



人权理事会

第五十四届会议

2023年9月11日至10月6日

议程项目2和5

联合国人权事务高级专员的年度报告以及
高级专员办事处的报告和秘书长的报告

人权机构和机制

与联合国及其人权领域代表和机制的合作

秘书长的报告**、**

概要

秘书长在本报告中着重说明联合国系统内外应对因寻求或曾与联合国及其人权领域的代表和机制合作而遭到恐吓和报复问题的活动、政策动态及良好做法。报告载有关于应对和防止恐吓及报复行为的意见和建议，以及在2022年5月1日至2023年4月30日这一报告期内收到的恐吓和报复指称的资料，包括先前报告所列案件的后续资料。

* 本报告附件不译，原文照发。

** 因提交方无法控制的情况，经协议，本报告迟于标准发布日期发布。



一. 引言

1. 人权理事会第 12/2 号决议指出，不断有报告称寻求或曾与联合国及其人权领域代表和机制合作的个人和团体遭到恐吓和报复，理事会对此表示关切。理事会谴责相关政府和非国家行为体对这些个人和团体实施的一切恐吓和报复行为，并请秘书长每年就报复指称提交报告，包括提出应对这一问题的建议。本报告是根据第 12/2 号决议提交的第十四次报告。¹

二. 应对恐吓和报复行为的活动

2. 在本报告所述期间，与联合国各实体总部和驻地机构之间的以往和现有合作继续受到各种形式的报复和打击，同时仍存在为阻止今后接触或合作的恐吓行为。秘书处，包括联合国人权事务高级专员办事处(人权高专办)和联合国驻地办事处及和平行动以及《联合国气候变化框架公约》缔约方会议、联合国促进性别平等和增强妇女权能署(妇女署)、国际劳工组织以及大会、安全理事会、人权理事会及其特别程序任务负责人等政府间机构、人权条约机构和土著人民权利专家机制、土著问题常设论坛、联合国援助酷刑受害者自愿基金和可持续发展高级别政治论坛等其他实体在联合国系统内应对相关事件和趋势。

3. 主管人权事务助理秘书长是秘书长指派的负责领导整个系统努力解决恐吓和报复问题的联合国高级官员，她继续与会员国、联合国各实体、民间社会和其他利益攸关方合作，以提高对此类趋势和事件的认识和关注。

4. 大会和人权理事会在多项专题决议和国别决议中处理了因与联合国合作而受到恐吓和报复的问题。²2022 年 10 月 14 日，主管人权事务助理秘书长根据人权理事会第 48/17 号决议向大会第三委员会提交了秘书长的首次报告。³她欢迎这一重要进展，指出报告具有全球意义，并强调联合国系统应继续对报复行为采取零容忍态度。2022 年 11 月 7 日，一些会员国、人权高专办和民间社会在第三委员会会议期间组织了一次会外活动，讨论在应对因与联合国合作而遭到恐吓和报复问题方面的全球趋势和良好做法。

5. 2022 年 10 月 19 日，78 个会员国和欧洲联盟在第三委员会就报复问题发表了跨区域声明，对秘书长确定的报复问题的全球模式表示关切。⁴会员国欢迎有机会在纽约的第三委员会和日内瓦讨论该报告。

6. 人权理事会主席收到了涉及五个国家的恐吓和报复指称，其中两个国家在指称事件发生时是理事会成员。理事会历任主席继续与所涉国家的常驻代表一起处理这些指称。

7. 在本报告所述期间，会员国对人权理事会第五十一届和第五十二届会议期间的普遍定期审议所涉及的人权维护者和民间社会行为体遭报复的指称表示关切。

¹ 先前的报告见：<https://www.ohchr.org/en/reprisals/annual-reports-reprisals-cooperation-un>。

² 例如见大会第 77/227 号和第 77/228 号决议以及人权理事会第 51/20 号、第 51/25 号、第 52/7 号和第 52/31 号决议。

³ 见 A/HRC/51/47、A/77/262 和 A/77/262/Corr.1。

⁴ <https://press.un.org/en/2022/gashc4355.doc.htm>。

8. 人权理事会特别程序任务负责人继续通过专门函件、声明和报告处理因与特别程序以及整个联合系统各实体合作而遭受恐吓和报复的问题。⁵本报告载有涉及 9 个国家(见附件一)和 1 个非国家行为体的 10 份函件中的新指称,⁶以及涉及 12 个国家的案件和这些国家相关立法的后续资料(见附件二)。⁷特别程序任务负责人在提交人权理事会的八份报告⁸和一份口头报告⁹中,以及在提交大会的三份报告¹⁰中,对因与联合国合作而遭到报复的问题表达了关切。任务负责人还在两份关于国别访问的公开声明¹¹中,以及关于限制性立法、联合国一会议所采取的行动和涉及四个国家的两起单独案件的五篇新闻稿¹²中提及这一问题。

9. 强迫失踪问题委员会和消除种族歧视委员会处理了报复指称,禁止酷刑委员会针对民间社会行动体关于与联合国合作会招致报复的担忧采取了预防措施。¹³四个条约机构批准了用于处理关于个人因来文被登记而面临报复风险的指称的临时措施,或重申了关于先前临时措施请求的核准决定。¹⁴

10. 2023 年 1 月 26 日,条约机构负责报复问题的报告员和协调人参加了关于防止和应对针对与条约机构合作者的报复问题的首次会议。¹⁵与会者讨论了多种挑战,如所涉缔约国似乎习惯性地否认此类问题,以及民间社会行为体对如何报告报复行为和可能的后果缺乏认识。会议提出了多项建议,包括定期召开条约机构报复问题协调人会议、协调提高认识的举措、在支持条约机构对话者方面重视防范措施和与保护有关的伙伴关系。

⁵ A/HRC/52/70, 第 66 和 67 段。

⁶ 阿尔及利亚、孟加拉国、埃及、德国、巴基斯坦、卡塔尔、俄罗斯联邦、沙特阿拉伯、越南和谷歌公司。见 BGD 4/2022 号、DEU 3/2022 号、DZA 2/2023 号、EGY 9/2022 号、PAK 1/2023 号、QAT 1/2023 号、RUS 15/2022 号、SAU 10/2022 号、VNM 2/2023 号和 OTH 19/2023 号函件。

⁷ 巴林、孟加拉国、白俄罗斯、喀麦隆、埃及、危地马拉、印度尼西亚、尼加拉瓜、巴基斯坦、俄罗斯联邦、沙特阿拉伯和越南。见 BHR 1/2023 号、BGD 1/2023 号、BLR 1/2022 号、CMR 4/2022 号、EGY 10/2022 号、GTM 6/2022 号、IDN 1/2023 号、NIC 2/2022 号、PAK 8/2022 号、RUS 16/2022 号、SAU 10/2022 号、VNM 2/2023 号、和 VNM 6/2022 号函件。

⁸ A/HRC/50/23/Add.1, 第 7 段; A/HRC/50/25, 第 33 段; A/HRC/50/29/Add.1, 第 9 段; A/HRC/50/58, 第 7、17 和 93 段; A/HRC/51/29, 第 28-30 段; A/HRC/51/31, 第 44 和 80 段; A/HRC/52/39/Add.1, 第 55 段; A/HRC/52/36, 第 32 段。

⁹ <https://media.un.org/en/asset/k1r/k1rry4647r>。

¹⁰ A/77/178, 第 108-113 段; A/77/181, 第 6 段; A/77/195, 第 10 和 42 段。

¹¹ 见 https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/country-visit/2022-10-13/EOM_statement_Visit_Mongolia_14Oct2022_EN.pdf 和 <https://www.ohchr.org/sites/default/files/documents/issues/defenders/2022-12-08/EoM-Visit-Tajikistan-9Dec2022-EN.docx>。

¹² 见 <https://www.ohchr.org/en/press-releases/2022/09/russia-un-expert-alarmed-continued-targeting-human-rights-defenders>; <https://www.ohchr.org/en/press-releases/2022/10/egypt-un-experts-alarmed-restrictions-civil-society-ahead-climate-summit>; <https://www.ohchr.org/en/press-releases/2022/11/saudi-arabia-allow-immediate-contact-human-rights-defender-held>; <https://www.ohchr.org/en/press-releases/2022/11/egypt-un-experts-alarmed-harassment-civil-society-actors-cop27-climate>。

¹³ HRI/MC/2023/2, 第 29-35 段。

¹⁴ 同上, 第 37 段。

¹⁵ 同上, 第 14-25 段。

11. 联合国援助酷刑受害者自愿基金指出，其受赠方因与包括该基金在内的联合国人权机制合作而面临越来越多的风险，包括遭受报复。¹⁶ 2022年，六名受赠方报告称受到无正当理由的关闭，这导致一笔赠款被取消，另有一笔赠款因受赠方的安全问题被取消。

12. 2023年3月2日，妇女署与人权高专办和非政府组织妇女地位委员会纽约分会合作，在妇女地位委员会第六十七届会议期间与200多名民间社会参与者线上举行了一次关于防范和应对报复问题的简报会。秘书长在其2022年关于妇女与和平与安全的报告中建议，向受冲突影响国家的妇女人权维护者，包括那些向安理理事会报告情况和参与和平进程的妇女人权维护者提供支持和保护。¹⁷

13. 2022年6月，妇女署发起了一项调查，收集有关应邀向安理会报告情况的民间社会妇女代表遭报复的资料，以改进对此类案件的报告和记录。妇女署向曾在所涉期间向安理会报告情况的41名妇女发送了调查问卷，其中17人完成了问卷，7人自行报告了向安理会报告情况后遭到的报复。本报告列入了其中三起案件，为避免招致更多报复，对其中两起案件作了匿名处理。

14. 2022年10月至12月，联合国伊拉克援助团和人权高专办与伊拉克社交媒体网络组织合作，为127名联合国对话者开展了关于数字意识和防止在线攻击，包括防止因与联合国合作而遭到报复的培训。

15. 世界银行继续努力跟进并应对关于在其支持的项目中发生报复行为的可信指称。截至2023年5月，核查小组共收到164份关于该小组处理的141起案件的核查请求，其中56起案件(40%)涉及报复指称，70起案件(50%)涉及保密要求，43起案件(30%)两者都涉及。¹⁸

16. 2022年6月，《在环境问题上获得信息、公众参与决策和诉诸法律的公约》(《奥胡斯公约》)缔约方会议根据2021年10月通过的关于建立保护环境维护者快速反应机制的VII/9号决定，¹⁹以协商一致方式选举米歇尔·福斯特为环境维护者问题特别报告员。²⁰福斯特先生宣布，任何关于因配合他履行任务而遭到报复的指称都将得到处理，并将转交主管人权事务助理秘书长。²¹

三. 防范和应对报复行为的良好做法

17. 人权理事会第48/17号决议欢迎会员国在防范和应对恐吓和报复行为方面的良好做法，包括通过立法框架确保与国际机构接触、沟通和合作的权利；促进并支持一个安全和有利的环境，以便民间社会与联合国开展人权方面的合作；以及对指称事件进行问责并提供补救。²²

¹⁶ A/HRC/52/57，第21和22段。

¹⁷ S/2022/740，第12、102和104(a)段。

¹⁸ 见 *Right to Be Heard: Intimidation and Reprisals in World Bank Inspection Panel Complaints* (2021年12月)。

¹⁹ ECE/MP.PP/2021/2/Add.1，第75页。

²⁰ ECE/MP.PP/2022/2，第14-20段。

²¹ https://unece.org/sites/default/files/2022-11/Vision_for_mandate.pdf。

²² 见 <https://www.ohchr.org/en/reprisals/good-practices-preventing-and-addressing-reprisals>。

18. 在选举人权理事会 2023-2025 年任期成员时，两个候选会员国自愿承诺支持防范和打击针对与联合国合作的民间社会行为体的报复行为的举措以及加强民间社会组织参与人权理事会工作的举措。²³

19. 土著问题常设论坛指出，有必要监测和报告土著人民因与联合国合作而遭受报复的趋势，并要求针对土著人民遭受报复的情况设立一个紧急应对机制。论坛指出，将考虑根据大会第 77/203 号决议，包括通过任命协调人加强自身的应对措施以及与主管人权事务助理秘书长的合作。²⁴

20. 秘书长青年问题特使办公室推出了关于促进与联合国安全接触的提高认识举措，²⁵还在 2023 年 4 月经济及社会理事会青年论坛期间举行的部长级圆桌会议上向青年发言者分发了一份指导文件，针对在论坛之前、期间和之后的安全参与为青年提供了一般性指导以及在因参与论坛而遭到报复的情况下可使用的程序的信息。

A. 会员国分享的应对报复问题的良好做法

21. 2023 年 3 月，主管人权事务助理秘书长向会员国发出了一份调查问卷，并请民间社会组织就防范和应对因与联合国合作而遭受报复问题的良好做法提供意见。²⁶

22. 关于国家在法律和政策框架，包括问责方面的良好做法，一个会员国指出，该国《刑法典》规定，针对受害者人道主义和人权工作的犯罪行为可视作加重处罚情节，此类工作可包括与联合国的合作。一个民间社会组织指出，在关于国家法律对人权维护者所受保护的影响方面，虽然正在开展相关评估工作，但以下问题却很少被提及：国家法律需要纳入不受阻碍地接触国际机构并与之沟通的权利，以及规定国家有义务保护人权维护者不受恐吓和报复。

23. 关于在国家一级确保与联合国安全在线合作的良好做法，一个会员国指出，对于人权维护者的工作，包括他们获取和分享信息的能力来说，数字技术和数字渠道非常重要。该会员国还强调，数字包容不仅指基本的连通性，还指数字素养和数字技能、不受审查并有利于参与的在线空间以及在线安全。一个民间社会组织指出，使用安全的通信平台可以降低通信被拦截的风险。

24. 关于在国际一级应对报复问题的良好做法，两个会员国表示支持民间社会参与政府间机构和联合国各机制，包括支持提交非正式报告和民间社会代表的参与。

25. 关于保护和支助那些因与联合国合作而可能遭受或已经遭受恐吓和报复的人的良好做法，两个会员国称，已经为面临风险的受害者、证人和人权维护者制定了具体的保护方案，并已经利用这些方案来保护那些因与联合国合作而遭到报复的人。另一个会员国强调了紧急援助赠款、安全和安保培训(包括数字领域的培

²³ 见 A/77/504 和 A/77/116。

²⁴ E/2023/43-E/C.19/2023/7，第 64 和第 89 段。

²⁵ 见 <https://www.un.org/youthenvoy/engaging-safely-at-the-un/>。

²⁶ 见 <https://www.ohchr.org/en/calls-for-input/2023/call-inputs-good-practices-prevent-and-address-intimidation-and-reprisals>。

训)以及具有时效性的宣传举措的重要性。该会员国强调,有必要为外交官提供实用指导和资源,包括关于保护面临风险的人权维护者的重新安置方案的指导和资源。该会员国还指出,该国与在保护人权维护者方面具有专长的民间社会伙伴密切合作,以确定并转介那些面临最大风险的人,并重点关注面临风险的妇女人权维护者。

26. 一个民间社会组织指出,联合国可以采取的一个良好做法是,建立一个针对严重报复案件的快速反应机制,并强调驻地机构应与民间社会保持密切联系,以合作查明、防范并应对任何报复行为或状况。

B. 联合国的好做法和经验教训要点

27. 主管人权事务助理秘书长被指定为领导联合国应对报复问题的高级官员,她在过去五年中支持各个实体和人权机制努力防范和应对报复问题。在此期间,人权高专办收集了良好做法和经验教训。在开展这项工作的过程中,人权高专办与会员国、联合国各实体以及与联合国系统合作或寻求合作的个人及团体密切合作。

28. 联合国各实体防范和应对恐吓及报复行为的良好做法遵循“不造成伤害”原则和以受害者和幸存者为本的方法,这包括尊重信息的保密性、受害者的隐私、在知情同意的基础上开展减少风险的行动,以及将性别和青年视角与交叉方法相结合。

29. 现有的良好做法包括,对报复行为采取零容忍态度以及联合国各实体领导层发出明确信息,在此基础上高度重视防范工作,并注重提高联合国工作人员、会员国和相关民间社会对话者的认识。一些联合国实体在实体或机制一级及其秘书处内指定了民间社会协调人或报复问题协调人。专职协调人,特别是职权明确、为对话者所熟知并便于接触的协调人发挥了作用。

30. 现有的良好做法包括,通过关于报复问题的规程或指南,将其中部分内容列为机密,并设立一个接收事件报告的公开和易于访问的系统。有效的规程包括明确的责任分配、记录或核实指称的分步骤方法,以及使用提前确定的工具箱启动应对措施。这种规程具备灵活性和创造性,允许根据具体情况作出反应,包括通过与可信赖的合作伙伴建立快速转介渠道来处理紧急案件。

四. 确保与联合国及其人权领域代表和机制的接触

31. 先前的报告提及了个人和组织在向联合国各论坛通报情况方面遇到的阻碍。²⁷在本报告所述期间,仍有报告称会员国代表企图阻挠或拖延民间社会代表的资格认证。亲临现场的参与方式恢复后,联合国场所内被记录的恐吓和骚扰事件,特别是针对土著人民的此类事件增多,其中包括未经个人同意便进行拍照或录音,或民间社会代表在参加联合国论坛之前、期间或之后受到政府代表的恐吓。

²⁷ 见 A/HRC/42/30、A/HRC/45/36、A/HRC/48/28 和 A/HRC/51/47。

32. 一些联合国和平行动²⁸报告称，个人和群体，包括那些有意分享信息和提供证词的个人和群体在试图与和平行动接触时面临困难和阻碍。安全理事会在其决议中继续敦促会员国和所有各方确保和平行动、有关人员和专家机制完全不受阻碍地进出和自由行动。²⁹在本报告所述期间，联合国授权的独立专家继续成为攻击目标，这对寻求或曾与他们合作的个人和团体产生了吓阻作用。

33. 在具有经济及社会理事会(经社理事会)咨商地位和申请这一咨商地位的非政府组织越来越多的背景下，经社理事会非政府组织委员会的能力继续得到加强。委员会 2023 年常会收到 560 份新的咨商地位申请，续会收到 500 份申请。委员会在常会上建议批准 214 份咨商地位申请，并将 296 份申请推迟作进一步审议。委员会续会建议批准 167 份申请，推迟审议 294 份申请。

34. 在非政府组织委员会 2023 年续会上，一些会员国强调了委员会作为联合国审议非政府组织咨商地位申请的主要专门机构的作用，以及作为非政府组织参与和促进本组织工作的重要起点的作用。这些会员国对委员会计划举行关于进一步改进工作方法和方式的非正式磋商表示欢迎。

35. 民间社会组织更多地参与了非政府组织委员会的工作，包括在适当的情况下通过远程互动参与，这对于委员会的有效运作始终非常重要。秘书长重申他先前的呼吁，请委员会确保以公正而透明的标准评估各组织。在某些情况下，不断推迟审议咨商地位申请实际上等于拒绝，对于从事人权工作的组织来说尤为如此。³⁰

五. 收到的关于因与联合国及其人权领域代表和机制合作而遭受恐吓和报复案件的资料

A. 一般性说明

36. 本报告根据人权理事会第 12/2 号和第 24/24 号决议，列入了 2022 年 5 月 1 日至 2023 年 4 月 30 日期间收集的案件资料，并按照理事会第 12/2 号决议的规定，载有关于个人和团体所受恐吓或报复行为的资料。

37. 已尽可能通过第一手来源和其他来源核实和查证所收到的资料。对于已经公开的案件，会注明相关联合国出版物或文件。本报告概述了各国政府的答复，包括各国采取的积极行动。³¹

38. 本报告及其附件所列案件并非详尽无遗。本报告严格遵守“不造成伤害”和提及姓名须征得据称受害者同意的原则。因此，当所涉个人或家庭成员被认为面临过高安全风险时，会对案件作匿名处理或隐去姓名。此外，提请秘书长注意的一些案件也以保密方法处理。

²⁸ 这里的和平行动既指维和行动，也指特别政治任务。

²⁹ 见安全理事会第 2648(2022)号决议(中非共和国)；第 2657(2022)号决议(索马里)；第 2666(2022)号决议(刚果民主共和国)；第 2669(2022)号决议(缅甸)；第 2677(2023)号决议(苏丹和南苏丹)；第 2681(2023)号决议(阿富汗)。

³⁰ A/HRC/38/18, 第 20 段；A/HRC/39/41, 第 23 段；A/HRC/42/30, 第 31 段；A/HRC/45/36, 第 37 段；A/HRC/48/28, 第 35 段。

³¹ 包括在截止日期当天收到的政府答复。

39. 与以往关于这一问题的报告一样，由于字数限制，附件一只包含在报告期内收到并在报告正文中概述的新案件或新情况的补充资料，以及政府对相关普通照会的答复。附件二载有报告正文提及的先前报告所列未结案件或持续状况在本报告期内的新动态，以及相关的政府答复。本报告还注明了特别程序任务负责人的函件以及政府的答复，详情可查阅特别程序函件的检索网页。³²

B. 案件概要

阿富汗

40. 一些联合国行为体记录了包括妇女在内的多名人员因与联合国合作而遭到报复的情况。阿富汗事实上的当局继续施加限制，加重了恐惧气氛，导致自我审查，在某些情况下，相关人员由于害怕遭受报复而减少与联合国的互动。

阿尔及利亚

41. 特别程序任务负责人处理了阿尔及利亚捍卫人权联盟被解散的问题，并提请注意民间社会组织与包括联合国在内的国际组织接触时据称遇到的法律和实践方面的障碍。特别程序任务负责人表示关切的是，上述联盟的成员 Jamila Loukil 女士和 Kaddour Chouicha 先生在参与阿尔及利亚第四轮普遍定期审议时据称遇到阻碍并因参与审议受到了报复。

