 5/2019 State reply: 04/11/2019

**Alegaciones de hostigamientos, amenazas y expatriaciones forzosas de 72 personas defensoras de derechos humanos, periodistas y activistas sociales y políticos en el marco de la reforma migratoria de 2013 que reserva al gobierno cubano amplias facultades discrecionales para restringir el derecho a viajar al extranjero por motivos de “defensa y seguridad nacional” u “otras razones de interés público”.**

159. JAL 15/11/2019 Case no: CUB 7/2019 State reply: 22/11/2019; 13/01/2020

**Preocupación ante la sanción de un año de privación de libertad impuesta al periodista independiente Roberto de Jesús Quiñones Haces, acusado de los delitos de resistencia y desobediencia, por el Tribunal Municipal Popular de la ciudad de Guantánamo, Cuba.**

## Dominica

160. JOL: 15/07/2019 Case no: DMA 1/2019 State reply: none to date

**Allegations concerning ratification of the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) as a matter of priority.**

## Dominican Republic

161. JOL: 15/07/2019 Case no: DOM 1/2019 State reply: none to date

**Información recibida en relación con la ratificación del Acuerdo Regional sobre el Acceso a la Información, la Participación Pública y el Acceso a la Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) como una cuestión de prioridad.**

## Ecuador

162. JOL: 15/07/2019 Case no: ECU 11/2019 State reply: none to date

**Información recibida en relación con la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

163. JUL: 11/10/2019 Case no: ECU 16/2019 State reply: none to date

**Alegaciones recibidas en relación a alegaciones de serias violaciones a los derechos a la libertad de expresión, libertad de reunión pacífica y a la libertad de asociación en Ecuador, en el contexto de las manifestaciones que han tenido lugar desde el 3 de**



octubre de 2019 a partir de la declaratoria de estado de excepción, incluyendo de uso excesivo de la fuerza en contra de manifestantes (incluyendo niños, niñas, adolescentes, mujeres embarazadas, personas de edad, y personas con discapacidad), miembros de pueblos indígenas y periodistas, lo cual ha causado al menos 929 detenidos y cientos de heridos, incluyendo al menos 5 personas que habrían perdido la vida mientras participaban en las protestas. Hemos recibido también información sobre presuntas detenciones masivas, y hechos que podrían constituir tortura, tratos o penas crueles, inhumanas y degradantes en centros de detención.

### **El Salvador**

164. JOL: 15/07/2019 Case no: SLV 3/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

### **Granada**

165. JOL: 15/07/2019 Case no: GRD 1/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

### **Guatemala**

166. JOL 15/07/2018 Case no: GTM 7/2019 State reply: 26/08/2019

**Información recibida en relación con la ratificación del Acuerdo Regional sobre el Acceso a la Información, la Participación Pública y el Acceso a la Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) como una cuestión de prioridad.**

167. JAL 22/07/2019 Case no: GTM 4/2019 State reply: none to date

**Alegaciones recibidas proveniente de diferentes actores nacionales sobre los impactos negativos que han tenido una serie de desalojos forzosos ejecutados desde 2017 a la fecha, en varios derechos humanos entre ellos el derecho a vivienda, alimentación, agua, saneamiento, educación, de las personas que viven en el área rural y que pertenecen a pueblos indígenas y a comunidades campesinas.**

### **Guyana**

168. JOL: 15/07/2019 Case no: GUY 1/2019 State reply: none to date

**Congratulations and gratitude for Guyana's ratification of the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).**

### **Haiti**

169. JOL: 26/04/2019 Case no: HTI 2/2019 State reply: none to date

**Inquiétude par rapport à des allégations d'agression physique, de menaces de mort et d'intimidation à l'encontre du défenseur des droits de l'Homme, M. Jean Gédéon.**

170. JOL 15/07/2019 Case no: HTI 3/2019 State reply: none to date

**Inquiétude par rapport au manque d'entrée en vigueur de l'Accord régional sur l'accès à l'information, la participation publique et l'accès à la justice à propos des questions environnementales en Amérique latine et dans les Caraïbes (Accord d'Escazú) car le minimum requis de 11 ratifications n'a pas encore été atteint.**