安道尔

42. 附件二包括安道尔制止暴力协会的 Vanessa Mendoza Cortés 女士所处境况的新动态。

43. 安道尔政府答复了就本报告发出的普通照会。

巴林

44. 附件二包括 Mr. Abdulhadi Al-Khawaja 先生、Abduljalil Al-Singace 先生、Sayed Ahmed Al-Wadaei 先生、Sayed Nazar Naama Baqquer Ali Yusuf Alwadaei 先生和 Hassan Mushaima 先生所处境况的新动态。

45. 巴林政府答复了就本报告发出的普通照会。

孟加拉国

46. 人权高专办记录了一些民间社会代表因在前高级专员 2022 年访问孟加拉国期间与她会面而受到的监视和恐吓。访问结束后，“母亲的呼唤”协会的 Sanjida Islam Tulee 女士和其他成员据称接到了警方的威胁电话，几名警察上门到访，他们受到了更严密的监视。据报告，Islam Tulee 女士遭到诽谤。³³

47. 在本报告所述期间，民间社会代表据称在与联合国接触之前和(或)之后受到国家和非国家行为体的恐吓和报复。此处隐去姓名和相关细节，以免招致更多报复。

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

³³ 见 BGD 4/2022 号函件。

48. 附件二包括“权益”联盟及其成员 Adilur Rahman Khan 先生和 Nasiruddin Elan 先生所处境况的新动态。

白俄罗斯

49. 多个联合国行为体处理了为联合国提供信息和证词者遭到报复的问题。白俄罗斯人权状况特别报告员指出，民间社会受到了规模空前的打压，包括因与联合国合作被报复。³⁴

50. 国际劳工局理事会的工人发言人称，白俄罗斯民主工会大会已被取缔，其主席 Aliaksandr Yarashuk 先生是国际劳工局理事会成员，他因向劳工组织提交资料等原因受到指控。³⁵ 特别程序任务负责人还处理了关于 Yarashuk 先生被任意逮捕的指称。³⁶ Yarashuk 先生被定罪，被处以四年监禁。

51. 附件二载有非政府组织维阿斯纳人权中心所处境况的新动态。

52. 白俄罗斯政府答复了就本报告发出的普通照会。

布隆迪

53. 附件二载有 Armel Niyongere 先生、Dieudonné Bashirahishize 先生、Vital Nshimirimana 先生和 Lambert Nigarura 先生所处境况的新动态。

喀麦隆

54. 附件二载有 Jan Joris Capelle 先生、Prince Vincent Awazi 先生和 Elvis Brown Luma Mukuna 先生所处境况的新动态。

中国

55. 多个联合国行为体表示关切的是，一些与联合国合作的人遭到报复或担心遭到报复。³⁷ 一些人权机制明确要求该国保证不针对与这些机制的合作进行恐吓或报复。³⁸ 据称，一名民间社会代表因与联合国条约机构接触而遭到恐吓和报复。此处隐去姓名和相关细节，以防报复。残疾人权利委员会表示关切的是，有报告称民间社会因与联合国合作而遭到报复。

56. 支持黎智英先生及其子黎崇恩先生的国际法律团队的两名成员在人权理事会发言³⁹后，中国香港政府公开称，“这些言论意图干扰或妨碍司法公正，极有可

³⁴ A/77/195，第 10 和 42 段。

³⁵ 国际劳工局理事会第 346 届会议记录(GB.346/PV)，第 467 和 468 段。

³⁶ 见 BLR 6/2022 号函件。

³⁷ CRPD/C/CHN/CO/2-3，第 44 和 45 段；CCPR/C/SR.3891，第 14 段；CCPR/C/SR.3893，第 11 段；CCPR/C/SR.3895，第 29 段；E/C.12/2023/SR.5，第 15 和 25 段；E/C.12/2023/SR.7，第 78 段；CHN 1/2023 号函件。

³⁸ CCPR/C/SR.3891，第 14 段；CCPR/C/SR.3893，第 11 段；E/C.12/2023/SR.5，第 15 段；CHN 1/2023 号函件。

³⁹ 见 <https://media.un.org/en/asset/k1z/k1zdvujom>。

能构成藐视法庭罪或妨碍司法公正罪”。⁴⁰ 特别程序任务负责人处理了关于该法律团队受到恐吓和骚扰的指称。⁴¹

57. 附件二载有人权维护者网络“民间人权阵线”及其负责人陈皓桓先生以及申有连先生、李翘楚女士、李昱函女士、许艳女士、陈建芳女士、王宇女士、李文足女士、王全璋先生、王峭岭女士、李和平先生所处境况的新动态。

58. 中国政府答复了就本报告发出的普通照会。

哥伦比亚

59. 附件二载有 Wilmer Orlando Anteliz Gonzalez 先生所处境况的新动态。

60. 哥伦比亚政府答复了就本报告发出的普通照会。

古巴

61. 附件二载有促进种族融合公民委员会的 Juan Antonio Madrazo Luna 先生和 Marthadela Tamayo González 女士所处境况的新动态。

刚果民主共和国

62. 联合国组织刚果民主共和国稳定特派团(联刚稳定团)记录了几起因与特派团合作而遭报复, 包括受到死亡威胁的事件。此处隐去姓名和相关细节, 以免招致更多报复。

吉布提

63. 国际人权联合会 2017 年向联合国人权事务委员会提交了一项个人申诉, 经手此事的联合会成员 Alexis Deswaef 先生和 Victoire d'Humières 女士因此分别被拒绝入境和被驱逐出境。⁴²

64. 附件二载有民主与自由运动 Kadar Abdi Ibrahim 先生所处境况的新动态。

埃及

65. 特别程序任务负责人处理了关于民间社会行为体和土著人民代表在参加《联合国气候变化框架公约》缔约方会议第二十七届会议方面受到不当限制、恐吓和监视的指称, 并对与会议有关的恐吓和报复指称表示关切。⁴³ 任务负责人在上述会议召开期间还公开指出, 多份报告和确凿证据表明, 埃及安全官员未经民间社会行为者同意便在会场内对他们进行盘问、监视和拍照。⁴⁴

⁴⁰ 见 <https://www.info.gov.hk/gia/general/202303/15/P2023031500686.htm?fontSize=1e>。

⁴¹ 见 CHN 1/2023 号函件和政府的答复:
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37508>。

⁴² 见吉布提内政部 2023 年 3 月 14 日第 227 号公报, 以及 CCPR/C/130/D/3593/2019。

⁴³ 见 EGY 9/2022 号函件。

⁴⁴ 见 <https://www.ohchr.org/en/press-releases/2022/11/egypt-un-experts-alarmed-harassment-civil-society-actors-cop27-climate>。

66. 非政府组织开罗人权研究所⁴⁵在网站发布一份关于普遍定期审议中期进程的联合报告后遭到网络攻击。

67. 附件二载有 Ahmed Shawky Abdelsattar Mohamed Amasha 先生、Ebrahim Abdelmonem Metwally Hegazy 先生、Mohamed El-Baqer 先生和 Neama Hesham 女士所处境况的新动态，以及关于埃及立法对个人和民间社会团体与联合国合作能力的影响的资料。

法国

68. Assa Traoré 女士在消除种族歧视委员会审议法国第二十二次和第二十三次定期报告期间与委员会合作，此后据称遭受网络诽谤和威胁，其中涉及两个警察工会的账户。2022 年 11 月 25 日，消除种族歧视委员会就此事致函法国政府。⁴⁶

69. 委员会敦促缔约国确保 Traoré 女士的安全，采取纪律措施，进行必要调查，并酌情对涉嫌诽谤和威胁的公职人员提起法律诉讼。⁴⁷

危地马拉

70. 联合国多个行为体对新提交的关于几位治安法官、法官和检察官因在消除危地马拉国内有罪不罚现象国际委员会的技术援助下调查案件而受到报复的指称表示关切。

71. 打击有罪不罚现象特别检察官办公室的检察官 Samari Gómez 女士因在上述委员会的技术援助下调查多起备受瞩目的案件而受到起诉、拘留和单独监禁。Carlos Videz 先生、前总检察长 Thelma Aldana 女士以及她的一名工作人员、一名律师和委员会的一名前调查员都收到了逮捕令，他们被控多项罪名。Carlos Ruano 先生的豁免权被取消，面临多项指控。

72. 附件二载有多位法官和检察官，即 Virginia Laparra 女士、Wendy Geraldina López 女士、Siomara Sosa 女士、Paola Escobar 女士、William Racanac 先生、Leily Santizo 女士、Juan Francisco Sandoval 先生、Miguel Ángel Gálvez 先生、Erika Aifán 女士、Pablo Xitumul 先生和 Claudia Maselli 女士所处境况的新动态。

73. 危地马拉政府答复了就本报告发出的普通照会。

印度

74. 附件二载有查谟和克什米尔民间社会联盟及其主席 Khurram Parvez 先生、促进社会关注中心及其执行主任 Henri Tiphagne 先生、国际声援达利特人网络、社会发展中心及 Nobokishore Urikhimbam 先生等该中心工作人员所处境况的新动态。

⁴⁵ 关于该研究所遭到报复的指称载于秘书长先前的报告，A/HRC/42/30，附件二，第 50 段；A/HRC/45/36，附件二，第 49 段；A/HRC/48/28，附件二，第 44 和 45 段。

⁴⁶ 另见 HRI/MC/2023/2，第 34 和 35 段。

⁴⁷ CERD/C/FRA/CO/22-23 第 27 和 28 段，政府的答复见：
https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=hot5z0drKAT9oxO6h/uLZ6PszUFTdrkZcvTwC0pUaCHLvCo5LipNJdhaUOIW/BBdCS2+x10Fkuv09cEX4gwctg==。

75. 印度政府答复了就本报告发出的普通照会。

印度尼西亚

76. 附件二载有 Victor Mambor 先生所处境况的新动态。

77. 印度尼西亚政府答复了就本报告发出的普通照会。

伊朗伊斯兰共和国

78. 多个联合国行为体注意到，自 2022 年 9 月抗议活动开始以来，该国的公民空间不断缩小，针对民间社会的镇压和暴力行为持续不断。⁴⁸ 这种情况导致个人及其亲属在与联合国接触方面面临更大风险，导致自我审查。据报告，受害者和证人不愿使用联合国的程序，但同意以匿名方式公开报告。伊朗伊斯兰共和国人权状况特别报告员对因与联合国接触而有可能遭受报复的情况表示关切。

79. 附件二载有 Manouchehr Bakhtiari 先生所处境况的新动态。

80. 伊朗政府答复了就本报告发出的普通照会。

伊拉克

81. 联合国伊拉克援助团记录了许多人权维护者的困境，其中一些人由于担心遭受更多风险或受到身份不明行为体的威胁而减少了与联合国的合作。除其他外，受到此类威胁的个人进行自我审查，减少参与联合国的讨论或向联合国报告。

82. 强迫失踪问题委员会对多名关于参与失踪者搜寻和调查程序的人员遭到报复的指称表示关切，并回顾称，任何与委员会合作的人都不应遭到报复。⁴⁹

以色列

83. 附件二载有良心囚犯支助和人权协会、法律援助会、贝桑研究和发展中心、保卫儿童国际巴勒斯坦分部、农业工作委员会联盟和巴勒斯坦妇女委员会联盟被认定为“恐怖组织”一案的进展情况，以及 Issa Amro 先生所处境况的新动态。

利比亚

84. 联合国利比亚支助团记录了包括多名妇女在内的侵犯人权行为受害者和人权维护者因与联合国合作而遭到报复的事件。此处隐去姓名和相关细节，以免招致更多报复。利比亚问题独立实况调查团报告称，对报复的恐惧阻碍了调查团开展合作，民间社会成员因受到攻击而自我审查、躲藏或流亡。

⁴⁸ A/HRC/52/67，第 44 段；人权理事会第 S-35/1 号决议；IRN 11/2022 号、IRN 14/2022 号、IRN 23/2022 号和 IRN 30/2022 号函件；<https://www.ohchr.org/en/statements-and-speeches/2022/11/deteriorating-human-rights-situation-islamic-republic-iran>；<https://www.ohchr.org/en/press-releases/2022/10/iran-crackdown-peaceful-protests-death-jina-mahsa-amini-needs-independent>；<https://www.ohchr.org/en/statements-and-speeches/2022/10/iran-end-killings-and-detentions-children-immediately-un-child>。

⁴⁹ CED/C/IRQ/VR/1(建议)，第 89、96、97 和 100 段。另见 A/HRC/42/28、CED/C/8 和 <https://www.ohchr.org/en/press-releases/2021/03/iraq-un-experts-appalled-killing-disappeared-human-rights-defenders-father>。

85. 附件二载有关于民间社会组织与联合国开展人权合作的能力因多种限制所受影响的资料。

马尔代夫

86. 附件二载有 Uthema 组织及其成员以及马尔代夫民主网络及其成员所处境况的新动态。

87. 马尔代夫政府答复了就本报告发出的普通照会。

马里

88. 多个联合国行为体对该国公民空间缩小和相关人士担心因发表意见而遭到报复的情况表示关切，并处理了民间社会行为体因与联合国合作而遭到报复的事件。⁵⁰ 联合国马里多层面综合稳定团记录了多起因与联合国合作而遭到报复的事件。此处隐去姓名和相关细节，以免招致更多报复。

89. 2023 年 1 月，民间社会代表 Aminata Dicko 女士向安全理事会报告了情况。⁵¹ 马里外交部长在安理会发言时质疑 Dicko 女士的可信度。⁵² Dicko 女士向安理会报告情况后在社交媒体上遭到诽谤和言语攻击，⁵³ 并受到刑事指控，她在安理会发言的视频被作为证据。

90. 马里政府答复了就本报告发出的普通照会。

墨西哥

91. 人权高专办驻墨西哥办事处记录了“红太阳人民运动”的 Ellioth Escobar Gómez 先生出席人权高专办会议后遭身份不明者威胁的事件。

92. 附件二载有 Felipe Hinojo Alonso 先生所处境况的新动态。

93. 墨西哥政府答复了就本报告发出的普通照会。

缅甸

94. 多个联合国行为体指出，与联合国行为体接触的人可能会遭到报复并面临阻碍，包括受到强化监视和被断网。⁵⁴ 此处隐去姓名和相关细节，以防报复。

⁵⁰ S/2023/36, 第 28 段; S/2023/236, 第 46 段; A/HRC/52/81, 第 36 段。另见 https://www.ohchr.org/sites/default/files/documents/countries/ml/2022-08-15/EOM_Statement_IE_Mali_August2022.pdf; <https://www.ohchr.org/fr/press-releases/2023/02/mali-transitional-authorities-must-protect-civic-space-respect-freedom>; <https://www.ohchr.org/en/news/2023/03/human-rights-council-hears-security-situation-mali-very-concerning-and-severe>; <https://www.ohchr.org/en/press-releases/2023/02/un-human-rights-chief-volker-turk-deplores-expulsion-representative-mali>; <https://www.ohchr.org/en/statements-and-speeches/2023/03/global-update-high-commissioner-outlines-concerns-over-40-countries>。

⁵¹ S/PV.9251, 第 5 和第 6 页。

⁵² S/PV.9251, 第 23 页。

⁵³ S/2023/236, 第 46 段。

⁵⁴ A/77/494, 第 24 段和 56-62 段。另见 <https://bangkok.ohchr.org/ngo-law-myanmar/>。

95. 人权高专办指出，其记录工作受到限制，包括持续面临被军事当局报复的风险，以及在记录性暴力和性别暴力犯罪方面的困难，包括可能因此遭到报复。⁵⁵

尼加拉瓜

96. 多个联合国行为体处理了因与联合国合作而遭受报复的问题。人权高专办收到的资料表明，一些人因担心自己及家人遭到报复，在与联合国接触时要求不公开姓名。此处隐去姓名和相关细节。多个联合国行为体对关于管制非营利组织的第 1115 号一般法的生效及其任意适用，包括 3,000 多个非营利组织法人资格被撤销的情况表示关切。

97. 禁止酷刑委员会决定公布防范酷刑和其他残忍、不人道或有辱人格待遇或处罚小组委员会 2014 年尼加拉瓜国别访问报告，并提及与该小组委员会访问有关的报复事件和相关人士对遭受报复的担忧。⁵⁶

98. 附件二载有“常设人权委员会”及其工作人员以及 Félix Alejandro Maradiaga 先生、Aníbal Toruño 先生和 Vilma Nuñez de Escorcía 女士所处境况的新动态。

巴基斯坦

99. 特别程序任务负责人处理了关于“社会正义中心”因参与巴基斯坦第四轮普遍定期审议，包括因提交报告而遭到报复的指称，以及关于 Suneel Nasir 先生因参加普遍定期审议会前会议而遭到报复的指称。⁵⁷

100. 附件二载有 Fazal ur Rehman Afridi 先生所处境况的新动态。

菲律宾

101. 附件二载有卡拉帕坦促进人民权利联盟及其秘书长 Cristina Palabay 女士所处境况的新动态。

卡塔尔

102. 特别程序任务负责人处理了关于总部设在德国的非政府组织“寻求正义”的 Mark Somos 先生因与联合国多个人权机制合作而受到恐吓和网络攻击的指称。⁵⁸

俄罗斯联邦

103. 特别程序任务负责人处理了关于土著民间社会代表 Yana Tannagasheva 女士在土著人民权利专家机制第十五届会议期间受到俄罗斯联邦常驻联合国日内瓦办事处代表团一名代表的恐吓以及一个伙伴组织网站上的相关内容随后被删除的指称。⁵⁹

⁵⁵ 见 A/HRC/52/21，第 35 段。

⁵⁶ 见 CAT/C/75/2 和 CAT/OP/NIC/ROSP/1。

⁵⁷ 见 PAK 1/2023 号函件。

⁵⁸ 见 QAT 1/2023、DEU 3/2022 和 OTH 19/2023 号函件，以及德国政府的答复：<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37527>。

⁵⁹ 见 RUS 15/2022 号函件。

104. 消除种族歧视委员会建议缔约国对所有报告的恐吓和报复案件展开有效、彻底和公正的调查。⁶⁰

105. 附件二载有关于 Tannagasheva 女士和 Vladislav Tannagashev 先生在前几个报告期所遭遇事件的新动态，以及关于限制性立法对民间社会行为体与联合国合作意愿和能力的影响的资料。

沙特阿拉伯

106. 附件二载有 Mohammad Fahad Al Qahtani 先生、Fawzan Mohsen Awad Al-Harbi 先生和 Essa Al-Nukheifi 先生所处境况的新动态。

南苏丹

107. 联合国南苏丹特派团(南苏丹特派团)人权小组记录了两人因与联合国合作而受到恐吓和死亡威胁的两起独立事件。此处隐去姓名和相关细节，以免招致更多报复。

108. 南苏丹特派团收集了公众、记者、人权活动人士和民间社会组织成员的证词，他们因害怕遭到报复而不敢向联合国报告所遭遇的案件。⁶¹

阿拉伯联合酋长国

109. 禁止酷刑委员会在 2022 年关于阿拉伯联合酋长国的结论性意见中指出，有报告称被拘留者因与联合国合作而遭受酷刑或虐待，委员会对此表示关切。⁶²

坦桑尼亚联合共和国

110. 牧民土著非政府组织论坛的 Edward Porokwa 先生也是恩戈罗恩戈罗区洛利昂多镇马萨伊人的民间社会代表，据报告，他在参加一次土著问题常设论坛的会议时受到坦桑尼亚联合共和国常驻联合国代表团代表的恐吓，他表示担心会因参与论坛而遭到报复。论坛成员在会议期间与有关国家代表讨论了相关事件。

乌兹别克斯坦

111. 人权高专办记录了乌兹别克斯坦执法机构对 6 名民间社会活动人士和 14 名个人实施报复的事件，他们在联合国人权事务高级专员访问该国期间与高级专员进行了接触或试图进行接触。高级专员及人权高专办与乌兹别克斯坦当局讨论了相关事件。此处隐去姓名和相关细节，以免招致更多报复。民间社会活动家 Elena Urlaeva 女士应邀与高级专员会面，据称有人在会面前阻止她进入塔什干的联合国大楼。

⁶⁰ CERD/C/RUS/CO/25-26, 第 19 段。

⁶¹ A/HRC/52/CRP.3, 第 327 和 407 段。

⁶² CAT/C/ARE/CO/1, 第 13 段。另见 A/HRC/45/36, 附件二, 第 126-133 段。

委内瑞拉玻利瓦尔共和国

112. 有报告称，该国提出的关于非政府组织和相关组织的管控、正规化、运营和筹资的法案加重了联合国行为体的担忧，日渐增多的限制性规定影响了民间社会开展工作，包括与联合国合作的能力和意愿。⁶³

113. 据称，在高级专员访问该国期间，两名男性工会成员(其中一名为 Douglas Gonzalez 先生)和妇女人权维护者 María Fernanda Rodríguez 女士因与高级专员会面或试图会面而遭到国家行为体的恐吓。⁶⁴ 据报告，一个由尤克帕土著首领及其亲属组成的代表团出于对委内瑞拉玻利瓦尔国民警卫队成员和一名高级别政府官员所采取行动的恐惧而决定不与人权高专办会面。

114. 特别程序任务负责人处理了关于 Emilio Negrín Borges 先生等工会成员遭任意逮捕和指控的指称。⁶⁵ 据称，政府官员探访了被拘留的 Negrín 先生，并催促他签署社会对话论坛成果文件以换取释放。

115. 委内瑞拉玻利瓦尔共和国问题国际独立实况调查团指出，为起草报告而进行的调查“面临多种限制，特别是安全方面的问题，包括受害者担心遭到报复”。⁶⁶

116. 附件二载有非政府组织“正蓝”及其五名成员所处境况的新动态，以及 Karen Caruci 女士和 Maria Lourdes Afiuni 女士案件的进展情况。