### **Honduras**

171. JAL: 16/05/2019 Case no: HND 2/2019 State reply: 17/07/2019

**Preocupación ante alegaciones sobre ataques físicos y amenazas de muerte en contra de la Sra. Nivia Vargas, y el presunto lanzamiento de bombas de gas lacrimógeno contra otros familiares y personas relacionadas con la defensora de derechos humanos, la Sra. Hedme Castro y su organización la Asociación para una Ciudadanía Participativa (ACI PARTICIPA).**

172. JAL: 15/07/2019 Case no: HND 3/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

173. JAL: 07/10/2019 Case no: HND 4/2019 State reply: 1/11/2019; 6/01/2020

**Preocupación sobre alegaciones relacionadas con el asesinato de la Sra. Bessy Ferrero Sánchez y el intento de asesinato en contra de la Sra. Vicky Carvajal, ambas mujeres trans defensoras de derechos humanos que trabajan con personas LGBTI y miembros del Colectivo de Mujeres Trans Muñecas de la Asociación ARCOIRIS.**

### **Jamaica**

174. JOL 15/07/2019 Case no: JAM 1/2019 State reply: none to date

**Concerns that the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) has not entered into force because it has not acquired the minimum number of 11 ratifications.**

### **Mexico**

175. JAL 08/05/2019 Case no: MEX 7/2019 State reply: 10/07/2019

**Alegaciones de ataques e intentos de intimidación contra personas defensoras de derechos humanos, integrantes y colaboradores de la organización Corriente del Pueblo Sol Rojo, que se ha intensificado en los primeros meses de 2019, y en particular sobre el asesinato del defensor de derechos humanos, el Sr. Luis Armando Flores Aquino y la desaparición forzosa del Sr. Ernesto Sernas García, abogado de miembros de la organización.**

176. JAL 15/07/2019 Case no: MEX 9/2019 State reply: 27/01/2019

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

177. JAL 29/07/2019 Case no: MEX 10/2019 State reply: none to date

**Alegaciones recibidas en relación con las alegaciones y declaraciones descalificadoras emitidas por el Presidente de la República y otras autoridades del poder ejecutivo federal sobre el trabajo de la Comisión Nacional de los Derechos Humanos de México (CNDH), institución nacional de derechos humanos acreditada con clase A por su cumplimiento con los Principios de Paris.**

178. JOL 08/08/2019 Case no: MEX 11/2019 State reply: 30/01/2019

**Preocupación ante la entrada en vigor el 1 de agosto de 2019 del decreto 115, el cual modifica el Código Penal del Estado de Tabasco y mediante el cual se estarían penalizando conductas que podrían ser una expresión legítima del derecho a la libertad de reunión pacífica y de asociación, a la libertad de expresión y del derecho a defender los derechos humanos.**

### **Nicaragua**

179. JAL 12/03/2019 Case no: NIC 1/2019 State reply: none to date

**Alegaciones de severos actos de represión a las actividades de las organizaciones de derechos humanos de la sociedad civil y limitación al derecho de reunión pacífica a través de la cancelación de la personalidad jurídica de varias organizaciones no gubernamentales, allanamientos ilegales a sus oficinas y a las de ciertos medios de comunicación. Algunos de los actos descritos podrían constituir represalias como consecuencia de la cooperación de miembros de organizaciones de la sociedad civil con las Naciones Unidas, sus representantes y mecanismos en la esfera de los derechos humanos.**

180. JOL 15/07/2019 Case no: NIC 2/2018 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

181. JAL 31/07/2019 Case no: NIC 4/2018 State reply: none to date

**Alegaciones recibidas en relación con la situación de nueve organizaciones de la sociedad civil nicaragüense (Centro de Información y Servicios de Asesoría en Salud, Centro de Investigación de la Comunicación, Instituto de Liderazgo Las Segovias, Instituto de Estudios Estratégicos de Políticas Públicas, Instituto para el Desarrollo de la Democracia, Fundación para la conservación y el desarrollo del sureste de Nicaragua, Hagamos Democracia, Centro Nicaragüense de Derechos Humanos y Fundación Popol Na para la Promoción y Desarrollo Municipal), en particular sobre los recursos legales que han presentado, el estado actual de sus reclamaciones, el daño patrimonial relativo a la cancelación de su personalidad jurídica y amenazas expresadas en contra de una de las organizaciones.**

182. JAL 19/08/2019 Case no: NIC 5/2018 State reply: none to date

**Alegaciones recibidas en relación con agresiones, intimidaciones y amenazas, incluidas amenazas de muerte y detención en contra de Aníbal Enrique Toruño Jirón, Aníbal Enrique Alonso Toruño, Víctor Xavier Morales Toruño, Audberto Jose Gallo Solís, Catalino Leo Cárcamo Herrera, Marcelino Saturnino Osorio Salmerón, Francisco José Torrez Tapia, Jorge Fernando Vallejos Olivas y Rudy Emelit Ramos Reyes, empleada de Radio Darío en León, Nicaragua.**

## **Panama**

183. JOL 15/07/2019 Case no: PAN 2/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

## **Paraguay**

184. JOL 15/07/2019 Case no: PRY 1/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

## **Peru**

185. JAL 17/06/2019 Case no: PER 2/2019 State reply: none to date

**Alegaciones recibidas en relación con la criminalización de miembros de la comunidad indígena, el Sr. Gregorio Rojas Paniura, el Sr. Edison Vargas Huamanga y la Sra. Nohemí Portilla Vargas. Estas alegaciones están presuntamente relacionadas con su labor de defensa de los derechos humanos de los pueblos indígenas y los derechos humanos relacionados con el medio ambiente en torno al proyecto minero Las Bambas.**

186. JOL 15/07/2019 Case no: PER 3/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

### **Saint Kitts and Nevis**

187. JOL 15/07/2019 Case no: KNA 2/2019 State reply: none to date

**Concerns that the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) has not entered into force because it has not acquired the minimum number of 11 ratifications.**

### **Saint Lucia**

188. JOL 15/07/2019 Case no: LCA 1/2019 State reply: none to date

**Concerns that the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) has not entered into force because it has not acquired the minimum number of 11 ratifications.**

### **Saint Vincent and the Grenadines**

189. JOL 15/07/2019 Case no: VCT 1/2019 State reply: none to date

**Concerns that the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) has not entered into force because it has not acquired the minimum number of 11 ratifications.**

### **Suriname**

190. JOL 15/07/2019 Case no: SUR 1/2019 State reply: none to date

**Concerns that the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) has not entered into force because it has not acquired the minimum number of 11 ratifications.**

### **Trinidad and Tobago**

191. JOL 15/07/2019 Case no: TTO 1/2019 State reply: none to date

**Concerns that the Regional Agreement on Access to Information, Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) has not entered into force because it has not acquired the minimum number of 11 ratifications.**

### **Uruguay**

192. ALL 15/07/2019 Case no: URY 2/2019 State reply: 07/08/2019

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

### **Venezuela**

193. JOL 15/07/2019 Case no: VEN 4/2019 State reply: none to date

**Preocupación ante la falta de entrada en vigor del Acuerdo Regional Sobre el Acceso a la Información, Participación y Justicia en Asuntos Ambientales en América Latina y el Caribe (Acuerdo de Escazú) por no haberse alcanzado el número mínimo de 11 ratificaciones.**

194. JOL 07/10/2019 Case no: VEN 6/2019 State reply: 07/11/2019

**Alegaciones de suspensión arbitraria de actividades de registro para organizaciones no gubernamentales, asociaciones y fundaciones en las oficinas del Registro Principal del Estado de Miranda adscrito al Ministerio del Poder Popular para Relaciones Interiores, Justicia y Paz en Venezuela.**

## **ASIA-PACIFIC REGION**

### **Australia**

195. JLA 17/06/2019 Case no: AUS 6/2019 State reply: none to date

**Allegations concerning the criminalisation of members of the indigenous community, Mr. Gregorio Rojas Paniura, Mr. Edison Vargas Huamanga and Ms. Nohemí Portilla Vargas in Peru. These allegations are related to their work defending the rights of indigenous peoples and the environment in the context of the mining project Las Bambas. The project is implemented by the company MMG Limited which has its headquarters in Melbourne, Australia. MMG's major shareholder is China Minmetals Corporation (CMC), a Chinese state-owned enterprise.**

### **Bangladesh**

196. JUA 10 Sep 2019 Case no: BGD 2/2019 State reply: none to date

**Allegations of retaliatory measures taken by Bangladeshi authorities against Rohingya refugees in reaction to the “Genocide Day” protest, which occurred on 25 August 2019.**