越南

117. 2022 年联合国越南国家年度成果报告指出，随着政府加大对民间社会组织活动的管控，这些组织的活动空间缩小，与联合国的合作也受到阻碍。⁶⁷

118. 限制性立法的任意适用对民间社会组织与联合国合作的能力和意愿产生了不利影响。据报告，一些长期与联合国合作的民间社会伙伴由于害怕遭到报复而避免与人权机制公开接触，包括不与人权事务委员会和儿童权利委员会的审议以及对越南第四轮普遍定期审议的筹备。此处隐去姓名和相关细节，以防报复。

119. 附件二载有 Y Khiu Niê 先生、Y Sĩ Êban 先生、Pham Doan Trang 女士和 Bui Thi Kim Phuong 女士所处境况的新动态。

也门

120. 经济、社会及文化权利委员会对有关人权维护者遭恐吓和报复的可信报告表示关切。人权高专办继续记录胡塞武装分子施加的限制，包括极力阻止与联合

⁶³ A/HRC/47/55, 第 47 段。A/HRC/50/59, 第 52 和 53 段；以及 VEN 6/2019 号、VEN 5/2020 号和 VEN 8/2021 号函件。政府的答复可查阅

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34948> 和 <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36433>。

⁶⁴ 见 <https://www.ohchr.org/en/statements/2023/01/un-high-commissioner-human-rights-volker-turk-concludes-official-mission>。

⁶⁵ 见 VEN 4/2022 号函件和

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

⁶⁶ A/HRC/51/43, 第 7 段。

⁶⁷ 见报告英文本第 66 页。

国和国际人道主义组织的接触，这些限制阻碍了联合国的行动，限制了与民间社会行为体的合作。⁶⁸

121. 据报告，多名身着制服的男子包围了律师 Abdulbasit Ghazi 先生的办公室，恐吓他，阻止他为客户辩护和为联合国提供信息。

122. 也门问题专家小组提交安全理事会的报告称，由于 Al-Qasra 地区遭胡塞武装分子恐吓、暴力侵害和逮捕的受害者和目击者担心自己的生命安全，专家小组无法与他们取得联系。⁶⁹

123. 附件二载有 Abdulmajeed Sabrah 先生和姆瓦塔纳人权组织及其工作人员所处境况的新动态。

124. 也门政府答复了就本报告发出的普通照会。

巴勒斯坦国

125. 附件二载有多个巴勒斯坦妇女组织和国际妇女组织以及多位活动人士所处境况的新动态。

六. 结论和建议

126. 在本报告所述期间，仍有许多关于国家和非国家行为体针对寻求或曾与联合国合作的个人或团体进行恐吓和报复的报告。所报告的事件涉及各个区域。即便如此，所报告的案件和情况并未反映出相关问题的实际程度和范围。与先前的报告一样，出于保护方面的考虑，有些案件无法列入，有些案件需要隐去姓名。

127. 此外，如果报告未列入涉及某国的报复指称或在某些情况下列入的指称数量有所下降，这并不一定是积极的迹象。在许多国家，包括一些民主历史悠久的国家，与联合国接触所必需的公民空间和对基本权利和自由的保护无论是在线上还是线下都越来越多地受到攻击。在此背景下，报告恐吓或报复行为变得更加困难，在处理相关指称方面也是如此。

128. 在本报告所述期间，联合国各实体记录的全球趋势中存在与先前报告期类似的情况，但也出现了新趋势。首先，由于担心被报复，包括担心亲属或同事被报复而自我审查或不与联合国合作或选择匿名合作的情况有所增加。本报告所列新案件涉及多个会员国，来自其中近三分之二国家的据称遭受报复的受害者要求匿名报告，上一报告期的这一比例仅为三分之一。

129. 第二，本报告所涉会员国中，有半数被指称对试图或曾与联合国合作的人进行线上和线下监视，对他们的人身监控也明显增多，这可能是因为他们现在能够再次以面对面的方式与联合国接触。

130. 第三，会员国颁布并实施了有关民间社会以及反恐和国家安全的法律法规，其目的或作用是阻止或妨碍与联合国的合作。在本报告所述期间，民间社会组织被解散和撤销登记，包括被大规模解散和撤销登记的情况得到了记录，这些事件对民间社会与联合国的接触造成了更多障碍。与先前的报告期一样，人权维

⁶⁸ A/HRC/51/47，附件一，第 86 和 87 段。

⁶⁹ S/2023/130，附件 26，第 1 段。

护者和民间社会行为体因人权工作和与联合国合作而继续被冠以恐怖主义或危害国家安全的罪名，受到长期监禁。

131. 与先前的报告一样，在本报告所列的几个案件或情况中，受害方因不断遭受报复而多次提出指称，这可能表明存在某种模式。此外，如果某一报告期内的相同案件或情况引起了多个联合国行为体的关切，那么就可能表明所涉会员国境内存在严重和(或)普遍的报复行为。这仍然需要我们的关注，也值得联合国各实体的投入。

132. 恐吓和报复行为受害者的人权受到严重侵犯，包括任意逮捕和拘留、酷刑和虐待，甚至是强奸。高危人群包括人权维护者、活动人士和记者，以及侵犯人权行为的受害者、证人及其亲属、律师和工会成员。

133. 我仍然对所报告的报复行为中的性别问题以及专门针对妇女的严重报复行为表示关切，并特别关切妇女因与安全理事会以及安理会授权的和平行动合作而遭受此类报复的事件。我同样关切的是，土著人民代表因参加联合国会议或在国家一级与联合国互动而成为攻击目标。

134. 联合国负有防范和应对恐吓和报复行为的集体责任，在这方面遵循“不造成伤害”原则和以受害者和幸存者为本的方法。在揭示和应对这一问题方面已经取得了相当大的进展，包括在我提出的“人权行动呼吁”下采取了关于公民空间的举措。

135. 联合国致力于加强防止报复行为的努力，包括为此明确声明对报复行为的零容忍以及提高工作人员、会员国和民间社会对话者的认识。我们将进一步加强对报复案件的应对，确保建立适当的制度，以查明、记录和报告相关事件，包括年度报告所列事件。我们将加强传播关于如何确定并报告报复事件的信息，特别是向经常收到报复事件报告的联合国机构传播此类信息。

136. 联合国还将不断审查并调整工作方法和议事规则，并就防范和应对报复问题通过专门的规程或准则。人权高专办在进一步促进预防、及时保护和全球问责工作方面发挥着关键的指导和协调作用。

137. 正如《我们的共同议程》所呼吁的，联合国致力于确保民间社会协调人获得充足资源，以积极促进建立一个有利的空间，让民间社会行为体能够在国家和全球层面以及在联合国会议、网络、进程和安排中安全地作出贡献。

138. 防范和应对报复问题的首要责任最终仍落于会员国。我敦促会员国加紧努力，保护各国管辖范围内所有人的权利，避免和防止任何针对与联合国合作的恐吓和报复行为，并确保追究责任。今年是《世界人权宣言》通过七十五周年，我请会员国借此契机重申其政治承诺，保证支持，包括在财政上支持联合国系统防范和应对报复问题。

139. 我呼吁国际社会确保协调一致地采取行动，保护、支持和保障个人和团体，包括妇女人权维护者及建设和平者与联合国及其人权领域的代表和机制安全切实地进行接触。我鼓励会员国分享并彼此借鉴有关防止和应对针对与联合国合作的报复行为的良好做法。

Annex I

Comprehensive information on alleged cases of reprisals and intimidation for cooperation with the United Nations on human rights

1. Afghanistan

1. The UN Security Council¹, the former and current High Commissioner for Human Rights,² UNAMA³ and special procedure mandate holders of the Human Rights Council⁴ addressed during the reporting period the continued deterioration of civic space in Afghanistan, including the violence and human rights violations faced by human rights defenders, journalists, civil society actors and former public officials, as well as women and girls more broadly.

2. During the reporting period, UNAMA and other United Nations actors documented several instances of reprisals against individuals, including women, for their cooperation with the United Nations. Two individuals were reportedly arbitrarily detained for three weeks and five days, respectively, and two were summoned for interrogation and either intimidated or ill-treated during the questioning and then released. They were questioned for their cooperation with the United Nations, including the sharing of information with UNAMA. One of them was compelled to sign a document committing not to make complaints against the *de facto* authorities to the United Nations and another was threatened with death due to the cooperation with the Organization. Another individual was subjected to intimidation for cooperation of a relative with the United Nations. UNAMA also recorded other instances where individuals who have been arbitrarily detained have been questioned about their cooperation with the United Nations.

3. Since the Taliban takeover and the significant withdrawal of donor funding, UNAMA has documented the closure of many previously existing support services. As a result, there is very limited support available for individuals who have concerns for their safety linked to their cooperation with the United Nations and/or their human rights and humanitarian work.

4. During the reporting period, the *de facto* authorities continued to impose restrictions on the activities of media and civil society actors and violate their rights, arbitrarily detaining civil society and media workers, violently dispersing protests, and banned Afghan women from working for national and international NGOs and imposed severe restrictions on Afghan women working for the United Nations.⁵ These actions have reportedly contributed to a climate of fear and intimidation, particularly among civil society and media actors, and resulted in self-censorship by individuals and groups who refrain from voicing dissent and, in some instances, limit interactions with the United Nations due to fears of retribution by the *de facto* authorities.

¹ S/2023/151, paras. 3–4, 38, 42–43 (Feb 2023); A/77/340-S/2022/692, paras. 33, 35 (Sep 2022) A/77/636-S/2022/916 (Dec 2022) para. 37.

² <https://www.ohchr.org/en/statements/2022/06/high-commissioner-updates-human-rights-council-afghanistan>; <https://www.ohchr.org/en/statements/2023/04/comment-un-high-commissioner-human-rights-volker-turk-afghanistan>; <https://www.ohchr.org/en/statements-and-speeches/2023/03/global-update-high-commissioner-outlines-concerns-over-40-countries>.

³ https://unama.unmissions.org/sites/default/files/unama_human_rights_in_afghanistan_report_-_june_2022_english.pdf; <https://twitter.com/UNAMAnews/status/1640311776192364544?s=20>.

⁴ A/HRC/52/84 paras. 64–66, A/HRC/51/6 paras. 35, 78–79, 85–86 <https://www.ohchr.org/en/press-releases/2023/04/afghanistan-taliban-must-stop-targeting-afghan-women>.

⁵ On 24 December, the *de facto* authorities issued a ban on Afghan women working for national and international NGOs. On 5 April, severe restrictions were introduced for Afghan women working for the United Nations. Informal general exemptions to women working in the healthcare and education sectors have been granted, which are inconsistent and unevenly applied in different regions of Afghanistan <https://twitter.com/UNAMAnews/status/1643620525359415296?s=20>.

5. In this context, civil society actors and human rights defenders have largely discontinued their activities in most provinces, fearful of repercussions and restrictions imposed by the *de facto* authorities. United Nations interlocutors regularly report fears for their safety if they discuss human rights issues with UNAMA and often either request that what they say be kept confidential or simply decide not to report what happened to them. UNAMA has had to take additional steps to address the protection concerns raised by a number of actors during the reporting period.

6. On 11 October 2022, the Human Rights Council adopted resolution 51/20 on the situation of human rights in Afghanistan calling for the provision of an enabling environment for civil society actors and the media to carry out their activities without hindrance or fear of reprisal, and to ensure that civil society organizations, human rights defenders, victims, survivors, their families and other individuals have unhindered access to the Special Rapporteur, the special procedures of the Human Rights Council and the treaty bodies, and other international bodies seized with the situation in Afghanistan without fear of reprisals, intimidation or attack. (A/HRC/RES/51/20 paras. 18 and 23).

2. Algeria

7. On 16 February 2023, special procedures mandate holders addressed allegations of the dissolution of the **association La Ligue Algérienne pour la Défense des Droits de l'Homme (LADDH)** and expressed concerns that LADDH members had reportedly faced obstacles in regard to, and reprisals in connection with their participation in, the fourth cycle of Algeria's Universal Periodic Review (UPR) in 2022. Mandate holders drew attention to reported obstacles in law and practice to the engagement of Algerian associations with international organisations, including the United Nations (DZA 2/2023).⁶ The LADDH is one of the oldest civil society organizations in the country working for the promotion and protection of human rights, and is a member of regional and global civil society networks.

8. On 20 January 2023, members of the LADDH reportedly learned through social media that a judgement dated 28 September 2022 and issued by the Administrative Court of Algiers had ordered its dissolution, although they had not been notified. Reportedly, the judgment followed a May 2022 petition by the Ministry of the Interior according to which LADDH had failed to comply with Article 23 of the Law on Associations 12/06 of 12 January 2012, which requires obtaining prior approval to engage with international organizations. The judgement referred to communications and "submission of false information" to the United Nations Human Rights Council, communications with Special Procedures mandate holders, as well as "suspicious activities" related to its engagement with human rights civil society networks outside the country. The Interior Ministry named several prominent LADDH members during the proceedings, such as Mr. Kaddour Chouicha, a trade unionist, vice-president of the LADDH and responsible of the chapter in Oran, accusing them of "suspicious activities" and of disseminating false information detrimental to the national interest (DZA 2/2023).

9. In 2022, the LADDH was part of the process of preparing two alternative civil society reports referenced in the summary of stakeholders' submission (A/HRC/WG.6/41/DZA/3)⁷ to the UPR of Algeria. LADDH members **Ms. Jamila Loukil and Mr. Kaddour Chouicha** had planned to travel to Geneva to participate in the UPR pre-session of Algeria, scheduled to take place in-person in Geneva (Switzerland). On 24 August 2022, Mr. Chouicha and Ms. Loukil were questioned by the border police services at Oran airport delaying them so that they missed their flight. During the interrogation, they were reportedly asked about their "involvement with foreigners" and the nature of their work. Mr. Chouicha reportedly refused to answer any questions and police officers warned him that they would take him to a police station. Ms. Loukil was allowed to fly but refused to do so given the perceived threats of

⁶ <https://www.ohchr.org/en/press-releases/2023/02/algeria-un-expert-says-crackdown-civil-society-and-human-rights-defenders>.

⁷ See Universal Periodic Review, Joint submissions 14 and 17.

arrest against her husband; she spoke via pre-recorded message at the UPR NGO pre-session on Algeria on 31 August (DZA 2/2023).

10. On 17 April 2023, the Government replied⁸ to mandate holders providing information of the dissolution of the LADDH. The Government noted that the Administrative Court of Algiers handed down its judgment on 29 June 2022 stating that the association had failed to comply with the obligations under articles 18 and 19 of the Associations Act and was operating in an irregular manner and engaged in unauthorized activities. The Government further noted that an appeal against the judgment may be lodged with the Administrative Court of Appeal, in accordance with Act No. 22-13 of 12 July 2022, as amended, and the Code of Civil and Administrative Procedure. According to information received by OHCHR, on 27 April 2023 LADDH members filed an appeal against the dissolution of the organization before the Algiers Administrative Tribunal.

11. On 23 March 2023, Mr. Chouicha participated via pre-recorded video statement in the UPR adoption of Algeria, noting that he was prevented from travelling to the UPR pre-session. In his reply, the Algerian Ambassador noted that Mr. Chouicha is awaiting trial and as such not permitted to travel without a prior authorisation that he did not request.⁹ According to information received by OHCHR, Mr. Chouicha has not been notified of any restrictions to his movements outside the country, and on 23 February 2023 filed an appeal to the Council of State challenging such restriction. Since 2021, Mr. Chouicha and Ms Loukil are indicted and face criminal charges related to national security that could carry a sentence of up to 20 years in prison if convicted (DZA 4/2021).¹⁰

3. Bangladesh

12. In August 2022, in the context of the visit to Bangladesh by the United Nations High Commissioner for Human Rights, OHCHR documented acts of surveillance and intimidation of some civil society representatives who met with the High Commissioner. The High Commissioner and her Office addressed the incidents with the authorities. Names and details of those concerned are withheld due to fear of further reprisals.

13. During the press conference upon the conclusion of her visit, the High Commissioner for Human Rights noted that “United Nations human rights reports have documented a narrowing civic space, increased surveillance, intimidation and reprisals often leading to self-censorship. Laws and policies over-regulating NGOs and broadly restricting the freedom of expression make it difficult – and sometimes risky – for them to function effectively”.¹¹

14. According to information received by OHCHR, **Ms. Sanjida Islam Tulee and other members of Maayer Daak**, a platform of families of disappeared persons, received threatening calls after the visit of the High Commissioner, visits by police officers and were placed under increased surveillance. Reportedly, Ms. Islam faced a smear campaign after she met with the High Commissioner and, similar to many other members of Maayer Daak, received visits by security agencies and was asked to sign a statement, which said that there had been no disappearance in her family.¹²

15. It was reported to OHCHR that, during the reporting period, civil society actors and human rights defenders, including women human rights defenders, were subjected to intimidation and reprisals by both state and non-state actors prior to or/and after their engagement with the United Nations, including human rights mechanisms and United Nations representatives. Some individuals reportedly received threatening calls and repeated visits by security agents. Others were physically monitored and followed and/or subjected to smearing, including online and/or by media outlets. Some declined consent for United

⁸ See government reply: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37483>.

⁹ <https://media.un.org/en/asset/k1j/k1j7skf05r>.

¹⁰ [HRC/NONE/2021/SP/65](https://www.ohchr.org/en/press/2021/SP/65) (ohchr.org)

¹¹ <https://www.ohchr.org/en/statements/2022/08/un-high-commissioner-human-rights-michelle-bachelet-concludes-her-official-visit>.

¹² On 22 December 2022, special procedure mandate holders addressed allegations of harassment and intimidation against Ms. Sanjida Tulee and the NGO Maayer Deek. (BGD 4/2022).

Nations action and refrained from speaking publicly in United Nations fora while others had to relocate temporarily outside of the country due to fear of further retribution. They provided consent for the public use of information as long as personal details and other potentially identifying elements were not disclosed. Names and details of individuals concerned are withheld due to fear of further reprisals.

4. Belarus

16. In a context of continuing crackdown on dissenting voices, the International Labour Organization (ILO), through its Governing Body, as well as the United Nations High Commissioner for Human Rights and special procedures mandate holders addressed intimidation and reprisals against those sharing information and testimony with the United Nations. They addressed the arbitrary application of restrictive legislation, the absence of domestic remedies and accountability, and the denial of access to United Nations human rights investigators to the country, all of which negatively impact the ability and willingness of civil society to cooperate with the Organization.

17. On 31 October 2022, at the 346th session of the ILO's Governing Body¹³, the worker spokesperson noted that the **Belarusian Congress of Democratic Trade Unions** and affiliated trade unions had been outlawed by the Supreme Court. She also noted that prosecutors had filed charges against **Mr. Yarashuk**, Chairperson of the **Belarusian Congress of Democratic Trade Unions** and member of the ILO Governing Body, owing to his opposition to violations against trade union workers' rights and his submission of information to the ILO (para. 467). The Government noted that persistent attempts to interpret prosecution as persecution of trade union activity were particularly concerning and stated that the actions of certain trade unions had become extremely destructive and politicized. According to the Government, lawful trade union activities had never been grounds for persecution in Belarus (para. 464).

18. On 10 November 2022, special procedures mandate holders addressed allegations of arbitrary arrest of trade union leaders on 19 April 2022 and their lengthy pre-trial detention, including of **Mr. Aliaksandr Yarashuk** (BLR 6/2022). Expressing concern about the reported lack of effective avenues for justice, mandate holders noted that many trade union activists left the country because of fear of persecution. Union members reported various forms of harassment and intimidation, including prosecution, interrogations, and surveillance (BLR 6/2022). According to information received by OHCHR, on 26 December 2022, Mr. Yarashuk was convicted to four years of imprisonment under articles 342 (disruption of public order) and 361 (harm to national security) of the Criminal Code. On 24 March 2023, Mr. Yarashuk started serving his sentence in Prison Colony No.17.

19. On 17 March 2023, the High Commissioner for Human Rights¹⁴ noted that by February 2023 the authorities had shut down 797 NGOs, while 432 others had closed to avoid potential prosecution. Referring to the systematic repression against perceived critics of the Government and the near-total destruction of civic space and fundamental freedoms, the High Commissioner noted that the scale of human rights violations is likely to be under-reported due to fear of reprisals and denial of access of United Nations human rights monitors to the country.

20. In her 2022 report to the General Assembly, the Special Rapporteur on the situation of human rights in Belarus noted that many of those who spoke to her were reluctant to reveal their current location and requested measures to protect their privacy or anonymity, for fear that publishing their testimonies could expose them, their relatives or colleagues still living in Belarus to reprisals. She noted that the crackdown of an unprecedented scale on civil society and human rights defenders in Belarus, including for their public reporting and in reprisal for their cooperation with the United Nations, has forced members of civil society into exile. The Special Rapporteur further noted that the ones who remain in the country

¹³ GB.346/PV, paras. 461–495.

¹⁴ <https://www.ohchr.org/en/press-releases/2023/03/belarus-must-end-systematic-repression-release-detainees-un-human-rights>.

cannot speak freely or work in a safe environment, risking threats, intimidation or reprisals (A/77/195, paras. 10 and 42).

21. On 20 July 2023, the Government responded to the note verbale sent in connection to the present report noting that trade unions can be formed, their representatives can carry out their legal activities and citizens can enjoy the right to join trade unions. The Government rejected as groundless the allegations that trade unions and citizens are persecuted for carrying out trade union activities or for the peaceful and legal exercise of civil rights, including cooperation with the United Nations. The Government stated that the Belarusian Congress of Democratic Trade Unions (BCDTU) and its affiliated organizations were terminated in accordance with the decision of the Supreme Court based on part 2 of article 5 of the Law “On Trade Unions.” It also noted that, Mr. Aliaksandr Yarashuk, former chairperson of BCDTU was found guilty of participation in group actions that grossly violate public order and are associated with disobedience and causing harm to national security under part 1 of article 342 and part 3 of article 361 of the Criminal Code. The Government clarified that the appeal of 24 March 2023 confirmed the sentence of 26 December 2022 against Mr. Aliaksandr Yarashuk.