### **Cambodia**

197. JAL 19 Jul 2019 Case no: KHM 4/2019 State reply: 13 Sep 2019

**Alleged arbitrary arrest, detention and criminal charges of Mr. Kong Raiya and Mr. Soung Neakpaon in relation to activities seeking accountability for the killing of the political and social activist Mr. Kem Ley.**

### **China**

198. JAL 01/05/2019 Case no: CHN 3/2019 State reply: 21/5/2019

**Allegations concerning the arrest and detention of, and charges against, five labour rights defenders, as well as the enforced disappearance of one of them as a result of their advocacy for labour rights and better working conditions at the Jasic Technology factory in Shenzhen, and for their attempts to form a trade union.**

199. JAL 02/05/2019 Case no: CHN 4/2019 State reply: 15/05/2019

**Allegations concerning the sentencing of Mr. Benny Tai Yiu-Ting, Mr. Chan Kin-Man and Mr. Chu Yiu-Ming, along with six other human rights defenders in connection with their participation in the Umbrella Movement protests in 2014.**

200. JAL 17/06/2019 Case no: CHN 8/2019 State reply: none to date

**Allegations concerning the criminalisation of members of the indigenous community in Peru, Mr. Gregorio Rojas Paniura, Mr. Edison Vargas Huamanga and Ms. Nohemí Portilla Vargas. These allegations are related to their work defending the rights of indigenous peoples and the environment in the context of the mining project Las Bambas. The project is implemented by the company MMG Limited which has its headquarters in Melbourne, Australia. MMG's major shareholder is China Minmetals Corporation (CMC), a Chinese state-owned enterprise.**

201. JAL 28/06/2019 Case no: CHN 12/2019 State reply: 7/09/2019; 24/09/2019

**Allegations concerning alleged excessive use of force against peaceful demonstrators and human rights defenders, as well as alleged arbitrary arrest of individuals participating in peaceful demonstrations in Hong Kong.**

202. JAL 20/08/2019 Case no: CHN 15/2019 State reply: none to date

**Allegations concerning the alleged police intimidation and harassment since 2005 and subsequent detention on 9 December 2018 of Mr. Wang Yi and Mrs. Jiang Rong, founders of the Early Rain Covenant Church and members of a religious minority.**

203. JUA 27/08/2019 Case no: CHN 17/2019 State reply: none to date

**Allegations concerning the detention and sentencing of Mr. Huang Qi. Mr. Huang Qi was the head of the human rights organization Tianwang Human Rights Service and founder of the human rights website 64tianwang.**

204. JOL 01/11/2019 Case no: CHN 18/2019 State reply: 16/12/ 2019

**Comments on the effect and application of the Counter-Terrorism Law of the People's Republic of China (Counter- Terrorism Law) promulgated on 27 December 2015 effective as of 1 January 2016 and its Regional Implementing Measures, the 2016 Xinjiang Uyghur Autonomous Region Implementing Measures of the Counter-Terrorism Law of the People's Republic of China.**

## **India**

205. JAL 15/07/2019 Case no: IND 15/2019 State reply: none to date

**Allegations concerning the initiation of criminal proceedings against Mr. Anand Grover, Ms. Indira Jaising and the human rights NGO Lawyers Collective.**

206. JUA 16/08/2019 Case no: IND 16/2019 State reply: none to date

**Allegations concerning severe restrictions on freedom of expression and freedom of peaceful assembly and of association imposed during the past week in the state of Jammu and Kashmir, as well as the arbitrary arrests and detention of political figures, journalists, members of civil society and human rights defenders in the state, and violations to the right to life.**

207. JAL 28/08/2019 Case no: IND 17/2019 State reply: none to date

**Allegations concerning the continued judicial proceedings against and arbitrary detention of ten human rights defenders promoting the rights of the Dalit minority, and the house arrests of five of them.**

208. JAL 11/09/2019 Case no: IND 18/2019 State reply: none to date

**Allegations concerning the suspension of registration of the human rights organisation Centre for Social Development, and the surveillance, threats and attacks against its staff and their family members, including a recent attempted shooting of the daughter of the organisation's secretary, which appears to be linked to his work in defence of human rights and his engagement with the UN in the field of human rights.**