5. China

22. Multiple United Nations actors raised concerns about intimidation and reprisals against human rights defenders and civil society organizations for their cooperation with the United Nations. For instance, several United Nations human rights mechanisms specifically requested clarifications from the Government whether those cooperating with the United Nations would face criminal liability under the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (HKSAR) (“National Security Law”).¹⁵ Several United Nations human rights mechanisms explicitly sought assurances against any form of intimidation and reprisals for cooperation with the respective UN bodies.¹⁶

23. On 7 and 8 July 2022, during the consideration of the fourth periodic review of the Hong Kong Special Administrative Region (HKSAR),¹⁷ the Human Rights Committee requested clarification “as to whether the civil society organizations that were engaging with the Committee in connection with the periodic review would be deemed to be in breach of the National Security Law” and sought assurances “that those organizations were not in danger of prosecution or victimization for their engagement” or that they would not be charged under the National Security Law, “as a result of their participation” (CCPR/C/SR.3891, para. 14; CCPR/C/SR.3893 para. 11).¹⁸ On 12 July 2022, the Committee asked whether interaction with United Nations human rights mechanisms was classified as “collusion with foreign forces” under Articles 29–30 of the National Security Law (CCPR/C/SR.3895, para. 29).¹⁹ In its response, a representative of HKSAR noted that: “Civil society organizations involved in normal interactions with United Nations bodies were protected by the laws of HKSAR; only interactions that fell outside the norm were punishable under the National Security Law. It was impossible to generalize about whether a United Nations body would meet the definition of a foreign political organization under the Societies Ordinance, since that depended on the particulars of the case and on the activities of the body in question” (CCPR/C/SR.3895, para. 44).²⁰

24. On 9 September 2022, in its concluding observations on the combined second and third periodic reports of China, the Committee on the Rights of Persons with Disabilities expressed concern about reports of reprisals against human rights defenders and civil society

¹⁵ CRPD/C/CHN/CO/2-3, paras. 44–45; CHN 1/2023; CCPR/C/SR.3891 para. 14; CCPR/C/SR.3893, para. 11; CCPR/C/SR.3895 para. 29; E/C.12/2023/SR.5 paras. 15 and 25; E/C.12/2023/SR.7, para. 78; CHN 1/2023.

¹⁶ CCPR/C/SR.3891 para. 14; CCPR/C/SR.3893, para. 11; E/C.12/2023/SR.5 para. 15; CHN 1/2023. ¹⁷ CCPR/C/CHN-HKG/4.

¹⁸ <https://media.un.org/en/asset/k1e/k1e51bhfee>; <https://media.un.org/en/asset/k11/k116t4ifsx>.

¹⁹ <https://media.un.org/en/asset/k1e/k1ezy3nrgy>.

²⁰ Ibid.

organizations for their work on disability rights, in particular for their cooperation with the United Nations. The Committee urged the State party to ensure that persons with disabilities are able to enjoy the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas, including in their cooperation with the United Nations (CRPD/C/CHN/CO/2-3, paras. 44–45).

25. On 15 February 2023, during the review of the third periodic report of China, the Committee on Economic Social and Cultural Rights,²¹ noted that “[h]uman rights defenders, non-governmental and civil society organizations had reportedly faced difficulties when trying to attend the Committee’s meeting with the State party, as they feared reprisals. It sought assurances from the State party that no persons or organizations would face reprisals for providing it with information. (E/C.12/2023/SR.5 para. 15).²² In his response, a representative of the Chinese delegation noted that there would be no retaliation against NGOs for providing information to the Committee or attending meetings to express their views, which was welcomed by the Committee (E/C.12/2023/SR.5 para. and 25²³; E/C.12/2023/SR.7 para. 78).²⁴ According to information received by OHCHR, during the reporting period, a civil society representative was subjected to intimidation and reprisals for engaging with the Committee on Economic Social and Cultural Rights in relation to the Committee’s consideration of the third periodic report of China. Names and details of those concerned are withheld due to fear of reprisals. The Committee addressed the reported incident with the relevant authorities.

26. On 14 March 2023, two members of **the international legal team**²⁵ supporting Mr. Jimmy Lai and his son Sebastian Lai addressed the Human Rights Council during the dialogue with the Special Rapporteur on Counter-terrorism requesting accountability for the use of the National Security Law against Mr. Lai and other journalists and writers.²⁶ The following day, the Government of the HKSAR issued a press release stating that it “strongly disapproved and firmly opposed the acts of the so-called ‘international legal team’ [...] to abuse the United Nations mechanisms by soliciting the Human Rights Council to interfere in the judicial proceedings of Lai Chee-Ying’s case concerning the National Security Law”.²⁷ The press release further noted that “[m]aking a statement with the intent to interfere with or obstruct the course of justice, or engaging in conduct with the same intent, is very likely to constitute the offence of criminal contempt of court or the offence of perverting the course of justice.”

27. On 16 March, an article in a Hong-Kong State-owned newspaper reported that, according to the legal scholars, the “so-called” international legal team is suspected of colluding with foreign forces to deliberately interfere with the judicial process in HKSAR in favour of Mr. Jimmy Lai, and that the intention to interfere with or obstruct justice may constitute criminal contempt of court or obstruction of justice.²⁸ The press article also accused Mr. Jimmy Lai’s son of colluding with foreign forces and attributed to some politicians the view that the request of assistance from the United Nations of the “so-called international legal team” [...] is “evidence of collusion with foreign powers in an attempt to undermine the rule of law in Hong Kong”.

28. On 17 March 2023, special procedure mandate holders addressed the case of Mr. Jimmy Lai and the alleged intimidation and harassment against his legal team and enquired whether the offense of collusion with a Foreign Country or with External Elements to Endanger National Security as per articles 29–30 of the National Security Law excludes instances of cooperation with the United Nations, in particular its human rights bodies and mechanisms (CHN 1/2023). On 1 May 2023, the Government replied to mandate holders

²¹ E/C.12/CHN/3; E/C.12/CHN-HKG/4; E/C.12/CHN-MAC/3.

²² <https://media.un.org/en/asset/k10/k10ledzwo>.

²³ <https://media.un.org/en/asset/k10/k10ledzwo>.

²⁴ E/C.12/2023/SR.7.

²⁵ The international legal team for Jimmy Lai and Sebastien Lai is composed of Caoilfhionn Gallagher KC, Jonathan Price, Tatyana Eatwell and Jennifer Robinson.

²⁶ See <https://media.un.org/en/asset/k1z/k1zdvujom>.

²⁷ <https://www.info.gov.hk/gia/general/202303/15/P2023031500686.htm?fontSize=1e>.

²⁸ Unofficial translation of

<https://www.wenweipo.com/a/202303/16/AP6412603ee4b0b6003c01a2c8.html>.

noting that “whether a particular act constitutes an offence would depend on the facts and circumstances of each case, and hence over-generalization is neither possible nor appropriate”. It further noted that “normal interactions with international organizations (countries and regions) are protected, and that in relation to Jimmy’s Lai case, some are attempting to interfere with ongoing judicial proceedings in HKSAR by exploiting the mechanism of the United Nations”.²⁹

29. According to information received by OHCHR, the international legal team has reportedly been subject to attempts of online surveillance, in connection to the defence of Mr. Lai and related international advocacy on the case, including during their engagement with the United Nations. The international legal team and related staff have reportedly been the target of cyber-attacks in the form of repeated attempts to hack their e-mail accounts, devices and bank accounts, as well as impersonation e-mails (inbound and outbound) and e-mails threatening prosecution and extradition to HKSAR from accounts purporting to belong to the HKSAR authorities. They have also reportedly received over e-mail and on social media death and rape threats, and threats to family members.

30. On 28 July 2023, the Government responded to the note verbale sent in connection to the present report noting that the State respects and safeguards human rights and protects, in accordance with the law, routine exchanges and cooperation with the United Nations. The Government denied allegations of reprisals against those who cooperate with United Nations human rights mechanisms and opposed the use of what it characterized as false allegations of so-called reprisals as a pretext to interfere with judicial processes.

31. The Government reiterated that the “National Security Law” does not affect the lawful exercise of the rights and freedoms of Hong Kong residents, including the right to criticize the Government nor does it affect freedom of information, academic freedom, policy research, general business activities and routine interaction and cooperation with international organizations, which are protected by the Basic Law and other relevant legislation.

32. The Government denied allegations of reprisals against the international legal team of Mr. Jimmy Lai and his son Sebastian Lai, and clarified that making statements with the intention of interfering with or perverting the course of justice, or engaging in conduct with the same intention, is highly likely to amount to criminal contempt of court or obstruction of justice. It also noted that whether the conduct of the team of international lawyers representing Mr. Lai would constitute these offences would depend on the facts and circumstances of each case, and it is neither possible nor appropriate to make over-generalized conclusions. The Government noted further that there are indications of attempts to interfere with the ongoing judicial process against Mr. Lai.

6. Democratic Republic of the Congo

33. During the reporting period, the United Nations Joint Human Rights Office (UNJHRO) of the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) documented several incidents of reprisals for cooperation with the Mission (A/HRC/51/61, paras. 47–57). Incidents were attributed to State actors and armed groups in different regions, affecting two members of civil society organizations (one woman), a human rights defender and a victim of human rights violations and abuse. Names and details of those concerned are withheld due to fear of further reprisals.

34. Specifically, in June 2022, the chairperson of an NGO based in North Kivu province was reportedly alerted that a police officer had instructed members of the 23 March Movement (M23) to kill him for having shared information with the Mission on the police officer’s alleged collusion with an armed group that was committing abuses against civilians. The officer had reportedly started sending death threats to the chairperson’s phone, which intensified over time despite UNJHRO’s intervention with the relevant authorities. The

²⁹ See government reply: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37508>.

police officer reportedly sent a group of armed men to the chairperson's house three times, also threatening to kill the family members.

35. In January 2023, the chairperson of another NGO that works against sexual and gender-based violence in North Kivu province received anonymous threat calls in relation to information shared with the Mission on the rape of dozens of women and the massacre of hundreds of men allegedly committed by the M23. Both individuals and their families were relocated by UNJHRO for fear of further reprisals against them.

36. Reportedly, in July 2022, a human rights defender and member of a human rights defenders' network based in Jomba, North Kivu province, received several death threats on the phone and visits at home by members of an armed group that had occupied several localities in the neighbourhood. Reportedly, members of the armed group accused the defender of having shared information with MONUSCO on the alleged violence and abuse against the local population. With UNJHRO assistance, the defender relocated twice, but he continues to receive threats from members of the armed group.

37. In November 2022, a witness of violence and abuse by the M23 when they took over an area in North Kivu received death threats after having shared information with the Mission. The witness managed to leave the area and has remained in hiding since then.

7. Egypt

38. In September and October 2022, special procedures mandate holders addressed allegations of undue restrictions to and intimidation and surveillance of civil society actors and indigenous people's representatives participating at the UN Framework Convention on Climate Change (UNFCCC) Conference of Parties (COP27), which took place in Sharm el Sheikh from 6 to 18 November 2022, and raised concerns about allegations of intimidation and reprisals in connection to the Conference (EGY 9/2022).³⁰

39. On 30 September 2022, mandate holders noted alleged restrictions to accreditation of some Egyptian NGOs to access the venue as well as to organize peaceful gatherings apart from a government-designated space adjacent to the venue of COP27. Mandate holders raised concerns that obstacles to the participation of independent civil society actors and human rights defenders, in particular those based in Egypt, may not only inhibit their cooperation but may dissuade them from engaging publicly for fear of reprisals. Experts sought assurances from the Government that no individuals who were peacefully protesting or participating at the COP27 would be harassed, intimidated, and/or arrested during or after COP27 (EGY 9/2022).³¹

40. On 18 November 2022, during COP27, mandate holders publicly addressed³² multiple reports and evidence of participants, including civil society actors and indigenous peoples, being stopped and interrogated by Egyptian security officers. They also addressed allegations of support staff repeatedly monitoring and photographing civil society actors inside the COP27 venue without their consent. Experts expressed concern at the chilling effect of these actions on civil society participating in COP27 as many groups had expressed concern about the need to self-censor to ensure their safety and security. Mandate holders also referred to reports of participants being subject to intrusive questioning at the airport when entering Egypt.

41. According to information received by OHCHR, on 23 January 2023, the website of the NGO Cairo Institute for Human Rights Studies (CIHRS) came under a Domain Name System (DNS) poisoning cyber-attack³³ hours after the Institute published a joint report to the

³⁰ <https://www.ohchr.org/en/press-releases/2022/10/egypt-un-experts-alarmed-restrictions-civil-society-ahead-climate-summit>.

³¹ Ibid.

³² <https://www.ohchr.org/en/press-releases/2022/11/egypt-un-experts-alarmed-harassment-civil-society-actors-cop27-climate>.

³³ DNS cache poisoning is the act of entering false information into a DNS cache, so that DNS queries return an incorrect response and users are directed to the wrong websites. DNS cache poisoning is also known as 'DNS spoofing'.

Human Rights Council as part of its contribution to the mid-term Universal Periodic Review process. During the attack, the website of CIHRS was reportedly inaccessible to users in Egypt and, once access was restored, the CIHRS found out that it has been blocked by the authorities,³⁴ in what was reported as an act of reprisals for their engagement in the UPR process.³⁵

8. Djibouti

42. In March 2023, members of the **International Federation of Human Rights (FIDH)**, a civil society organization based in France, were denied entry and expelled from the country, respectively, in connection to an individual complaint that FIDH filed in 2017 before the United Nations Human Rights Committee against the State of Djibouti (CCPR/C/130/D/3593/2019).

43. According to information received by OHCHR, FIDH had organized a visit to Djibouti from 11 to 14 March 2023 that included meetings with the United Nations in country. The FIDH delegation was initially composed of three people: **Mr. Alexis Deswaef**, a Belgian citizen, FIDH Vice-president and former President of the Belgian Human Rights League; **Mr. Zakaria Abdillahi**, a Djiboutian citizen living in Djibouti and France, Vice President of FIDH and former President of the Djiboutian Human Rights League; and **Ms. Victoire D’Humieres**, a French citizen living in France and programme officer at FIDH Africa Department.

44. On 11 March 2023, Mr. Deswaef entered the country with no incident and was welcomed at the airport by Mr. Abdillahi. On 12 March 2023, Ms. D’Humieres was denied entry into Djibouti upon arrival at the airport despite having a valid entry visa. Without any reason provided, police officers reportedly forced Ms. D’Humieres to board a plane bound for Istanbul the same day. On 13 March 2023, Mr. Deswaef and Mr. Abdillahi visited the United Nations House as planned to raise several human rights concerns in relation to Djibouti. Following their meeting at the United Nations House, Mr. Deswaef’s phone and notes were confiscated by civilian police. Mr. Deswaef was arrested at his hotel, escorted to the airport, and expelled from the country. Reportedly, an unmarked car with an individual in law enforcement uniform and another in civilian clothes followed the FIDH delegation during the 48 hours of their stay in the country.

45. On 14 March 2023, the Interior Ministry issued a communiqué³⁶ stating that Mr. Deswaef had been expelled because the FIDH mission lacked neutrality, considering that on 17 November 2017 he had filed an individual complaint before the United Nations Human Rights Committee against the State of Djibouti. According to the communiqué, Mr. Deswaef went to Djibouti to “find out more about the question of human rights in Djibouti”. It further stated that while the State of Djibouti had always cooperated, and would continue to cooperate with United Nations human rights mechanisms, it deplored the actions of FIDH and the deployment of a lawyer who had sued the State of Djibouti before the United Nations Human Rights Committee. In the communiqué, the Government expressed concern at the lack of neutrality of the mission and requested FIDH to reconsider the choice of its emissary.

9. France

46. On 25 November 2022, the Committee on the Elimination of Racial Discrimination sent a letter³⁷ to the Government on allegations of online libellous messages and threats, including from the Twitter accounts of two police professional unions, against **Ms. Assa Traoré**, following her cooperation with the Committee during the consideration of the 22nd

³⁴ Egypt: CIHRS Website Blocked in Reprisal for Joint Report to UN Human Rights Council – Cairo Institute for Human Rights Studies (CIHRS).

³⁵ Allegations of intimidation and reprisals against CIHRS and its members were included in previous reports of the Secretary-General, see [A/HRC/42/30](#), Annex II, para. 50; [A/HRC/45/36](#), Annex II, para. 49; [A/HRC/48/28](#), Annex II, paras. 44–45.

³⁶ Communiqué n°227 du 14 mars 2023 du Ministère de l’Intérieur de la République de Djibouti.

³⁷ CERD Committee letter dated 25 November 2022. See also [HRI/MC/2023/2](#), paras. 34–35.

and 23rd periodic reports of France. Ms. Traoré is a woman human rights defender, founder of the organization *Comité Vérité et Justice pour Adama* and the sister of Mr. Adama Traoré, who died in July 2016 while in police custody (FRA 1/2017 and 10/2021).³⁸

47. On 14 and 15 November 2023, the Committee had an exchange with Ms. Assa Traoré during a closed meeting with civil society where Ms. Traoré provided testimony about the case of her brother. Ms. Traoré posted information about her exchange with the Committee in her social media accounts. Following her posts, libellous messages against Ms. Traoré were published, including in the Twitter accounts of the Union of Commissioners of the National Police (SCPN) and the Union France Police, denigrating Ms. Traoré and her engagement with the Committee. In its concluding observations of 2 December 2022, the Committee urged the State Party to ensure Ms. Traoré's safety, take disciplinary measures, conduct the necessary investigations and, where appropriate, initiate legal proceedings against the public officials associated with the messages and threats (CERD/C/FRA/CO/22-23, paras. 27–28).

48. According to information received by OHCHR, on 8 and 9 December 2022, close relatives of Ms. Traoré received copies of some of the Twitter smearing messages and online articles echoing them. On 9 December, those concerned filed a police report due to fears that online threats could move offline.

49. On 12 January 2023, the Government responded³⁹ to the Committee's letter, expressing gratitude for the information and confirming the free choice of the Committee to engage with members of civil society. The authorities expressed their determination to prevent and respond to any act of intimidation and reprisals against anyone having cooperated with the United Nations. The authorities noted that they are attentive to Ms. Traoré's safety and that of her close relatives and had informed that the Paris Office of the Public Prosecutor had started a criminal investigation.

10. Guatemala

50. Multiple United Nations actors noted concerns about new alleged cases of intimidation, dismissal, and criminal proceedings against magistrates, judges, and prosecutors for their work on cases investigated with the technical assistance of the International Commission against Impunity in Guatemala (CICIG). The CICIG operated in the country for 12 years (2007–2019) based on an agreement between the United Nations and the Government of Guatemala. During the reporting period, coordinated and targeted smearing, threats, intimidation and gender-based violence in the digital space continued to be reported against justice officials and lawyers, including in relation to their work with CICIG.

51. On 20 December 2022,⁴⁰ 18 January⁴¹ and 30 March 2023,⁴² the United Nations High Commissioner for Human Rights expressed deep concern over the repeated intimidation, harassment and reprisals against justice officials, including those who worked for or cooperated with the CICIG, and individuals involved in efforts to combat impunity for human rights violations or working on high-profile anti-corruption cases. On 18 January 2023,⁴³ the

³⁸ See government replies at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33459>,

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36822>.

³⁹ See government reply at:

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=hot5z0drKAT9oxO6h/uLZ6PszUFTdrkZcvTwC0pUaCHLvCo5LipNJdhaUOIW/BBdCS2+x10Fkuv09cEX4gwctg==.

⁴⁰ <https://twitter.com/UNHumanRights/status/1605162770873421824>.

⁴¹ <https://www.ohchr.org/en/press-releases/2023/01/guatemala-un-human-rights-chief-volker-turk-expresses-deep-concern>.

⁴² <https://www.ohchr.org/en/press-releases/2023/03/guatemala-turk-warns-against-reprisals-targeting-justice-officials>.

⁴³ <https://www.un.org/sg/en/content/highlight/2023-01-18.html>.

Spokesperson of the United Nations Secretary-General also expressed concern at the criminal prosecution exercised against justice operators and former officials of the CICIG.

52. According to information received by OHCHR, on 29 July 2022, **Ms. Samari Gómez**, a prosecutor at the Special Prosecutor's Office Against Impunity (FECI), was detained and prosecuted for allegedly leaking confidential information to the former FECI Chief regarding a high-profile case investigated with CICIG's technical assistance. Following the charges, Ms. Gómez resigned from her position, and she has been held in solitary confinement since her detention. On 14 October 2022, an arrest warrant was issued against **Mr. Carlos Videz**, a former FECI prosecutor, on charges of abuse of authority in connection with a high-profile case investigated with CICIG's technical assistance. Mr. Videz resigned and left the country in February 2023 in fear for his personal integrity and reprisals for his work.

53. On 16 January 2023, an arrest warrant was issued against **former Attorney General Ms. Thelma Aldana**, a member of her staff, a lawyer and a former CICIG investigator on charges of conspiracy, obstruction to justice and abuse of authority in a high-profile case investigated with CICIG's technical assistance. On 23 November 2022 and 9 March 2023, two extradition orders were requested against Ms. Aldana on charges of abuse of authority, ideological falsehood, embezzlement, and fraud. Ms. Aldana left the country in 2019.

54. On 8 February 2023, the Supreme Court of Justice initiated proceedings to lift the immunity of **Mr. Carlos Ruano**, a first instance judge and member of the Guatemalan Association of Judges for Integrity, for a criminal complaint he pursued of a high-profile case that was later investigated by CICIG and FECI. Judge Ruano is facing charges for alleged usurpation of powers, decisions in violation of the Constitution, abuse of authority and breach of duties, amongst others.

55. On 27 July 2023, the Government responded to the note verbale sent in connection to the present report noting that it had no updates concerning the information reported on prosecutor Ms. Samari Gómez. It confirmed the criminal complaints filed against first instance Judge Mr. Carlos Ruano and against former Attorney General Mr. Carlos Videz and other individuals for the reported offence of abuse of power and also for breach of duties, influence peddling and illegal association amongst others. The Government also provided information on two cases against former Attorney General Ms. Thelma Aldana and other individuals, noting that in one case she had formally been indicted on various charges, including illicit association, money laundering and tax fraud amongst others and that preventive detention had been ordered, whereas in another case the file had been dismissed, and an opposition hearing to the dismissal had been scheduled.

11. Iran (Islamic Republic of)

56. Multiple United Nations actors noted the shrinking of civic space, including undue State restrictions over the digital space, and continuing repression and violence targeting civil society, lawyers and journalists since the start of the protests in September 2022.⁴⁴ This context amplified the risks to engage with the United Nations leading to self-censorship. Reportedly, due to protection concerns, victims and witnesses declined to avail themselves of United Nations' procedures for the protection of human rights but provided consent for the public use of their testimony as long as it was anonymized and identifying elements were not disclosed. Names and details of those concerned have been withheld due to fear of reprisals.

57. In his report to the General Assembly, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran underlined that the high risk of reprisals that people and organizations face for engaging with international human rights mechanisms represents in itself a serious human rights concern (A/77/181, para. 6).

⁴⁴ A/HRC/52/67 paras. 8, 44; and 50; A/77/181, para. 67, A/HRC/RES/S-35/1; <https://www.ohchr.org/en/statements-and-speeches/2022/11/deteriorating-human-rights-situation-islamic-republic-iran>; <https://www.ohchr.org/en/press-releases/2022/10/iran-crackdown-peaceful-protests-death-jina-mahsa-amini-needs-independent>; IRN 14/22; IRN 11/22; IRN/23/2022; IRN/30/2022; [iran-end-killings-and-detentions-children-immediately-un-child](#).

58. On 22 December 2022, the General Assembly in resolution 77/228 on the situation of human rights in the Islamic Republic of Iran called upon the Iranian authorities to end reprisals against individuals who cooperate or attempt to cooperate with the United Nations.

59. On 26 July 2023 the Government responded to the note verbale sent in connection to the present report noting that numerous claims and accusations under Annex I were a reiteration of false claims that the Government had already addressed in response to a communication from special procedures mandate holders. The Government stated that the arrest of any individual is solely based on the commission of criminal acts as defined by the law, not due to their engagement with United Nations human rights mechanisms or pursuit of requests and questioned the anonymous reporting of allegations of reprisals noting that claims should be submitted to the Government for investigation and comments.

12. Iraq

60. During the reporting period, the Human Rights Office of the United Nations Assistance Mission for Iraq (UNAMI) documented concerns by human rights defenders, activists, and journalists about online and offline threats against them, as well as attempted or successful hacking of their social media accounts by unidentified actors, in retaliation for their work on human rights, environmental defense or accountability. This situation has contributed to an atmosphere of distress among many activists, some of whom limited their collaboration with the United Nations human rights programme for fear of increased risks from or becoming the target of those unidentified actors, as some individuals affiliated with armed groups in the country have accused the international community of inappropriate interference in national matters. Individuals targeted by such threats repeatedly informed the Human Rights Office that they chose to engage in self-censorship and reduce participation in discussions or reporting, including with/to the United Nations on sensitive or controversial subjects, including corruption, accountability, or criticism of public figures or groups.

61. Throughout the reporting period, civil society organizations and human rights defenders working in the field of protection against enforced disappearance, as well as family members of disappeared persons, generally stated that they faced threats, intimidation, harassment and extortion for reporting and following up on the cases of enforced disappearances. This includes cases that were reported to the UN as well as national authorities.

62. In its visit report and public statements, the Committee on Enforced Disappearances expressed great concern about numerous allegations of reprisals against families, relatives and representatives of the disappeared, as well as victims, human rights defenders, lawyers, civil society organizations and other individuals actively participating in the search and investigation process. In this regard, the Committee recalled that no one who participated in the conversations or contributed information to the Committee should be subject to reprisals and that States parties have a primary responsibility to prevent such acts from being committed against individuals and groups who seek to cooperate, cooperate or have cooperated with the Committee (CED/C/IRQ/VR/1 (Recommendations), paras. 89, 96–97, 100).⁴⁵

13. Libya

63. During the reporting period, the Security Council⁴⁶, the Secretary-General⁴⁷, the High Commissioner for Human Rights⁴⁸ and the Independent Fact-Finding Mission on Libya⁴⁹

⁴⁵ See A/HRC/42/28 and CED/C/8. See also <https://www.ohchr.org/en/press-releases/2021/03/iraq-un-experts-appalled-killing-disappeared-human-rights-defenders-father>.

⁴⁶ S/RES/656 (2022), p. 2; S/PRST/2023/2 p. 2.

⁴⁷ S/2023/248, para. 52.

⁴⁸ <https://www.ohchr.org/en/statements-and-speeches/2023/03/global-update-high-commissioner-outlines-concerns-over-40-countries>; <https://www.ohchr.org/en/press-releases/2023/04/human-rights-spotlight-libya-must-be-maintained-turk>.

⁴⁹ A/HRC/50/63, para. 60; A/HRC/52/83, para. 72.

referred to the further shrinking and deterioration of the civic space in Libya. Several UN actors called for the need to protect civil society and women's rights organizations, human rights defenders, women peacebuilders, and victims and witnesses from threats, intimidation, reprisals and violence (online and offline).⁵⁰

64. The Human Rights, Transitional Justice and Rule of Law Division (HRS) of the United Nations Support Mission in Libya (UNSMIL) reported several incidents of reprisals against victims and human rights defenders, including women, for cooperation with the United Nations. Incidents included acts of intimidation, death threats, and the confiscation of passports and related travel bans. Names and details of those concerned are withheld due to fear of further reprisals.

65. In February 2023, a woman human rights defender was questioned for her cooperation with UNSMIL HRS. Other human rights defenders faced similar interrogations in February and April 2023, where they were asked about their cooperation with UNSMIL HRS. In all instances, the individuals concerned were questioned by state officials and accused of supporting spies, with the aim of destroying the Libyan National Army in the east.

66. In early March 2023, a human rights defender was summoned for questioning by security agents at Mitiga airport base prison. The following day, the defender was questioned about human rights activities and visits to the UN compound and was made aware that the days and details of meetings with the UN were known to the security agents. The defender was informed that interactions with the UN (and international NGOs) could be considered a hostile action against the State and an act of espionage punishable with heavy penalties. Security agents confiscated the defender's passport, and currently the defender is reportedly banned from leaving Libyan territory until further notice. In March 2023, another human rights defender and victim of human rights violations, reportedly received death threats via text messages from a state security actor in the east, accusing the defender of providing information to UNSMIL HRS.

67. UNSMIL also documented the intimidation of lawyers cooperating with the Mission in providing legal aid to conflict-related victims. In April 2023, a lawyer from a legal aid coalition received calls from unidentified state security actors stating that they were not pleased with coordination activities between the United Nations and his clients.

68. In March 2023, in its final report to the Human Rights Council, the Independent Fact-Finding Mission on Libya reported that the climate of fear surrounding witnesses and civil society had frequently hampered the Mission's engagements. Reportedly, there were instances when groups and individuals declined to meet with the Mission in particular locations, or at all, because of fear of reprisal. The Mission reported that attacks against, inter alia, human rights defenders, women's rights activists, journalists and civil society associations created an atmosphere of fear that led to self-censorship, hiding or exile at a time when it is necessary to create an atmosphere that is conducive to free and fair elections. (A/HRC/52/83, paras. 24 and 68).

14. Mali

69. During the reporting period, the Secretary-General,⁵¹ the United Nations High Commissioner for Human Rights⁵² and the United Nations Independent Expert on the human rights situation in Mali,⁵³ expressed serious concerns about the continued shrinking of civic

⁵⁰ A/HRC/50/63, para. 111, (j); S/2023/248, para. 95.

⁵¹ S/2023/36 para. 28 and para. 46.

⁵² <https://www.ohchr.org/en/press-releases/2023/02/un-human-rights-chief-volker-turk-deplores-expulsion-representative-mali>; <https://www.ohchr.org/en/statements-and-speeches/2023/03/global-update-high-commissioner-outlines-concerns-over-40-countries>.

⁵³ A/HRC/52/81, para. 36; https://www.ohchr.org/sites/default/files/documents/countries/ml/2022-08-15/EOM_Statement_IE_Mali_August2022.pdf; <https://www.ohchr.org/fr/press-releases/2023/02/mali-transitional-authorities-must-protect-civic-space-respect-freedom>; <https://www.ohchr.org/en/news/2023/03/human-rights-council-hears-security-situation-mali-very-concerning-and-severe>.

space, and fear of reprisals for speaking out and also addressed incidents of reprisals against civil society actors for their cooperation with the United Nations.

70. The Human Rights and Protection Division (HRPD) of the Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) documented several instances of intimidation and reprisals for cooperation with the United Nations. Incidents were attributed to State and non-state actors affecting civil society representatives and victims and witnesses of human rights violations.

71. Specifically, MINUSMA documented that, on 25 April 2022, 10 victims and witnesses of human rights violations were arrested in Mopti region, while they were being interviewed by HRPD human rights officers.⁵⁴ The Territorial Brigade, composed of seven policemen, entered the location of the interview without a search or arrest warrant, and ordered all victims and witnesses to go to the police station, while one of them fired a warning shot in the air. The victims and witnesses, including a woman with her infant, were taken to the police station in police cars. HRPD human rights officers were forced to stay in the compound of the Police station while the victims and witnesses were taken inside the station and accused of engaging in suspicious activities with MINUSMA. The same day, the human rights officers and the woman with her infant left the police station without charges. The other victims and witnesses remained in custody and were only released on 29 April 2022, without charges.

72. A civil society actor was subjected to intimidation and reprisals for cooperation with the United Nations in the form of death threats and an online smear campaign. Several civil society actors declined to engage publicly with United Nations human rights bodies and mechanisms out of fear of reprisals. Names and details of those concerned are withheld due to fear of further reprisals.

73. On 27 January 2023, Ms. Aminata Dicko, a civil society actor and President of Association Protection Sahel, briefed the Security Council on the situation of Mali.⁵⁵ In his statement to the Council, the Minister of Foreign Affairs of Mali questioned Ms. Dicko's representativeness and credibility.⁵⁶

74. Following her briefing to the Security Council, Ms. Dicko was subjected to a smear campaign and verbal attacks on social networks.⁵⁷ The National Commission for Human Rights of Mali expressed concern and called on the authorities to protect human rights defenders and their families.⁵⁸ The Special Representative of the Secretary-General engaged the authorities who indicated that they would ensure the security and safety of the briefer.⁵⁹

75. On 30 January, the association "*Collectif pour la Defense des Militaires*" (CDM), filed a complaint for defamation, slander and high treason against Ms. Dicko for her statement at the Security Council on 27 January 2023 before the Public Prosecutor of the Court of First Instance of Commune IV of the District Bamako (Tribunal de Grande Instance de la Commune IV du district de Bamako).⁶⁰ The complaint included the video of Ms. Dicko's statement at the Security Council as evidence.

76. On 20 February 2023, upon completion of his official visit to the country, the United Nations Independent Expert on Mali stated publicly that human rights defenders, journalists, and other media professionals with whom he had spoken were no longer willing to discuss certain allegations of human rights violations or abuses for fear of reprisals by Malian

⁵⁴ While these incidents took place at the end of the 2022 reporting period, they could only be fully documented and corroborated in the weeks and months that followed, hence their inclusion in the present report.

⁵⁵ S/PV.9251 pp. 5–6; <https://media.un.org/en/asset/k1x/k1xq63hd9o>.

⁵⁶ S/PV.9251 p. 24; <https://media.un.org/en/asset/k1x/k1xq63hd9o>.

⁵⁷ S/2023/236 para. 46.

⁵⁸ <https://cndhmali.com/index.php/2023/02/03/communiqué-n0002-2023-cndh-p/>.

⁵⁹ S/2023/236 para. 46.

⁶⁰ Communiqué Nr. 0005-2023/CDM de condamnation et de dénonciation suite à la sortie ratée de Aminata Dicko lors du Conseil de Sécurité sur la situation au Mali.

transitional authorities and their supporters, particularly on social media.⁶¹ On 31 March 2023, during his interactive dialogue with the Human Rights Council and in his report on his visit, the Independent Expert expressed deep concern that civil society had almost entirely disappeared, about the self-censorship that journalists have confessed to for fear of reprisals from the Malian transitional authorities and attacks against human rights defenders on social media.⁶²

77. On 28 July 2023, the Government responded to the note verbale sent in connection to the present report noting that, despite its cooperation and readiness to engage in dialogue, attempts to exploit sensitive issues persisted. It also noted that some of the alleged incidents had taken place outside the reporting period and rejected the allegations of reprisals, inviting OHCHR to prevent any attempts to instrumentalize human rights issues

78. The Government asserted that on 24 April the Sevaré (Mopti) Army camp was the object of a terrorist attack. It noted further that the Sevaré gendarmerie went to the scene, arrested suspects, and brought them before the public prosecutor at the Mopti High Court and provided information on the initial police investigations.

79. The Government addressed the allegations of reprisals against a woman civil society actor alleging that she had misrepresented herself as a civil society actor and had engaged in destabilizing actions. It added that the authorities were not aware of the existence of the organization which she purported to represent. With respect to a complaint against her lodged by the association “*Collectif pour la Defense des Militaires*”, the Government asserted that associations are free to carry out their activities, including taking legal actions, and noted that the State was not a party to these proceedings.

15. Mexico

80. During the reporting period, the Office of the United Nations High Commissioner for Human Rights in Mexico documented threats by unknown individual(s) against **Mr. Elloth Escobar Gómez**, a member of the organization “Corriente del Pueblo Sol Rojo” (Oaxaca) and a beneficiary of the national protection mechanism for human rights defenders and journalists, following his presence in a meeting with a delegation of OHCHR during a monitoring visit (MEX 7/2019).⁶³

81. On 2 February 2023, OHCHR met with members of civil society organizations, including the organization “Corriente del Pueblo Sol Rojo.” During the meeting, they reported Government acts and omissions by state authorities regarding alleged human rights violations in connection with a largescale infrastructure project under the Interoceanic Corridor of the Isthmus of Tehuantepec as well as a surge in organized crime and violence against the local communities. The civil society organizations that participated in the meeting and local media made public the fact that they had met with the UN.

82. On 1 and 20 March 2023, before and after the meeting with OHCHR, Mr. Escobar Gómez received text messages on his phone with threats against his physical integrity for his engagement with the United Nations. The messages noted that they knew his whereabouts and stated that “not even the United Nations will save you” and that “the United Nations will not do anything for you”. OHCHR is closely monitoring Mr. Escobar Gómez’s situation and is in contact with the relevant authorities.

83. On 18 July 2023, the Government responded to the note verbale sent to the present report noting that Mr. Elloth Escobar Gómez is under a protection program of the Federal

⁶¹ <https://www.ohchr.org/en/press-releases/2023/02/mali-transitional-authorities-must-protect-civic-space-respect-freedom>; <https://www.ohchr.org/sites/default/files/documents/countries/ml/eom-statement-ie-mali-2023-02-20.pdf>.

⁶² <https://www.ohchr.org/en/news/2023/03/human-rights-council-hears-security-situation-mali-very-concerning-and-severe>; and A/HRC/52/81 para. 36; <https://media.un.org/en/asset/k15/k15p20j>.

⁶³ See government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34777>. See also <https://www.ohchr.org/en/news/2019/05/mexico-one-year-after-ernesto-ernas-garcias-disappearance-un-experts-denounce>.

Mechanism for the Protection of Human Rights Defenders and Journalists since 8 March 2019. His last risk assessment was undertaken on 29 June 2023.

16. Myanmar

84. In a context of increased violence and a decimated civic space in the country,⁶⁴ multiple United Nations entities noted risks of reprisals against and barriers to those who engage with them, including increased surveillance on civil society organizations as well as Internet shutdowns.⁶⁵ They urged that victims, witnesses and survivors who cooperate with the United Nations be able to do so without fear of retribution. Names and details of those concerned are withheld due to fear of reprisals.

85. In December 2022, the General Assembly adopted a resolution noting with grave concern the ongoing restrictions on humanitarian access in all conflict areas across Myanmar and urged the granting of full, unrestricted and safe access to all humanitarian actors and all United Nations mandate holders and human rights mechanisms, and relevant United Nations agencies to independently monitor the situation, and to ensure that individuals can cooperate without hindrance with these mechanisms and without fear of reprisal, intimidation or attack ([A/RES/77/227](#), OP10).

86. In its 2023 report to the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights noted limitations to its documentation work for a number of reasons, including military-imposed localized and long-term internet shutdowns and continuous risks of reprisals by military authorities. Documentation of crimes of sexual and gender-based violence is particularly challenging due to security and safety concerns of survivors and concrete risks of reprisal ([A/HRC/52/21](#), AEV para. 35).

87. In March 2023, the Human Rights Council adopted a resolution calling for full, unrestricted and unmonitored access for all United Nations mandate holders and human rights mechanisms, including by ceasing Internet shutdowns and restrictions on information essential for accountability, and to ensure that civil society organizations, human rights defenders, lawyers, victims, survivors, witnesses and other individuals have unhindered access to and can communicate with the United Nations and other human rights entities without fear of reprisals, intimidation or attack ([A/HRC/RES/52/31](#), OP26).

17. Nicaragua

88. In a context of an intensified crackdown on civil society actors and human rights defenders, during the reporting period multiple United Nations actors addressed intimidation and reprisals for cooperation with the United Nations, including the mass dissolution of hundreds of organizations through the arbitrary application of restrictive laws that negatively impacted on their ability to function and cooperate with the United Nations. The Office of the High Commissioner for Human Rights (OHCHR) received information about individuals choosing to share information or testimony with the United Nations only under conditions of anonymity due to fear of reprisals against them and their families. Names and details of those concerned are withheld due to fear of reprisals.

89. From May 2022 to April 2023, special procedures mandate holders,⁶⁶ the United Nations High Commissioner for Human Rights,⁶⁷ the Committee on the Elimination of Racial Discrimination, the Human Rights Committee,⁶⁸ and the Group of Human Rights Experts on Nicaragua⁶⁹ noted with concern the entry into force on 6 May 2022 of the General Law for

⁶⁴ See <https://bangkok.ohchr.org/ngo-law-myanmar/>.

⁶⁵ [A/77/494](#), paras. 24 and 56–62.

⁶⁶ [NIC 1/2022](#) and [NIC 2/2022](#); <https://www.ohchr.org/en/press-releases/2022/07/nicaragua-un-experts-denounce-arbitrary-shutdown-civil-society-organisations>; <https://www.ohchr.org/en/press-releases/2022/10/nicaragua-must-restore-full-enjoyment-civil-and-political-rights>.

⁶⁷ <https://www.ohchr.org/en/statements/2022/06/oral-update-situation-human-rights-nicaragua>.

⁶⁸ [CERD/C/NIC/CO/15-21](#), paras. 6–7, and [CCPR/C/NIC/CO/4](#), paras. 33–34.

⁶⁹ [A/HRC/52/63](#), paras. 89–96.

the Regulation and Control of Non-Profit Organizations (No. 1115) and its arbitrary application. They expressed concern that this and other restrictive laws, including on counterterrorism and money laundering, were overly vague and misused to unnecessarily and disproportionately restrict the activities of civil society, including many long-term partners of the United Nations. Between May 2022 and April 2023, over 3,000 non-profit organizations, including NGOs, universities, professional associations and others, had their legal personalities arbitrarily cancelled for the alleged non-compliance with a number of laws and regulations, in particular the Law for the Regulation and Control of Non-Profit Organizations (No. 1115).

90. In its March 2023 report to the Human Rights Council, the Group of Human Rights Experts on Nicaragua noted the escalation in February 2023 of the persecution against persons opposed to, or perceived as such by the Government and took measures to protect victims, witnesses and other sources who contributed to the report ([A/HRC/52/CPR.5](#)), including by withholding the names and identities of the victims and omitting most of the case studies (para. 41). On 3 April 2023, the Human Rights Council adopted resolution 52/2 on the promotion and protection of human rights in Nicaragua calling upon the Government “to prevent, refrain from and publicly condemn, investigate and punish any acts of intimidation or reprisal for cooperation with the United Nations” ([A/HRC/RES/52/2](#)).

91. On 23 November 2022, the Committee against Torture decided⁷⁰ to publish the report of the May 2014 visit of the Subcommittee on the Prevention of Torture to Nicaragua ([CAT/OP/NIC/ROSP/1](#)) due to the State party’s failure to cooperate with the two Committees, including noncompliance with Articles 12 and 14 of the Optional Protocol on the Convention against Torture. Among other things, the report noted fear of reprisals for engaging with the Subcommittee as well as incidents of reprisals. Observing a general fear of reprisals among person deprived of their liberty, the Subcommittee noted that even speaking with its delegation could lead to reprisals and identified a high risk of reprisals in places of detention visited in the North Atlantic and South Atlantic autonomous regions. The Subcommittee requested the urgent intervention of the national preventive mechanism, which found that reprisals had occurred and briefed the Subcommittee on action taken (paras. 100–101).

18. Pakistan

92. On 6 February 2023, special procedures mandate holders addressed allegations of intimidation and reprisals against **the Centre for Social Justice (CSJ)**, a civil society organization advocating for human rights, following its engagement in the fourth cycle of the Universal Periodic Review (UPR) of Pakistan, which took place during the 42nd session of the UPR Working Group on 30 January 2023 ([PAK 1/2023](#)).