## **Indonesia**

209. JAL 04/09/2019 Case no: IDN 7/2019 State reply: 12/09/2019

**Allegations concerning an Internet shutdown in West Papua and acts of harassment and threats against journalist Mr. Victor Mambor and lawyer Ms. Veronica Koman, who have been reporting on the shutdown and the protests.**

210. JAL 20/11/2019 Case no: IDN 8/2019 State reply: 21/11/2019

**Allegations concerning allegations of excessive use of force against and killings of indigenous Papuans by the police, military and civil militia in the context of large demonstrations which took place in the provinces of Papua and West Papua, and the displacement of thousands of people due to security operations in the area.**

## **Iran**

211. JUA 14 /5/ 2019 Case no: IRN 5/2019 State reply: 2/07/2019; 4/11/2019

**Allegations of enforced disappearance and arbitrary detention of human rights defenders Ms. Yasaman Aryani, Ms. Monireh Arabshahi and Ms. Mojgan Keshavarz in relation to their activities promoting women's rights.**

212. JUA 18/6/ 2019 Case no: IRN 6/2019 State reply: none to date

**Allegations concerning the deteriorating health situation of the detained human rights defender and journalist, Ms. Narges Mohammadi, currently serving a 16-year prison sentence in Evin Prison.**

### Malaysia

213. JAL 10/05/2019 Case no: MYS 2/2019 State reply: 24/01/2020

**Allegations concerning investigations into the organisers of a women's day march in Kuala Lumpur under the Sedition Act, and the summoning for questioning of LGBT+ human rights defender Mr. Numan Afifi in connection with his participation in the 40th session of the Human Rights Council in Geneva.**

### Maldives

214. JAL 07/11/2019 Case no: MDV 1/2019 State reply: 15/01/2020

**Allegations concerning the decision to dissolve the human rights organisation Maldivian Democracy Network, as well as the intensified online harassment, intimidation and threats against its staff members, including Ms. Shahindha Ismail and Mr. Mushfiq Mohamed.**

### Myanmar

215. JAL 14/06/2019 Case no: MMR 5/2019 State reply: 15/08/2019

**Allegations regarding Mr. Aung Marm Oo, human rights defender and the editor-in-chief and executive director of the Development Media Group (DMG) in Rakhine State, who has been charged under section 17(2) of the Unlawful Associations Act 1908.**

216. JAL 26/09/2019 Case no: MMR 9/2019 State reply: 7/11/2019; 27/11/2019

**Allegations concerning the arrest and detention of minority rights defenders Khu Kyue Phe Khel, Dee De, Myo Hlaing Win, Khun Thomas, Khun John Paul and Khu Ree Du, members of the Karenni ethnic minority.**

217. JAL 15/11/2019 Case no: MMR 13/2019 State reply: none to date

**Allegations concerning Mr. Than Hla who has been arrested and charged with offences under section 19 of the Right to Peaceful Assembly and Peaceful Procession Law 2012.**

### Nepal

218. JOL 15/07/2019 Case no: NPL 2/2019 State reply: 17/01/ 2020

**Allegations concerning an amendment bill to revise the existing act of the National Human Rights Commission (NHRC) Act-2012, potentially severely undermining the NHRC's authority, effectiveness and independence and limiting the Nepali people's ability to access justice.**

### Pakistan

219. JUA 26/07/2019 Case no: PAK 6/2019 State reply: 30/09/2019

**Allegations concerning the detention of women's human rights defender Ms. Gulalai Ismail, criminal legal proceedings against her, as well as the harassment of her family members and friends through house-raids, the opening of criminal proceedings against her parents, allegations of torture of her associates and the suspension of the NGO Aware Girls.**

### Philippines

220. JAL 25/11/2019 Case no: PHL 6/2019 State reply: none to date

**Allegations concerning hatred, verbal harassment and threats against Mr. Rhadem Camlian Morados, including death threats and threats of kidnapping, disseminated on social media on account of his work on sexual orientation, gender identity and sex**

characteristics and his advocacy as a gay Muslim claiming that his religion is inclusive and affirmative of his sexuality.