93. In July 2022, CSJ submitted a joint report with information about the situation of minority and religious groups in Pakistan. On 21 August 2022, while the UPR submission had not yet been made public, a news item appeared in one of the most widely circulated national newspapers claiming that CSJ’s UPR report was not accurate, was against national interests, and defamed the country on issues such as blasphemy laws and forced conversions. On 12 September 2022, the same newspaper published another article asking the Ministry of Interior to act against the CSJ for its involvement in “negative propaganda against Pakistan”. Following the second article, CSJ closed its office in fear of reprisals by State and non-State actors and one of its staff members resigned due to safety concerns ([PAK 1/2023](#)).

94. On 27 September 2022, the Lahore Office of the Registrar of Joint Stock Companies and Firms sent a notice to CSJ convening a hearing and requesting documentation for its periodic renewal of registration. This notice referred to CSJ’s report to the UPR and the United Nations, claiming that CSJ went beyond its mandate. On 8 and 21 October 2022, CSJ received two more notifications from the Registrar concerning the scope of its work and activities and referring to the Societies Registration Act (1860). Following a petition by CSJ, on 16 December 2022 the Lahore High Court issued an order for interim relief, and scheduled

⁷⁰ [CAT/C/75/2](#).

a new hearing to be held on 19 January 2023 which sought a restraining order vis-à-vis the Registrar's Office from taking coercive actions against CSJ. However, the hearing for the restraining order did not take place and was postponed indefinitely. On 30 November 2022, **Mr. Suneel Nasir** (Malik), a representative of CSJ, participated in the UPR pre-session for Pakistan, an NGO-led event that took place in UN premises in Geneva (PAK 1/2023).

95. Mandate holders expressed concerns at the reported acts of intimidation and harassment against CSJ allegedly in reprisal for its participation in the UPR process. They stated that the attempted restrictions on CSJ's scope of activity not only violated international standards on freedom of association, but also risked deterring other civil society actors from engaging in human rights advocacy, including with United Nations bodies and mechanisms (PAK 1/2023).

19. Qatar

96. On 24 March 2023, special procedures mandate holders addressed allegations of intimidation and cyber-attacks against **Mr. Mark Somos**, a human rights lawyer and director of the NGO Just Access residing in Germany, following his engagement with various UN human rights bodies and mechanisms on alleged violations committed by the State of Qatar against his clients (QAT 1/2023).⁷¹

97. Between December 2019 and February 2020, a series of cyberattacks reportedly took place against Mr. Somos's email accounts, including attempts to access his account and at least one occasion in which an unauthorised device accessed his email account. These cyber-attacks came less than two months after Mr. Somos submitted complaints to the UN Human Rights Council, the UN Working Group on Arbitrary Detention (WGAD) and other UN human rights mechanisms regarding the detention of a member of the Qatari royal family and alleged abuses against his wife and children by the State of Qatar. The allegations were addressed by several special procedures mandate holders (QAT 2/2020) and the Government responded⁷² (QAT 1/2023).

98. During the above period, the NGO Just Access also made joint public submissions to different UN human rights mechanisms, such as the treaty bodies, and Mr. Somos participated in NGO side-events at the margins of the Human Rights Council. Mr. Somos reported the hacking attempts of his e-mail accounts and those of his clients to Google and to the German police, and the case is under examination by the German prosecution office. Mandate holders expressed concern at the intimidation and cyberattacks against Mr. Somos which, in their view, may constitute acts of intimidation or reprisal and appear to be directly linked to his work as a human rights defender, including his cooperation with the UN and its mechanisms in the field of human rights (QAT 1/2023).

20. Russian Federation

99. In October 2022, the Human Rights Council adopted resolution 51/25 on the situation of human rights in the Russian Federation. The resolution called upon the Russian authorities to refrain from all forms of intimidation and reprisals against persons and associations for their cooperation with special procedures mandate holders, including the Special Rapporteur on the situation of human rights in the Russian Federation, the treaty bodies and the Office of the United Nations High Commissioner for Human Rights.

100. On 6 October 2022, special procedures mandate holders addressed allegations of intimidation of **Ms. Yana Tannagasheva**, an indigenous civil society representative and human rights defender of the rights of the indigenous Shor people in the Russian Federation (see Annex II), during the fifteenth session of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) in July 2022 (RUS 15/2022). On 4 July 2022,

⁷¹ See DEU 3/2022; OTH 19/2023; and government reply at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37527>.

⁷² See government reply at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35907>.

Ms. Tannagasheva took the floor as a civil society organization representative at the EMRIP. As she finished her statement, she was approached by a representative of the Permanent Mission of the Russian Federation to the United Nations in Geneva, who asked her name, phone number and her business card [in a reportedly aggressive manner].⁷³ They also addressed the allegation of the subsequent removal of related content from the website of a partner organization where the International Committee of Indigenous Peoples of Russia, the organization Ms. Tannagasheva is a member of, had uploaded a statement on the incident. Reportedly the hosting provider of the website received an e-mail with a request from the Russian authorities to remove the page from the Internet within 24 hours. Mandate holders expressed concern that the reported incident of intimidation may have a significant chilling effect on the participation and freedom of expression of representatives of indigenous peoples in the EMRIP and the Human Rights Council, from the Russian Federation and beyond (RUS 15/2022).

101. On 12 and 13 April 2023, during the dialogue between the Committee on the Elimination of Racial Discrimination and the delegation of the Russian Federation in regard to the Committee's consideration of the Russian Federation's twenty-fifth and twenty-sixth periodic reports, the Committee sought clarifications on the reported attempt to intimidate Ms. Tannagasheva as she was making a statement at the session of the United Nations Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) in July 2022 and the reported request by the authorities to the organization represented by Ms. Tannagasheva to remove the statement they published in their website about the incident at EMRIP (CERD/C/SR.2959 para. 28). The Committee recommended in its concluding observations that the State party conduct effective, thorough and impartial investigations into all reported cases of intimidation and harassment of, and threats and reprisals against, human rights defenders, journalists, lawyers, activists and members of civil society organizations (CERD/C/RUS/CO/25-26, para. 19).

21. South Sudan

102. The Secretary-General, the United Nations High Commissioner for Human Rights and the Commission on Human Rights in South Sudan reiterated ongoing concerns about undue restrictions to civic and political space and the continued harassment, intimidation, arbitrary arrests, detention, and ill treatment of journalist, human rights activists and other individuals expressing views critical of the Government.⁷⁴

103. The United Nations Mission in South Sudan (UNMISS) human rights division documented two separate incidents of intimidation and death threats against two individuals for their collaboration and engagement with the United Nations. A relative of one of the individuals was also the target of reprisals for the cooperation of the individual with the Mission. Names and details of those concerned are withheld due to fear of further reprisals.

104. The UNMISS human rights division also documented several instances where civil society actors expressed fear of coming under Government surveillance or of having their organizations infiltrated by individuals affiliated or working for the Government. Civil society shared concerns about Government surveillance through the monitoring of their phones or/and the tracking of their movements. This reportedly contributed to a general climate of fear, which negatively impacted the ability of civil society to cooperate with the Mission.

105. The United Nations Commission on Human Rights in South Sudan reported having gathered testimonies of members of the public, journalists, human rights activists and members of civil society organizations who feared having their cases raised by the United Nations, because of risks of reprisals against them, their families, and organizations they may be affiliated with. Some civil society members told the Commission that they were worried

⁷³ <https://media.un.org/en/asset/k1r/k1rjz6g7a7>.

⁷⁴ S/2023/135, para. 96; S/2022/918, para. 73; A/HRC/52/26 paras. 19–23; <https://www.ohchr.org/en/statements-and-speeches/2023/03/strengthening-accountability-and-civic-space-critical-south-sudans>.

about an increase in self-censorship and that many members of civil society are wary of associating with individuals, who are known to be under State surveillance.⁷⁵

106. The final report of the Panel of Experts on South Sudan noted that few sources were willing to be identified in the report, as many feared reprisals or harassment for having engaged with the Panel. In other cases, issues discussed carried social stigmas that the sources did not wish to incur.⁷⁶

22. United Arab Emirates

107. The Committee against Torture, in its concluding observations of the initial report of the United Arab Emirates adopted on 22 August 2022, expressed concern at reports⁷⁷ of torture or ill-treatment of detainees in reprisal for their cooperation with the United Nations, its representatives and mechanisms in the field of human rights. The Committee expressed further concerns over reports received detailing a pattern of torture and ill-treatment against human rights defenders and persons accused of offences against State security who, by virtue of the State security or terrorism charges against them, are subject to a legal regime with fewer and more restrictive procedural guarantees. The Committee recommended the State party to ensure that human rights defenders, including those sharing information with United Nations human rights mechanisms, are able to work safely and effectively in the State party, including by creating an enabling environment in which they can carry out their work in the promotion and protection of human rights (CAT/C/ARE/CO/1 paras. 13, 14 (b)⁷⁸).

23. United Republic of Tanzania

108. According to information received by OHCHR, civil society representatives of the Maasai people of Loliondo Division of the Ngorongoro District of Tanzania were reportedly subjected to intimidation by representatives of the Permanent Mission of Tanzania for their participation in the April 2023 session of the United Nations Permanent Forum on Indigenous Issues (UNPFII) at United Nations Headquarters in New York and expressed fear of retribution upon their return to Tanzania for their engagement at the Forum.

109. Specifically, on 18 April 2023, **Mr. Edward Porokwa**, from Pingo's Forum, participated in a side event organized on the margins of the UNPFII entitled *Finding a Solution to the Crisis Facing the Maasai of Loliondo* and spoke about the human rights situation of the Maasai people of Loliondo and Ngorongoro in Tanzania.⁷⁹ At the beginning of the event, the organizers announced that it was not allowed to take photographs. Reportedly, a representative of the Government of Tanzania took photographs of the speaker without Mr. Porokwa's consent.

110. On 19 April 2023, Mr. Edward Porokwa delivered a statement at the UNPFII on the human rights situation of the Maasai people of Loliondo and Ngorongoro, including the forced eviction of over 80,000 indigenous people from their homes, under agenda item 5(d).⁸⁰ During the meeting, a member of the UNPFII took the floor to emphasize that the Forum was a space for constructive and free dialogue between indigenous peoples and States. He urged a delegate of Tanzania to delete the recording reportedly made of Mr. Porokwa during his presentation, noting that the delegate had allegedly shared it already with a third person. Indicating that the Forum could facilitate a dialogue, the member stated that such behaviours

⁷⁵ A/HRC/52/CRP.3, paras. 327 and 407.

⁷⁶ S/2023/294 para. 13.

⁷⁷ See, for example, A/HRC/45/36, annex II, paras. 126–133.

⁷⁸ See also A/HRC/WG.6/43/ARE/2.

⁷⁹ https://social.desa.un.org/sites/default/files/Side%20events%20at%20UNHQ%20calendar_24Apr2023_clean.pdf.

⁸⁰ <https://social.desa.un.org/issues/indigenous-peoples/unpfii/unpfii-twenty-second-session-17-28-april-2023>. See also <https://media.un.org/en/asset/k1z/k1zkybodp8>.

could be seen as a form of intimidation and restrict the right of participation of indigenous peoples.⁸¹

111. On 24 April 2023, a representative of the Government of Tanzania took the floor under agenda item 6, noting that “[w]e are compelled to make this clarification owing to the malicious and widespread allegations made against Tanzania by a few people and groups, who have decided to ignore the facts I have just alluded to you today. It is disheartening to my delegation to see this important forum being turned into a hall of accusations.” The representative concluded by inviting the Special Rapporteur on the rights of Indigenous Peoples to conduct a visit in Tanzania “so he can witness the situation on the ground rather than relying on propaganda spread by NGOs.”⁸² Members of the UNPFII discussed the incidents during the session with representatives of the State concerned.

24. Uzbekistan

112. In the context of the visit to Uzbekistan by the United Nations High Commissioner for Human Rights on 13–15 March 2023, OHCHR documented at least 20 incidents of intimidation and reprisals by the police and other law enforcement bodies affecting six civil society activists (3 male/3 female) and 14 individuals (6 male/8 female) who engaged, or sought to engage with the United Nations to raise human rights concerns. Those concerned included individuals and activists denouncing arbitrary detention and torture, corruption, gender-based violence, right to fair trial, and forced evictions. The High Commissioner and his Office addressed the incidents with the authorities. OHCHR is monitoring the situation and is in close contact with relevant authorities. Names and details of those concerned are withheld due to fear of further reprisals.

113. It was also reported that several individuals and activists who had planned to travel from different regions of Uzbekistan to Tashkent to deliver petitions to the High Commissioner were arrested for several days or called to police stations prior to their travel and interrogated about the purpose of their trip. Relatives of some of these individuals received threatening calls warning them against their plans to travel. It is reported that these movement restrictions prevented their travel and engagement with the High Commissioner.

114. It was also reported to OHCHR that **Ms. Elena Urlaeva**, a civil society activist who was invited to a meeting with the High Commissioner on 13 March 2023, faced obstacles in accessing the UN building prior to the meeting. Law enforcement agents in plain clothes reportedly turned away Ms. Urlaeva, intentionally delayed her at the entrance, and threatened her with detention. She was finally able to access the UN building, attend the meeting and participate in the discussion. The case of Ms. Urlaeva, of the Human Rights Defenders Alliance of Uzbekistan, was included in previous reports of the Secretary-General, concerning allegations of previous incidents of reprisals against her.⁸³

25. Venezuela (Bolivarian Republic of)

115. United Nations actors addressed allegations of intimidation and reprisals as well as undue restrictions, including in draft legislation, as well as surveillance, stigmatisation and harassment of civil society actors further to, or inhibiting their cooperation with, the United Nations.

116. On 24 January 2023, a bill on the Control, Regularization, Performance and Financing of Non-Governmental and Related Organisations⁸⁴ was tabled in the National Assembly and approved in a first reading. This new bill exacerbated previous concerns raised by several

⁸¹ <https://media.un.org/en/asset/k1z/k1zkybodp8>.

⁸² <https://media.un.org/en/asset/k1y/k1yyp8n54v>.

⁸³ A/HRC/36/31, Annex I paras. 88–89; A/HRC/39/41, Annex II paras. 59–61; A/HRC/45/36, Annex II paras. 134–136.

⁸⁴ Ley de fiscalización, regularización, actuación y financiamiento de las organizaciones no gubernamentales y afines.

United Nations actors⁸⁵ on the growing number of restrictive regulations for civil society actors that have impacted their ability and willingness to carry out their work, including their cooperation with the United Nations. The High Commissioner for Human Rights shared with the Human Rights Council the concerns sparked by the tabling of the bill noting that he had provided detailed observations to the authorities.⁸⁶ Experts of the United Nations Independent International Fact-Finding Mission on the Bolivarian republic of Venezuela⁸⁷ noted the lack of precision of the bill (Article 13 national sovereignty or Article 15 on the prohibition of “political activities”) and expressed concern that it may negatively affect organisations engaged in documentation work that fed into the investigations of the Fact-Finding Mission and other international bodies. They further noted that civil society organisations were exposed to permanent surveillance through possible checks.

117. From 26 to 28 January 2023, the High Commissioner of Human Rights visited Venezuela and met with over 125 members of civil society, human rights defenders, victims of human rights violations and representatives of victims’ organizations.⁸⁸ According to information received by OHCHR, State actors intimidated two men trade unionists and a woman human rights defender following their meetings, or attempts to meet, with the High Commissioner during his visit.

118. Specifically, on 26 January 2023, members of the *Dirección General de Contrainteligencia Militar* (DGCIM) threatened Mr. Douglas Gonzalez, a trade unionist, that his non-custodial measures, linked to his participation in protests in 2018, would be revoked should he travel to Caracas to meet with the High Commissioner. As a result, he decided not to travel. On 8 February 2023, a second male trade unionist received information that a state-run company had opened an inquiry to bring charges against him in connection with the complaints he had raised with the High Commissioner. Names and details of those concerned are withheld due to fear of further reprisals.

119. On 27 January 2023, **Ms. María Fernanda Rodríguez**, a director of a local NGO and university professor, was detained and questioned following her meeting with the High Commissioner and released later that day following OHCHR’s intervention. She was reportedly interrogated by the Bureau for Scientific, Criminal and Forensic Investigations (Cuerpo de Investigaciones Científicas, Penales y Criminalísticas, Cicpc) about the meeting and informed of a pre-existing arrest warrant against her (dated 2020), of which she had not been officially notified. At the time, the authorities informed OHCHR that Ms Rodríguez had been mistakenly detained without an official order, and that she had therefore been released shortly thereafter. Her detention and uncertainty around her legal status have significantly affected Ms. Rodríguez, who lives in fear for herself and her family due to perceived ongoing surveillance. OHCHR is following her situation in close contact with relevant authorities.

120. On the evening of 7 March 2023, at “El 104” checkpoint in Rosario del Perijá Municipality, Zulia State, members of the *Guardia Nacional Bolivariana* reportedly stopped a delegation of approximately **38 Yukpa indigenous leaders and their relatives** (20 men, 13 women, 15 boys and five girls) traveling to Caracas to meet with OHCHR, among other interlocutors. A high-ranking public official reportedly obstructed their trip to the capital by stating they did not have the right to meet with OHCHR. That evening, members of the *Guardia Nacional Bolivariana* were reportedly deployed in the location causing fear among the delegation that they would be arrested, and they decided to return to Machiques that night.

121. On 13 September 2022, special procedures mandate holders addressed allegations of arbitrary arrest of, and charges against several trade unionists, including **Mr. Emilio Negrín Borges** leader of the court workers’ union (sindicato de trabajadores tribunales) and

⁸⁵ A/HRC/47/55 para. 47; A/HRC/50/59 paras. 52–53; VEN 6/2019; VEN 5/2020; VEN 8/2021; see Government responses at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34948>,

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36433>.

⁸⁶ <https://www.ohchr.org/en/statements/2023/03/turk-updates-human-rights-council-situation-venezuela>.

⁸⁷ <https://www.ohchr.org/en/press-releases/2023/01/venezuela-draft-ngo-law-reaching-point-no-return-closure-civic-space>.

⁸⁸ <https://www.ohchr.org/en/statements/2023/01/un-high-commissioner-human-rights-volker-turk-concludes-official-mission>.

representative of the Confederación de Sindicatos Autónomos (CODESA). Mr Negrín's arrest followed his participation at the first session of the Social Dialogue Forum, which took place from 25 to 28 April 2022 in Caracas (VEN 4/2022).⁸⁹ Mandate holders addressed Mr. Negrín's arrest on 5 July 2022 by members of Dirección General de Contrainteligencia Militar (DGCIM) on charges of conspiracy to commit a crime. Mandate holders also noted that allegations of arrests of trade unionists could have a deterrent effect on civil society in the country, including those collaborating with the ILO, who might stop carrying out their legitimate work for fear of reprisals (VEN 4/2022).

122. The March 2023 ILO issued a follow-up report⁹⁰ on further developments, in which it addressed the Social Dialogue Forum and the implementation of the plan of action addressed the situation of Mr. Negrín. The ILO Committee of Experts on the Application of Conventions and Regulations also addressed the case of Mr. Negrín in its 2023 report to the 11th Session of International Labour Conference regretting the lack of specific information provided by the Government on the case (ILC.111/III.A, pages 323–324). According to information received by the United Nations, Mr. Negrín has reportedly been visited in detention by high-level officials and urged to sign the April 2022 Social Dialogue Forum outcome document in exchange for his release. As of 30 of April 2023, he remains in detention.

123. In its September 2022 report to the Human Rights Council, the Independent International Fact-Finding Mission noted that the investigation leading to the drafting of its report 'faced a series of limitations in particular due to security concerns, including victims' fear of reprisals'. They further noted that security concerns would likely curtail the Mission's ability to conduct effective investigations in the country (A/HRC/51/43, para. 7). In October 2022, the Human Rights Council adopted resolution 51/29 on the situation of human rights in Venezuela urging Venezuela to ensure that all individuals have unhindered access to and can communicate with the United Nations and other human rights entities without fear of reprisal, intimidation or attack (A/HRC/RES/51/29, OP 11).

26. Viet Nam

124. The 2022 United Nations Country Annual Results report of Viet Nam⁹¹ noted that the space in which civil society organizations operate has narrowed with the exercise of greater government control over their activities,⁹² discouraging civil society organizations' partnership with the UN. As a result, many organizations have avoided registering as CSOs/NGOs and explored other legal modalities. The report notes that the NGOs most affected are those working on human rights, gender equality and discrimination, the rule of law and governance. Government partners and civil society organizations expressed reluctance to engage with international human rights mechanisms, including treaty bodies (page 66).

125. According to information received by OHCHR, the arbitrary application of restrictive legislation, including vaguely defined provisions in the Criminal Code related to propaganda against the State and the NGO regulatory framework,⁹³ negatively impacted on the ability and willingness of civil society organizations to engage with the United Nations. During the period, civil society organizations were allegedly hesitant to engage with the United Nations as implementing partners or to receive funds from the United Nations for fear of being investigated and found in violation of the complex and vague taxation legislation.⁹⁴ Several

⁸⁹ https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_722456/lang--en/index.htm.

⁹⁰ GB.347/INS/13(Rev.1), paras. 21 and 31.

⁹¹ <https://vietnam.un.org/sites/default/files/2023-06/2022%20UN%20in%20Viet%20Nam%20Annual%20Results%20Report.pdf>.

⁹² In line with Government Decrees 80/2020/ND-CP on non-ODA aid, 114/2021/ND-CP on ODA management, and PM Decision 06/2020/QĐ-TTg on organization and management of international meetings and workshops in Viet Nam.