### **Thailand**

221. JUA 12/07/2019 Case no: THA 6/2019 State reply: 15/07/2019

**Allegations concerning property destruction, as well as several physical assaults and death threats against Mr. Aekachai Hongkangwan, Mr. Anurak Jeantawanich and Mr. Sirawith Serithiwat.**

## **EUROPE AND CENTRAL ASIA REGION**

### **Georgia**

222. JUA 20/06/2019 Case no: GEO 1/2019 State reply: 23/07/2019

**Possible restrictions to the right to peaceful assembly, freedom of association and to the freedom of expression of the LGBT community following threats and acts of intimidation against organisers and participants to the Tbilisi Pride.**

### **Germany**

223. JAL 18/10/2019 Case no: DEU 3/2019 State reply: 14/01/2020

**Allegations concerning the motion CDU/CSU, SPD, FDP and Bündnis90/Die Grünen “Resisting the BDS Movement with Determination – Combating Anti-Semitism” adopted by the German Bundestag on 17 May 2019, which includes undue restrictions to the rights to freedom of opinion and expression, peaceful assembly and of association.**

### **Kazakhstan**

224. JAL 09/04/2019 Case no.: KAZ 1/2019 State reply: 07/06/2019; 14/06/2019

**Allegations concerning the detention and illegal expulsion of human rights observers Ms. Lyudmila Voloshina and Mr. Valerii Iavtushenko from Kazakhstan.**

225. JAL 17/07/2019 Case no.: KAZ 3/2019 State reply: 06/09/2019

**Allegations concerning the travel ban issued against the human rights defender Mr. Daniyar Khassenov, his repeated detention, and threats made against him and his family members.**

226. JAL 25/10/2019 Case no.: KAZ 4/2019 State reply: 23/12/2019

**Allegations concerning the discriminatory restrictions on the rights to freedom of peaceful assembly, freedom of association and freedom of expression of lesbian, bisexual, trans, intersex and queer (LBTIQ) human rights defenders, which may relate to their engagement in advocacy on human rights related to sexual orientation, gender identity and gender equality.**

### **The Kingdom of the Netherlands**

227. JAL 04/09/2019 Case no: NLD 3/2019 State reply: 31/10/2019

**Allegation of forced expatriation of two activists from Cuba, reportedly facilitated by Aruba Airlines, a company registered in Aruba, as well as the threat of a formal accusation made by Aruba Airlines against Mr. Javier Larrondo Calafat, a human rights defender and representative of the victims of the alleged human rights violations.**

### **Russian Federation**

228. JAL 17/07/2019 Case no: RUS 5/2019 State reply: 13/09/2019

**Allegations concerning the criminal prosecution of woman environmental rights defender Ms. Alexandra Koroleva for non-compliance with the Foreign Agent Law.**

229. JAL 19/09/2019 Case no: RUS 6/2019 State reply: 13/11/2019 (A); 28/11/2019



Allegations concerning the restrictions on the rights to freedom of expression and of peaceful assembly, and also concerning the use of force against, and detention of, peaceful protesters, in conjunction with public demonstrations against the exclusion of certain candidates in the elections for the Moscow City Duma, held on 8 September 2019.

## **MIDDLE EAST AND NORTH AFRICA REGION**

### **Algeria**

230. JAL 21/05/2019 Case no: DZA 1/2019 State reply: none to date

**Allégations d'usage excessif de la force au cours de manifestations, de restrictions du droit à la liberté de manifester et d'actes d'intimidations contre des manifestants.**

231. JAL 18/10/2019 Case no: DZA 2/2019 State reply: none to date

**Allégations concernant l'arrestation et détention arbitraire de M. Fadel Breika et M. Moulay Abba Bouzaid.**

### **Egypt**

232. JAL 06/05/2019 Case no: EGY 5/2019 State reply: none to date

**Allegations concerning the judicial harassment against and alleged arbitrary arrest, detention and ill-treatment of human rights lawyer, Mr. Mohamed Ramadan.**

233. JAL 28/05/2019 Case no: EGY 6/2019 State reply: none to date

**Alleged enforced disappearance of, and charges against, 15 individuals, including human rights defenders who are board members of the Egyptian Coordination for Rights and Freedoms (ECRF), in connection with case no. 1552/2018, and the alleged enforced disappearance of the Executive Director of the ECRF, who is charged in case no. 441/2018. Allegations have also been received regarding a reported smear campaign against a number of human rights organisations in Egyptian media.**

234. JAL 19/07/2019 Case no: EGY 7/2019 State reply: none to date

**Allegations concerning the arrest, detention and prosecution under terrorism-related charges of human rights defenders, critics and peaceful protesters for the exercise of their rights to freedom of expression and peaceful assembly, in particular in the context of the February train accident at Ramses Station in Cairo and the Africa Cup of Nations hosted by Egypt.**

235. JAL 02/09/2019 Case no: EGY 8/2018 State reply: none to date  
**Alleged harassment and intimidation of human rights defenders Ms. Salma Ashraf Abdel Halim Abdelghaffar, Mr. Mohamed Zarea, and Mr. Amr Magdi, including acts of reprisal against Ms. Ashraf and Mr. Zarea for their cooperation with the United Nations in the field of human rights.**

236. JAL 23/10/2019 Case no: EGY 11/2019 State reply: none to date  
**Allegations concerning the trial, sentencing, imprisonment and provisional release of blogger and human rights defender Mr. Alaa Abdel Fattah, as well as the recent arrest of and charges against him, his lawyer Mr. Mohamed El-Baqer and human rights defender Ms. Abdel Fattah, and the physical and verbal abuse against them while in detention. The alleged violations of Mr. El-Baqer's rights appear to be linked to his engagement with the UN in the field of human rights.**

### **Iraq**

237. JUA 14/10/2019 Case no: IRQ 4/2019 State reply: 19/12/2019

**Allegations of the use of excessive and lethal force by security forces, including live ammunition, against peaceful protesters, reports of deadly targeted sniper fire against and targeted killings of protesters, resulting in dozens of deaths and thousands of injuries, as well as the arbitrary arrests and detentions of protesters and civil society activists, an internet shutdown, the forced closure of several satellite TV channels, and**

**the intimidation and harassment of journalists and civil society activists, in cities and governorates across central and southern Iraq, including in Baghdad, since the beginning of October 2019.**

238. JUA 08/11/2019 Case no: IRQ 5/2019 State reply: none to date

**Allegations concerning the alleged enforced disappearance of Ms. Saba al-Mahdawi, who had participated in several demonstrations in the past weeks.**

### **Israel**

239. JAL 31/05/2019 Case no: ISR 8/2019 State reply: 31/07/2019  
**Allegations concerning State publications, which appear to stigmatise civil society organisations for their engagement with international bodies, including the UN in the field of human rights, and the broader harassment of civil society organisations engaging with UN human rights mechanisms.**

240. JAL 28/08/2019 Case no: ISR 12/2019 State reply: none to date

**Allegations concerning allegations of smear campaign against human rights organisations Al-Haq and Al Mezan, threats, including death threats, against Al-Haq's General Director, Mr. Shawan Jabarin, as well as the travel restrictions imposed on a consultant for Al Mezan and on Mr. Issam Younis, the Commissioner General of the Independent Commission for Human Rights in Palestine.**

241. JAL 07/10/2019 Case no: ISR 13/2019 State reply: 11/10/2019

**Allegations of a raid on Addameer Prisoner Support and Human Rights Association in the town of Ramallah.**

### **Jordan**

242. JAL 15/10/2019 Case no: JOR 1/2019 State reply: none to date

**Information received concerning Mr. Abed al Karem Al-Shraideh, who was arrested and detained on 2 September 2019, and who is presently on bail pending an investigation, for allegedly criticizing Jordanian King Abdullah II bin Al-Hussein in a video posted to Facebook.**

### **Kuwait**

243. JUA 23/08/2019 Case no: KWT 3/2019 State reply: 23/08/2019 (A); 11/10/2019

**Allegations concerning the arrests and detention of human rights defenders in connection with their peaceful advocacy on behalf of the Bedoon community in Kuwait, as well as allegations of torture and ill-treatment against them.**

### **Lebanon**

244. JAL 20/11/2019 Case no: LBN 6/2019 State reply: 20/01/2019

**Allegations concerning several incidents of alleged excessive force and ill-treatment by security forces and Lebanese army personnel against protesters, and failures to adequately protect protesters from violent attacks by alleged sympathisers of political groups, during overwhelmingly peaceful mass protests across towns and cities in Lebanon, including downtown Beirut, since 17 October 2019.**