⁹³ VNM 7/2021. See government reply at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36915>.

⁹⁴ <https://bangkok.ohchr.org/viet-nam-rights-defenders/>.

NGOs and long-standing United Nations partners refrained from publicly engaging with human rights mechanisms, including treaty body reviews during the period⁹⁵ and the ongoing preparations leading up to the fourth cycle of the Universal Periodic Review of Viet Nam, scheduled to take place in April–May 2024, due to fear of retribution. Additional details of those concerned are withheld due to fear of reprisals.

27. Yemen

126. In its concluding observations on the third periodic report of Yemen, the United Nations Committee on Economic, Social and Cultural Rights expressed concerns about credible and reliable reports of harassment, intimidation and reprisals against human rights defenders, including those working on economic, social and cultural rights and social justice (E/C.12/YEM/CO/3, para. 13).

127. OHCHR continued to document restrictions on humanitarian and development activities by the, the Houthi movement (also known as Ansar Allah) hindering United Nations operations and limiting engagement with civil society actors.⁹⁶ OHCHR also documented the impact of these restrictions on human rights work and on civil society engagement with the United Nations on human rights. In March 2023, the authorities in the de facto Ministry of Foreign Affairs in Sana'a refused to grant approval to OHCHR to organize human rights-related commemoration and consultation events with civil society participation, including on the occasion of the International Women's Day in Sana'a and Hajjah, and on the occasion of the International Day for the Elimination of Racial Discrimination in Sana'a, Hajjah, and Hudaydah.⁹⁷

128. OHCHR documented efforts to discourage contact with, and to undermine the confidence of local population in, the United Nations and international humanitarian organizations. Local partners of United Nations and international humanitarian organizations risked being labelled as agents or collaborators of international actors. In the Governorates of Hadramaut, Abyan, Sana'a, Al-Maharah, Dhale', Ibb and Al Baydah, religious leaders reportedly used their sermons repeatedly to speak against the United Nations and international organizations operating in Yemen. They demanded the banning and expulsion of the United Nations and other international organizations, claiming that their continued presence would increase corruption, immorality and conspiring against Islamic values.

129. In addition, OHCHR documented an incident of intimidation and reprisals for cooperation with the United Nations. On 23 May 2022, late at night and for unknown reasons uniformed and plain-clothed security personnel reportedly surrounded the office in Sana'a of Mr. **Abdulbasit Ghazi**, a lawyer. The Yemeni Bar Association condemned the incident in a statement the following day. The incident was allegedly aimed at intimidating Mr. Ghazi and discouraging him from defending detainees and journalists in Houthi-controlled prisons in Sana'a, as well as from sharing information with the United Nations and other international organizations.

130. In its 2023 report to the Security Council, the **United Nations Panel of Experts on Yemen** reported to have received the names and contact details of 27 victims and eyewitnesses of the intimidation, violence and arrests carried out by the Houthis in the villagers of Al-Khodarya, Al-Maarif and Bani Al-Sabahi in the Al-Qasra area, as part of the alleged confiscation of land and buildings by the Houthis in Tihama and other regions under their control. While the panel interviewed several victims and eyewitness, the Panel could not directly contact all of them as they feared that they would be killed if they revealed anything to the Panel. (S/2023/130, Annex 26, p. 176 para. 1).

131. On 19 July 2023, the Government of Yemen responded to the note verbale sent in connection to the present report noting that most of the allegations on cases of intimidation and reprisals for cooperation with the United Nations had taken place in areas controlled by the "Houthi coup militias". The Government condemned those actions.

⁹⁵ Human Rights Committee and the Committee on the Rights of the Child.

⁹⁶ A/HRC/51/47 Annex I, paras. 86–87.

⁹⁷ A/HRC/23/39, paras. 50, 51, 53, 58–59.

Annex II

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

1. Andorra

1. Since 2020, the case of **Ms. Vanessa Mendoza Cortés**, from the NGO *Associació Stop Violències Andorra*, has been included in the reports of the Secretary-General¹ on allegations of criminal investigation for her engagement with the Committee on the Elimination of Discrimination against Women (CEDAW) in October 2019 during its review of Andorra. The Government stated that Ms. Mendoza Cortés used her participation in the CEDAW review to accuse Government entities of practices that could constitute a criminal offence. The case of Ms. Mendoza Cortés was addressed by the CEDAW Committee and special procedures mandate holders ([AND 1/2020](#)),² as well as during the Universal Periodic Review of Andorra in 2021.³

2. On 29 November 2022, the CEDAW Committee addressed a letter to the Government noting concerns over the ongoing criminal procedure against Ms. Mendoza Cortés, including the fact that on 20 October 2022 the investigative judge informed Ms. Mendoza Cortés of the indictment against her of a ‘crime against the reputation of the institutions’ (art. 325 of the Penal Code). The evidence referred to by the judge in the indictment included the shadow report presented by the NGO *Associació Stop Violències* to the Committee in 2019. The judge granted Ms. Mendoza Cortés conditional release with the obligation to appear before the judge when considered appropriate. On 25 November 2022, Ms. Mendoza Cortés’ lawyers filed a motion to dismiss the case.

3. On 28 February 2023, the Government replied to the CEDAW Committee noting that Ms. Mendoza is not subject to intimidation by the Andorran authorities and that the Government collaborates with the NGO *Associació Stop Violències*. The Government further noted that its reply to the Committee on 22 November 2019 included a copy of the original charges and explained that the General Prosecutor’s Office pursued charges against Ms. Mendoza Cortés on the basis of her accusing, in different fora and media, Government officials of committing serious criminal acts against girls and women without submitting any proof or evidence, and not for having denounced Andorra’s abortion policy.

4. On 24 March 2023, Ms. Mendoza Cortés made a statement⁴ during the General Debate under item 5 of the 52nd regular session of the Human Rights Council in which she referred to the allegations of reprisals against her and the NGO *Associació Stop Violències* for the engagement with the CEDAW Committee. According to information received by OHCHR, as of 30 April 2023, the legal case against Ms. Mendoza Cortés is still open and she is awaiting trial.

5. On 17 July 2023, the Government responded to the note verbale sent in connection to the present report recalling that the General Prosecutor’s Office had decided that there was sufficient evidence to pursue the case against Ms. Mendoza Cortés on grounds of infringement of article 325 of the Criminal Code (crimes against the prestige of the institutions), which does not carry a prison sentence. The Government explained further that it had waived its right to be a party to the proceedings and that the sentence was pending. With reference to its letter of 28 February 2023 to the Committee on the Elimination of

¹ [A/HRC/45/36](#), Annex I, paras. 5–7; [A/HRC/48/28](#), Annex II paras. 1–4; [A/HRC/51/47](#), Annex II paras. 1–3.

² See government reply at:

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

³ [A/HRC/46/11](#), paras. 20 and 60.

⁴ <https://media.un.org/en/asset/k1m/k1mlvfhg2a>.

Discrimination against Women, the Government stated that neither Ms. Vanessa Mendoza nor the Stop Violences Association are the subject of any intimidation or reprisals.

2. Bahrain

6. The case of **Mr. Abdulhadi Al-Khawaja**, a Danish-Bahrani human rights defender, was included in the 2011, 2012, 2021 and 2022 reports of the Secretary-General⁵ on allegations of arbitrary arrest, torture and lengthy sentence following his engagement with United Nations human rights mechanisms. Mr. Al-Khawaja is the former Protection Coordinator of Frontline Defenders as well as former President of the Bahrain Centre for Human Rights. He is currently serving a life sentence on terrorism related charges. In 2012, the Working Group on Arbitrary Detention found the detention of Mr. Al-Khawaja arbitrary on the basis that his deprivation of liberty was the result of the exercise of his fundamental freedoms and human rights as well as due to the non-observance of the international norms relating to the right to a fair trial.⁶ United Nations treaty bodies⁷ and special procedures mandate holders have addressed Mr. Al-Khawaja's situation on numerous occasions,⁸ to which the Government has responded.⁹

7. On 17 February 2023, special procedures mandate holders addressed allegations of ill-treatment, additional criminal charges, and deteriorating health conditions of Mr. Al-Khawaja (BHR 1/2023). On 17 April 2023, the Government responded¹⁰ providing information on Mr. Al-Khawaja's health conditions and rejecting allegations of restrictions of communications and ill-treatment. On 7 November, during the 41st session of the Working Group on the Universal Periodic Review, a Member State made a recommendation to release all arbitrarily detained persons in Bahrain, including Mr. Al-Khawaja (A/HRC/52/4, para. 194.24), and the Government took note of it (A/HRC/52/4/Add.1, para. 37). On 3 April 2023, the Special Rapporteur on the situation of human rights defenders expressed concerns publicly at reports of the worsening health condition of Mr. Al-Khawaja and called on the Government to provide urgent medical care and immediately release him.¹¹

8. The case of **Mr. Abduljalil Al-Singace** was included in the 2011, 2012, 2021 and 2022 reports of the Secretary-General¹² on allegations of arbitrary arrest, torture and the imposition of a life-imprisonment sentence following his engagement with several United Nations bodies and mechanisms. Mr. Al-Singace was the Director of the Human Rights Bureau of the Haq Movement for Civil Liberties and Democracy and is currently serving a life sentence on terrorism related charges. Mr. Al-Singace has a disability and requires the use of a wheelchair. United Nations treaty bodies¹³ and special procedures mandate holders have addressed Mr. Al-Singace's situation on numerous occasions,¹⁴ to which the

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

⁶ A/HRC/WGAD/2012/6.

⁷ E/C.12/BHR/CO/1, paras. 8–9.

⁸ BHR 3/2012; BHR 18/2011; 17/2011; 9/2011; 5/2011; 4/2011; 2/2009; 2/2007; 6/2005; see also: <https://www.ohchr.org/en/press-releases/2021/06/bahrain-un-expert-alarmed-prolonged-detention-human-rights-defenders>.

⁹ See government reply at:

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

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

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

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

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

¹⁰ See government reply at:

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

¹¹ <https://twitter.com/UNHumanRights/status/1642931311978463244>.

¹² A/HRC/18/19, paras. 15–24; A/HRC/21/18, paras. 53–54; A/HRC/48/28, Annex II paras. 7–8;

A/HRC/48/28, Annex II paras. 7–8; A/HRC/51/47, Annex II paras. 6–9.

¹³ E/C.12/BHR/CO/1 paras. 8–9.

¹⁴ BHR 5/2021, BHR 4/2021, BHR 1/2019, BHR 5/2016, 18/2011, 4/2011, 7/2010, and 5/2010; see also: <https://www.ohchr.org/en/press-releases/2021/06/bahrain-un-expert-alarmed-prolonged-detention-human-rights-defenders>.

Government has responded.¹⁵ According to information received by OHCHR, Mr. Al-Singace is currently held in the Ebrahim Khalil Kanoo Medical Centre and in solitary confinement since July 2021. In March/April 2023, the Working Group on Arbitrary Detention deemed his detention arbitrary (Opinion 2/2023). As of 30 April 2023, Mr. Al-Singace reportedly continues the hunger strike he had started in July 2021 to protest against the degrading treatment he had allegedly been subjected to in Jau prison and the confiscation of his manuscript.

9. The cases of human rights defender **Mr. Sayed Ahmed Al-Wadaei** and several of his relatives were included in the 2019, 2020 and 2022 reports of the Secretary-General¹⁶ on allegations of arbitrary arrest, ill-treatment, removal of citizenship and reprisals against family members for Mr. Al-Wadaei's continuous engagement with the United Nations. In 2018, the Working Group on Arbitrary Detention¹⁷ found the detention of Mr. Al-Wadaei's relatives to be arbitrary, based on their family ties and in reprisal for Mr. Al-Wadaei's cooperation with the United Nations. Since 2012, Mr. Al-Wadaei is residing in exile. In July 2021, digital forensic evidence from an investigation reportedly confirmed that Mr. Al-Wadaedi was amongst a group of human rights defenders targeted and successfully hacked with the NSO Group's Pegasus spyware on their mobile phones during the period from 2017 to 2019.

10. In its July 2022 report, the Working Group noted with concern that it continued to receive information about reprisals against individuals who have been the subject of an urgent appeal or an opinion or whose cases have prompted a recommendation of the Working Group (A/HRC/51/29). The Working Group noted allegations of reprisals against **Mr. Sayed Nazar Naama Baqquer Ali Yusuf Alwadaei**, the brother-in-law of Mr. Al-Wadaedi, who reportedly remains imprisoned in Jau Prison serving an 11-year sentence in reprisals for the activism of his brother-in-law, Mr. Sayed Ahmed Al-Wadaei (para. 29).

11. **Mr. Hassan Mushaima**, the former Secretary of the Haq Movement for Liberty and Democracy, who was convicted and sentenced to life on terrorism charges, was included in the 2011, 2012 and 2021 reports of the Secretary-General¹⁸ following his engagement with the United Nations human rights mechanisms. Special procedures mandate holders addressed his situation on multiple occasions,¹⁹ to which the Government replied.²⁰ According to information received by OHCHR, on 22 November 2022, four members of Mr. Mushaima's family were arrested after a sit-in protest outside the Kanoo Medical centre requesting urgent medical treatment for his medical conditions.

12. On 17 July 2023, the Government responded to the note verbale sent in connection to the present report and stated that in Bahrain no one is arrested because of peaceful political activity or affiliations.

13. Concerning the situation of Messrs. Al-Khawaja, Al-Singace and Mushaima, the Government noted that the three are being tried in cases involving calling for the overthrow of the political system in the country and changing it by force, committing hostile terrorist crimes, and communicating with foreign countries in attempts to undermine security and stability in the Kingdom. It stated further that Mr. Al-Khawaja's health condition is being

¹⁵ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34960>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=2110>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36840>.

¹⁶ A/HRC/51/47 Annex II paras. 10 and 15; A/HRC/45/36, Annex II paras. 1–4; A/HRC/42/30, Annex II, paras. 3–6; A/HRC/39/41, Annex I para. 5.

¹⁷ A/HRC/WGAD/2018/51, paras. 85, 93 and 96.

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

¹⁹ BHR 1/2019; BHR 5/2014; BHR 4/2012; BHR 17/2011; BHR 4/2011; BHR 3/2011; BHR 2/2007.

²⁰ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30648>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30287>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30187>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=30864>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32017>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34961>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34960>.

monitored at the medical clinic of the correction and rehabilitation centre, and that he is receiving medical treatment for his chronic diseases and is also followed-up in specialized clinics in outside hospitals. With regard to Mr. Al-Singace and Mr. Mushaima, the Government noted that they are both under the supervision of a general medical practitioner at the Ibrahim Khalil Kanu Medical Centre. The Government added that Mr. Al-Singace continues to voluntarily reduce the amount of fluid and food he takes and that Mr. Mushaima was treated for two medical conditions that required specialized treatment and one of them hospitalization. The Government explained further that Mr. Mushaima had been transferred back to the Ibrahim Khalil Kanu Centre on 20 May 2022.

14. Concerning the case of Mr. Sayed Ahmed Al-Wadaei the Government clarified that the charges against him had been confirmed and that he had committed criminal acts. With regard to his brother-in-law, Mr. Sayed Nazar Naama Baqquer Ali Yusuf Al-Wadaei, the Government noted that he was awaiting the appeal verdict over his sentencing to seven and three years in prison for his alleged involvement in 2017 in an attack against law enforcement patrols. The Government noted further that Mr. Sayed Nazar Naama Baqquer Ali Yusuf Al-Wadaei had confessed under interrogation to the charges of carrying and planting an object made to resemble explosives for terrorist purposes.

3. Bangladesh

15. The case of human rights organization **Odhikar, Mr. Adilur Rahman Khan and Mr. Nasiruddin Elan**, Secretary and Director of Odhikar, was included in the 2011, 2019, 2020, 2021 and 2022 reports of the Secretary-General²¹ on alleged accusations of anti-State and anti-Government activities following their engagement in the first cycle of the UPR of Bangladesh in 2009. The 2013 detention and release, and charges against Odhikar staff have been addressed by special procedures mandate holders since 2013, as well as threats, harassment, surveillance, and the killing of one of its staff.²² Regulations Bill of 2016 and its application for renewal of registration was not approved by the Government.²³

16. On 22 December 2022, special procedures mandate holders followed up on Odikhar's application to the NGO Affairs Bureau for the renewal of its registration, the legal case against Odhikar and its Secretary, Mr. Khan and addressed allegations of intensified surveillance of Odhikar following the visit to Bangladesh by the United Nations High Commissioner for Human Rights in August 2022. (BGD 4/2022). The Government responded in detail to mandate holders.²⁴

17. According to information received by OHCHR, on 8 June 2022, upon the Government's non approval of Odikhar's application for renewal of its registration, the Ministry of Foreign Affairs allegedly sent a note verbale to all diplomatic missions in Dhaka justifying the government's action and accusing Odhikar of having engaged in maligning the image of the country. Reportedly, on 18 October 2022, Odhikar filed a Writ Petition before the High Court Division of the Supreme Court of Bangladesh challenging the decision not to

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

²² BGD 6/2021, BGD 1/2017, 6/2015, 2/2014, 15/2013, 10/2013, and, 9/2013.

²³ A/HRC/51/47: Annex II, para. 22. See also <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37398> and <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37405>.

²⁴ See government replies at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37393>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37398>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37399>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37401>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37402>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37403>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37404>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37405>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37406>.

approve its application. On 7 March 2023 the Writ Petition was reportedly added to the daily list of the High Court Division for fixing the date of a hearing before the High Court bench.

18. On 15 June 2022, according to information received by OHCHR, the 2013 case against Mr. Adilur Rahman Khan and Mr. Nasiruddin Elan under the Information and Communication Technology Act, 2006, was re-opened for investigation to allow further evidence upon request by the State Prosecution.²⁵ Furthermore, during the visit of the High Commissioner, a film portraying Odikhar as an organization spreading misinformation and causing riots was screened to United Nations representatives by State officials of the Ministry of Home Affairs.

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

4. Belarus

20. The case of the NGO **Human Rights Centre Viasna**, a human rights organization providing legal aid in Belarus, was included in the 2021 and 2022 reports of the Secretary-General²⁶ on allegations of raids, arbitrary arrest, and criminal charges in connection with cooperation with the United Nations. Special Procedures mandate holders addressed the situation of Viasna staff and the persecution of the NGO Viasna on several occasions,²⁷ noting that the latest arrests and criminal prosecutions unfolded in the context of the adoption of the United Nations Human Rights Council resolution 47/19 on the situation of human rights in Belarus, and the renewal of the mandate of the Special Rapporteur on the situation of human rights in Belarus on 13 July 2021 (BLR 8/2021).²⁸

21. Between October 2022 and March 2023, the United Nations High Commissioner for Human Rights,²⁹ his Spokesperson,³⁰ and special procedures mandate holders³¹ addressed the arrest, charges, due process shortcomings, and lengthy sentences of several representatives of Viasna, of which six are currently in prison and at least seven more have suspect status in the criminal case against Viasna, but are not in detention (BLR 1/2023). On 19 May 2023, the Government responded³² providing details on the investigation and conviction. Names and details of those concerned are withheld due to fear of further reprisals.

22. On 20 July 2023, the Government responded to the note verbale sent in connection to the present report listing nine different decisions of various national courts that recognized documents of the "unregistered human rights center Viasna" as extremist materials between

²⁵ See government reply at:

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

²⁶ A/HRC/51/47, Annex II paras. 23–24; A/HRC/48/28, Annex I, para. 2.

²⁷ BLR 1/2010; BLR 2/2011; BLR 7/2011; BLR 9/2011; BLR 2/2012; BLR 3/2012; BLR 1/2013; BLR 1/2019; BLR 2/2019. See Government replies at:

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

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

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

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

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

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

²⁸ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36641>.

²⁹ <https://www.ohchr.org/en/press-releases/2023/03/belarus-must-end-systematic-repression-release-detainees-un-human-rights>.

³⁰ <https://www.ohchr.org/en/press-briefing-notes/2023/01/grave-concern-trials-belarus>.

³¹ <https://www.ohchr.org/en/press-releases/2022/10/un-experts-call-immediate-release-jailed-nobel-winner-and-other-rights>; <https://www.ohchr.org/en/press-releases/2023/03/belarus-verdict-against-nobel-laureate-ales-bialiatski-effort-quash-scrutiny>.

³² <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37531>.

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

5. Burundi

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

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

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

6. Cameroon

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

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

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

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

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

³⁶ CMR 4/2022, CMR 5/2019.

³⁷ A/HRC/46/35, para. 76.

³⁸ See government reply at:

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

³⁹ A/HRC/52/29 para. 107.

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

7. China

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

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

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

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

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

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

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

⁴³ See also CHN 4/2021.

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

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

2017. Reportedly, in November 2022, the Heping People's Court ordered another three months extension of her detention, allegedly without the required approval of the Supreme People's Court. During the reporting period, Ms. Li Yuhuan's health has deteriorated and her multiple applications for medical release were rejected despite suffering from urgent medical conditions. Reportedly, a judge rejected a medical request for a CT scan despite all necessary arrangements made by the prison and on 20 March 2023, Ms. Li Yuhuan underwent a medical examination.

32. The case of **Ms. Xu Yan**, who had engaged with UN human rights mechanisms, has been included in the reports of the Secretary-General since 2019,⁴⁶ in relation to her interrogation for her campaign for the release of her detained husband, **Mr. Yu Wensheng**, a human rights lawyer whose detention was considered arbitrary by the Working Group on Arbitrary Detention⁴⁷ (CHN 5/2018).⁴⁸ On 1 March 2022, Mr. Yu Wensheng was reportedly released after completing a four-year sentence. According to information received by OHCHR since his release from prison, he and Ms. Xu Yan have been under close surveillance, and at times confined to their homes for days. On 13 April 2023, several police officers reportedly prevented Ms. Xu Yan and her husband from taking the subway to attend a meeting in the EU Embassy in Beijing. They were informed they were being summoned and taken to the Shijingshan Bajiao police Station. The following day, they were formally arrested on suspicion for "picking quarrels and provoking trouble." Reportedly, on 15 April, several police officers searched the family's apartment and confiscated items without a search warrant.