### **Morocco**

245. JAL 02/07/2019 Case no: MAR 3/2019 State reply: 3 Oct 2019

**Allégations concernant la dissolution de Racine, une organisation à but non lucratif œuvrant pour l'intégration de la culture dans les politiques publiques de développement humain, social et économique.**

### **Saudi Arabia**

246. JUA 15/07/2019 Case no: SAU 9/2019 State reply: 12/09/2019  
**Allegations concerning the execution of 37 individuals on 23 April 2019, including Mr.**

Munir Al-Adam, and the wave of arrests in the period 4-9 April 2019 of intellectuals, writers, and human rights defenders, including Mr. Bader Al Ibrahim; Mr. Thamar Al Marzogi; Ms. Khadija Al Harbi; Mr. Abdullah Saad Al Shehri; Ms. Shaika Hamad Al Orf; Mr. Fahad Aba Al Khail; Mr. Mohammad Al Sadiq; Mr. Salah Al Haidar; Mr. Moqbel Al Saqqar; Mr. Yazed Al Faife; Mr. Ayman Al Drees; Mr. Abdullah Al Dehailan; Mr. Nayef Al Hindas; Mr. Redah Ali Al Boori and Mr. Ali Abdullah Al Saffar.

## Tunisia

247. JOL 26/08/2019 Case no: TUN 4/2019 State reply: 18 Nov 2019

**Informations reçues concernant le projet de loi n° 91-2018 qui vise à modifier la législation tunisienne actuelle sur les pouvoirs d'urgence.**

## OTHER ACTORS

248. JAL 20/2019 Case no: OTH 20/2019 Reply: none to date

**Letter sent to Jasic Technologies Ltd. Regarding allegations concerning the arrest and detention of, and charges against, five labour rights defenders, as a result of their advocacy for labour rights and better working conditions at the Jasic Technology plant in Shenzhen, and for their attempts to form a trade union.**

249. JAL 17/06/2019 Case no: OTH 25/2019 Reply: none to date

**Carta enviada a MMG Las Bambas respecto a información recibida en relación con la criminalización de miembros de la comunidad indígena, el Sr. Gregorio Rojas Paniura, el Sr. Edison Vargas Huamanga y la Sra. Nohemí Portilla Vargas. Estas alegaciones están presuntamente relacionadas con su labor como defensores de derechos humanos de los pueblos indígenas y del medio ambiente en torno al proyecto minero Las Bambas, ejecutado por su empresa, MMG Las Bambas.**

250. JAL 17/06/2019 Case no: OTH 26/2019 Reply: none to date

**Letter sent to China Minmetals Corporation concerning the criminalisation of members of the indigenous community, Mr. Gregorio Rojas Paniura, Mr. Edison Vargas Huamanga and Ms. Nohemí Portilla Vargas in Peru. These allegations are related to their work defending the rights of indigenous peoples and the environment in the context of the mining project Las Bambas, implemented by the company MMG Limited, of which China Minmetals Corporation is the main shareholder.**

251. JAL 17/06/2019 Case no: OTH 27/2019 Reply: 16/08/2019

**Letter sent to MMG Limited concerning the criminalisation of members of the indigenous community, Mr. Gregorio Rojas Paniura, Mr. Edison Vargas Huamanga and Ms. Nohemí Portilla Vargas in Peru. These allegations are related to their work defending the rights of indigenous peoples and the environment in the context of the mining project Las Bambas, implemented by the company MMG Limited.**

252. JAL 04/09/2019 Case no: OTH 43/2019 Reply: none to date

**Carta enviada a Aruba Airlines sobre alegaciones de hostigamientos, amenazas y expatriaciones forzosas desde Cuba de personas defensoras de derechos humanos, periodistas y activistas sociales y políticos en el marco de la reforma migratoria de 2013 que eliminó la restricción de un permiso especial para viajar al extranjero, pero que reservó al gobierno cubano amplias facultades discrecionales para restringir el derecho a viajar por motivos de “defensa y seguridad nacional” u “otras razones de interés público”. De acuerdo a información recibida, parecería que Aruba Airlines contribuyó a facilitar la expatriación forzosa en dos de los casos mencionados.**

253. JOL 20/Dec/2019 Case no: OTH 60/2019 Reply: 07/03/2020

**Information received regarding the proposed transfer by the Internet Society (ISOC) of the Public Interest Registry (PIR) and all its assets to a private equity firm, Ethos Capital.**

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