33. The case of **Ms. Chen Jianfang**, a human rights defender, was included in the 2014, 2019, 2020, 2021 and 2022 reports of the Secretary-General⁴⁹ on allegations of intimidation and reprisal for her campaign for civil society participation in the UPR, including a tribute to Ms. Cao Shunli⁵⁰ on the fifth anniversary of her death (CHN 11/2013).⁵¹ On 19 August 2019, special procedures mandate holders raised concern about Ms. Chen Jianfang's alleged arbitrary detention and enforced disappearance (CHN 16/2019).⁵² According to information received by OHCHR, in August 2022, a Shanghai No. 1 People's court sentenced Ms. Chen Jianfang to four years and six months in prison for "inciting subversion of state power," followed by four years of deprivation of political rights. Reportedly, due to the time she already spent in prison, her sentence is set to end on 21 October 2023. According to information received, the court based its judgement on allegations by the prosecution that Ms. Chen had taken part in NGO-training programs on human rights mechanisms. Reportedly, she was also accused of organizing street protests critical of the government and of posting photos of these protests on websites overseas.

34. The case of lawyer **Ms. Wang Yu** has been included in the reports of the Secretary-General since 2018⁵³ on allegations of arrest and charges of "subversion of state power," (CHN 6/2015),⁵⁴ including in connection with her role in the case of **Ms. Cao Shunli**, who had cooperated with the United Nations. On 26 November 2020, the Beijing Justice Bureau reportedly cancelled Ms. Wang Yu's license to practice law. According to information

⁴⁶ A/HRC/42/30, para. 45 and Annex I, paras. 13, 17, A/HRC/45/36, Annex II, para. 16; A/HRC/48/28, para. 59, Annex II, para. 19; A/HRC/51/47, Annex II, para. 40.

⁴⁷ A/HRC/WGAD/2019/15 paras. 30, 38, 49 and 50.

⁴⁸ See government reply at:

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

⁴⁹ A/HRC/27/38, para. 17, A/HRC/42/30, Annex II, para. 18; A/HRC/45/36, Annex II, para. 19–20, A/HRC/48/28, para. 59, Annex II, para. 20, A/HRC/51/47, Annex II, para. 41.

⁵⁰ A/HRC/27/38, paras. 17–19, A/HRC/30/29, Annex I, para. 1, A/HRC/33/19, para. 39, A/HRC/39/41, Annex I, para. 10–11, A/HRC/42/30, Annex II, paras. 17–19; A/HRC/45/36, Annex II, paras. 19, 21, and 34.

⁵¹ See government reply at:

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

⁵² See government reply at:

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

⁵³ A/HRC/39/41, Annex I, para. 10–12; A/HRC/42/30, Annex II, para. 19; A/HRC/45/36, Annex II, para. 21, A/HRC/48/28, para. 59, Annex II, para. 21; A/HRC/51/47, Annex II, para. 42.

⁵⁴ See government reply at:

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

received by OHCHR, during the reporting period, while quarantine restrictions were still in place, her local health code reportedly turned red (indicating a COVID-19 infection) despite repeated negative COVID-19 test results, during the 20th Party Congress in October 2022. As a result of having a red health code, her movements were reportedly restricted, and she was barred from entering buildings and accessing transportation.

35. The case of **Ms. Li Wenzu** was included in the 2017, 2019, 2020, 2021 and 2022 reports of the Secretary-General⁵⁵ on allegations of her arbitrary arrest and detention following her cooperation with the Special Rapporteur on extreme poverty and human rights during his visit to China in August 2016 (CHN 9/2016).⁵⁶ According to information received by OHCHR, during the reporting period, **Ms. Li Wenzu and Mr. Wang Quanzhang**, and members of their family, were reportedly under the surveillance of [assigned] police agents, when leaving their home. Reportedly, on 8 March 2023, some 20 State security police agents surrounded their home, pointing shining flashlights at it and blocking with umbrellas the security cameras that the family had earlier installed. Reportedly, the tires of Mr. Wang Quanzhang's car were also punctured. The authorities reportedly told the couple that the restrictions were due to the International Women's Day. On 10 December 2022, similar restrictions were reportedly imposed, preventing the couple from leaving the home to observe Human Rights Day. This was reportedly the third year in a row that Ms. Li was prevented from leaving her home to commemorate Human Rights Day. Reportedly, her passport application was rejected by the authorities during the reporting period, and as a result she remains unable to travel internationally.

36. The case of **Ms. Wang Qiaoling** was included in the 2017, 2019, 2020, 2021 and 2022 reports of the Secretary-General⁵⁷ on allegations of intimidation and harassment for her cooperation with the Special Rapporteur on extreme poverty and human rights during his visit to China in August 2016 (A/HRC/34/75, CHN 9/2016).⁵⁸ On 8 May 2021, the conditions of the four-year suspended sentence for "subversion of state authority" of **Mr. Li Heping**, (<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=14403>, CHN 3/2017, CHN 5/2017),⁵⁹ Ms. Wang Qialing's husband, were lifted. According to information received by OHCHR, during the reporting period, Mr. Li Heping and Ms. Wang were reportedly subjected to close surveillance leading up to the 20th National Congress of the Chinese Communist Party, held in October 2022. Reportedly since the beginning of mid-September, policemen in plain clothes were monitoring their home, and the couple also reported being followed by police cars, when leaving their apartment.

37. On 28 July 2023, the Government responded to the note verbale sent in connection to the present report. Regarding the Civil Human Rights Front and Mr. Figo Hu-wun Chan, the Government reiterated the information it had provided in its reply to last year's report (A/HRC/51/47, Annex II, para. 50) noting that the Civil Human Rights Front was suspected of having violated the registration requirement under section 5 of the Societies Ordinance, and that the police had prosecuted Mr. Figo Hu-wun Chan for failing to comply with a request to provide information in violation of section 16(2) of the said Ordinance. It restated that Mr. Chan had pleaded guilty and had been fined 8,000 Hong Kong dollars. The Government also confirmed that Mr. Chan had fully served his prison sentence of 22 months for his involvement in a number of unauthorized assemblies in 2019 and 2020.

38. Regarding the situation of Mr. Shen Youlian and Ms. Li Qiaochu, the Government reiterated its reply to last year's report (A/HRC/51/47, Annex II, para. 51) recalling that the Chinese judicial authorities have not implemented any coercive measures against Mr. Shen

⁵⁵ A/HRC/36/31, Annex I, paras. 20–21; A/HRC/42/30, Annex II, para. 22, A/HRC/45/36, Annex II, para. 242; A/HRC/48/28, para. 59, Annex II, para. 24, A/HRC/51/47, Annex II, paras. 44–45.

⁵⁶ See government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33318>.

⁵⁷ A/HRC/36/31, Annex I, paras. 20–21, A/HRC/42/30, Annex II, paras. 23–24, A/HRC/45/36, Annex II, para. 25, A/HRC/48/28, para. 59, Annex II, para. 25, A/HRC/51/47, Annex II, para. 46.

⁵⁸ See government reply at

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33318>.

⁵⁹ See government replies at:

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

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33516>.

Youlian. With regard to Ms. Li Qiaochu, indicted for the crime of inciting the subversion of State power, it noted that the case was currently pending with the Intermediate People's Court of Linyi city.

39. Regarding the situation of Ms. Li Yuhua the Government reiterated the information on the criminal proceedings against her as reflected in its reply to last year's report (A/HRC/51/47, Annex II, para. 52) and added that her trial on suspicion of picking quarrels and provoking trouble as well as committing fraud was ongoing and that the verdict was pending.

40. Regarding Mr. Yu Wensheng and Ms. Xu Yan, the Government reiterated the information provided in its reply to last year's report (A/HRC/51/47, Annex II, para. 53) and noted further that Mr. Yu Wensheng had been released on 1 March 2022 after having served his full sentence. The Government added that, on 14 April 2023, Beijing public security authorities had initiated a criminal investigation against Mr. Yu Wensheng and Ms. Xu on suspicion of the crime of picking quarrels and provoking trouble and that it was ongoing.

41. Regarding the situation of Ms. Chen Jianfang, the Government noted that, on 5 August 2022, Ms. Chen Jianfang had been sentenced by the Shanghai No. 1 Intermediate People's Court to four years' and six months' imprisonment, four years' deprivation of political rights and the confiscation of RMB 30,000. It added that Ms. Chen Jianfang had filed an appeal and was currently detained in the Shanghai Municipal Detention Center. Concerning Ms. Wang Yu, the Government reiterated the information provided in its reply to last year's report (A/HRC/51/47, Annex II, para. 54) and noted that the judiciary was not taking any coercive measures against her.

42. Concerning the situation of Mr. Li Heping and Ms. Wang Qiaoling, the Government reiterated the information provided in its reply to last year's report on Mr. Li's 2017 sentence to three years' imprisonment, four years' probation and four years' deprivation of political rights (A/HRC/51/47, Annex II, para. 56), and noted that the judiciary had not taken any coercive measures against Mr. Li Heping and Ms. Wang Qiaoling and there had been no intimidation or harassment against them.

8. Colombia

43. The case of **Mr. Wilmer Orlando Anteliz Gonzalez** was included in the 2019, 2020 and 2021 reports of the Secretary-General⁶⁰ on allegations of disciplinary investigations, demotions, unsolicited transfers, death threats and lack of adequate protection measures following his cooperation with OHCHR in Colombia. Mr. Anteliz is a member of the police force and a protected witness and whistle-blower in a criminal investigation by the National Prosecutor's Office on alleged links between a criminal armed group and members of the National Police Department in Tolima.

44. According to information received by OHCHR, during the period Mr. Anteliz did not receive a response to different requests he made related to his assignment, security in his location and position, which reportedly exposed him to greater security risks. Mr. Anteliz was reportedly the target of stigmatization within the police unit where he served for his perceived association with human rights organizations as well as with OHCHR. On 22 January 2023, Mr. Anteliz was informed of his dismissal under an allegedly irregular procedure. He was reportedly notified at the police station that he commanded, in front of his subordinates, and was compelled to leave the station immediately, exposing him to an additional security risk. On 2 March 2023, Mr. Anteliz filed a motion against his dismissal at the First Labour Court of the Circuit of Cúcuta. On 16 March 2023, the court ordered his reinstatement on the job. However, on 16 March 2023 the Ministry of Défense and the police appealed before the Superior Court of the Judicial District of Cúcuta, which on 3 May 2023 revoked the first instance court's decision.

⁶⁰ A/HRC/42/30, Annex I, para. 25; A/HRC/45/36, Annex II para. 35; A/HRC/48/28, Annex II paras. 27–28.

45. On 18 July 2023, the Government responded to the note verbale sent in connection to the present report. The Government stated that in 2017, Mr. Wilmer Orland Anteliz Gonzalez, did not provide consent to become a beneficiary of the State Protection Program he was offered and confirmed two investigations in the Sectional Prosecutor's Office in North of Santander for the crime of threats against Mr. Anteliz. The National Police also confirmed that on 19 January Mr. Anteliz was dismissed by the National Government through an administrative procedure instructed by the Ministry of Defence in accordance with article 1 of Law 857 of 2003, and that the dismissal was revoked by the Superior Court of the Judicial District of Cúcuta, in response to the motion filed by Mr. Anteliz against his dismissal. The Government noted further that the Constitutional Court has assessed the consistency between the discretionary power of withdrawal and the Colombian Constitution, reaching the conclusion that it does not violate the right to due process. Additionally, the National Police noted that Mr. Anteliz has not presented his case before the Contentious Administrative Jurisdiction or before the courts of first and second instance, which is in the view of the National Police the appropriate instance to seek a declaration of nullity of the resolution that removed him from active service in the National Police.

9. Cuba

46. The case of **Mr. Juan Antonio Madrazo Luna**, a member of the Comité Ciudadanos por la Integración Racial (CIR), has been included since 2019 in the reports of the Secretary-General⁶¹ on allegations of intimidation and travel restrictions that prevented his engagement with the Universal Periodic Review of Cuba and Committee on the Elimination of Racial Discrimination⁶² in 2018. The Committee addressed the allegations in August 2018 and the Government responded. The case of **Ms. Marthadela Tamayo González**, a member of CIR working on women's rights, was included in the 2018, 2021 and 2022 reports of the Secretary-General⁶³ on allegations of intimidation and travel restrictions in connection to her engagement with the Universal Periodic Review of Cuba in 2018. Special procedures mandate holders have addressed the situation of Mr. Madrazo Luna and Ms. Tamayo Gonzalez in two communications⁶⁴ to which the Government has responded.⁶⁵

47. According to information received by OHCHR, Mr. Madrazo Luna and Ms. Tamayo González were informed by the authorities that they continue to be under a temporary exit ban (*regulados*) during the reporting period and could not travel abroad. This reportedly hindered their engagement with the United Nations, including for the ongoing preparations of the fourth cycle of the Universal Periodic Review of Cuba, scheduled to take place in November 2023. Both human rights defenders reportedly continue to be under constant surveillance at their home by police agents and have suffered repeated and targeted interruptions of their mobile data and landline phone services, sometimes for periods of weeks. This has prevented them from seeking, receiving, and imparting information, and obstructed their engagement with the United Nations.

10. Djibouti

48. The case of **Mr. Kadar Abdi Ibrahim**, of the Mouvement pour la démocratie et la liberté (MoDEL), has been included since 2018 in the reports of the Secretary-General⁶⁶ on allegations of passport confiscation by the authorities related to his engagement with the

⁶¹ A/HRC/39/41, Annex I, para. 25; A/HRC/42/30, Annex II, paras. 36–37; A/HRC/45/36, Annex II, para. 39; A/HRC/48/28, Annex II paras. 33–34 and 37; A/HRC/51/47, Annex II paras. 57–58.

⁶² INT_CERD_RLE_CUB_8965_S.

⁶³ A/HRC/39/41, Annex I, para. 25 and A/HRC/48/28, Annex II paras. 33–34 and 37; A/HRC/51/47, Annex II paras. 57–58.

⁶⁴ CUB 1/2021 and CUB 4/2021.

⁶⁵ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36028>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37031>.

⁶⁶ A/HRC/39/41, Annex I, para. 3; A/HRC/42/30, Annex II, paras. 40–41; A/HRC/45/36, Annex II, paras. 42–43; A/HRC/48/28, Annex II paras. 38–39; A/HRC/51/47, Annex II Paras. 59–60.

Universal Periodic Review of Djibouti in May 2018.⁶⁷ In 2021, the Government responded noting that Mr. Ibrahim continues his anti-constitutional and illegal activities, that MoDEL receives funds from abroad and has connections with extremist movements, and it therefore reserves the right to restrict his movements.⁶⁸ According to information received by OHCHR, Mr. Ibrahim has reportedly not received any official notification during the period regarding the status of his passport and/ or the restrictions on his right to freedom of movement. As of 30 April 2023, Mr. Ibrahim's passport remains confiscated by the Service de Documentation et Sécurité (SSD), which continues to hinder his human rights work and obstructs his engagement with the United Nations.

11. Egypt

49. Treaty bodies enquired about the situation of two of several⁶⁹ victims of alleged reprisals for cooperation with the United Nations, who continued to be kept in prolonged detention. Special procedures mandate holders also addressed allegations of ill-treatment and torture of another alleged victim of reprisals as well as the application of Egyptian legislation, including NGO and counter-terrorism laws, and its impact on individuals and civil society groups' ability and willingness to cooperate with the UN (EGY 9/2022).

50. The case of **Mr. Ebrahim Abdelmonem Metwally Hegazy**, a human rights lawyer and co-founder of the Association of the Families of the Disappeared, was included in the 2014, 2018, 2019, 2020, 2021, 2022 and reports of the Secretary-General⁷⁰ on allegations of enforced disappearance and torture while attempting to attend a meeting in 2017 with the UN Working Group on Enforced and Involuntary Disappearances (WGEID). He was charged with founding and leading an illegal terrorist organization, conspiracy with foreign entities or organizations to harm state security. On 16 June 2021, special procedures mandate holders addressed cases of arbitrary detentions, including of Mr. Metwally (EGY 5/2021). In February 2022, his case was renewed by the Cairo Criminal Court (case 786/2020). Mr. Metwally is reportedly held at the Correction and Rehabilitation Center in Badr 3.

51. On 1 March 2023, during the 5th periodic review of Egypt,⁷¹ the Human Rights Committee enquired about the situation of Mr. Metwally. The Government did not address the question in its reply.⁷² According to information received by OHCHR, Mr. Metwally is constantly monitored, prevented from receiving family visits, and allegedly subjected to ill-treatment in detention. Reportedly, there are cameras equipped with audio recording inside his cell, as well as continuous lighting. Mr. Metwally is allegedly only provided with small amounts of food, and his medicines are not allowed inside the prison.

52. The case of **Mohamed el-Baqer**, a human rights lawyer from the Adalah Center for Rights and Freedoms, has been included in the reports of the Secretary-General since 2020⁷³ on allegations of arrest, ill-treatment and terrorism charges following the engagement of the Adalah Center in Egypt's 2019 Universal Periodic Review (UPR) concerning the human rights situation of the Nubians (EGY 11/2019). Mr. el-Baqer was accused of "joining a terrorist organization" and "participating in a criminal agreement with the intention of committing a terrorist crime" and included in an official terrorist list. The situation of Mr. el-Baqer, and the allegations of reprisals for his engagement in the 2019 UPR of Egypt, have

⁶⁷ DJI 1/2018. See Government response at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34341>.

⁶⁸ A/HRC/48/28, Annex II para. 39.

⁶⁹ A/HRC/27/38; A/HRC/36/31; A/HRC/39/41; A/HRC/42/30; A/HRC/45/36; A/HRC/48/28; A/HRC/51/47.

⁷⁰ A/HRC/39/41, Annex I, para. 32–35. A/HRC/42/30, Annex II, paras. 42–44; A/HRC/45/36, Annex II, paras. 44–46; A/HRC/48/28, Annex II, paras. 40–41; A/HRC/51/47, Annex II paras. 64–65.

⁷¹ Human Rights Committee, 137th Session 3959th meeting at <https://media.un.org/en/asset/k12/k1260210x0>; and CCPR/C/SR.3959, para. 19.

⁷² <https://www.ohchr.org/en/news/2023/03/dialogue-egypt-experts-human-rights-committeecommend-measures-combatting>.

⁷³ A/HRC/45/36, Annex I, paras. 45–46; A/HRC/48/28, Annex II, paras. 46–47; A/HRC/51/47, Annex II, paras. 66–69.

been addressed by special procedures mandate holders in several occasions,⁷⁴ and his detention was found to be arbitrary in 2021 by the UN Working on Arbitrary Detention (A/HRC/WGAD/2021/45).

53. On 11 November 2022, special procedures mandate holders publicly urged Egypt⁷⁵ to seize the moment of the COP 27 conference to demonstrate its willingness to abide by international human rights standards and review the cases of several human rights activists charged with terrorism-related offences, including Mr. El-Baquer. On 19 January 2023, the Government replied⁷⁶ to mandate holders (EGY 1/2022) providing information on the charges against and conviction of Mr. el-Baquer, his conditions of detention and his state of health. On 1 March 2023, during the consideration of the 5th periodic report of Egypt,⁷⁷ the Human Rights Committee enquired about the trial and conviction of Mr. El-Baquer. In his response, a representative of Egypt provided information in this regard (CCPR/C/SR.3959, paras. 18 and 48). In its July 2022 report to the Human Rights Council,⁷⁸ the WGEID noted that the Government had taken no action to implement its Opinion regarding the release of Mr. El-Baquer.

54. According to information received by the OHCHR, on 3 January 2022, the President of Egypt ratified Mr. el-Baquer's verdict and his sentence will conclude on 3 January 2026. On 2 October 2022, Mr. el-Baquer was reportedly transferred from the Tora Maximum Security 2 Prison to Badr 1 prison. On 10 April 2023, Mr. el-Baquer and his cell mates were reportedly assaulted by prison guards resulting in serious injuries. On 17 April 2023, security forces reportedly detained **Ms. Neema Hesham**, Mr. el-Baquer's wife, at her home following her public advocacy about the assault of her husband in detention. Ms. Hesham had reportedly visited her husband the day before and expressed concerns online about his injuries resulting from an attack by the prison guard the week before. Ms. Hesham was released on 18 April 2023 without charges.

55. The case of **Mr. Ahmed Shawky Abdelsattar Mohamed Amasha**, a human rights defender and co-founder of the League for the Families of the Disappeared, has been included in reports of the Secretary-General since 2017⁷⁹ on allegations of abduction, detention, torture following his engagement on behalf of relatives with UN mechanisms, including the WGEID. In November 2017, the UN Working Group on Arbitrary Detention found Mr. Amasha's detention arbitrary (A/HRC/WGAD/2017/78). On 4 October 2019, Mr. Amasha was released on bail, but detained again in June 2020.

56. On 11 November 2022, special procedures mandate holders addressed allegations of detention, torture, ill-treatment, enforced disappearance, incommunicado detention and deteriorating health status of Mr. Amasha (EGY 10/2022). On 29 August 2022, he was referred to the terrorism circuit of the Supreme State Criminal Court on charges of "knowingly joining and funding a terrorist group," and his name was added to the existing Case No. 1360/2019, with another 37 defendants. Since his detention in Badr prison in September 2022, Mr. Amasha has allegedly been held in isolation in a cell with continuous electric lights on and 24-hour camera surveillance and is allowed little time for outdoor exercise. On 25 October 2022, Mr. Amasha reportedly joined other detainees in a hunger strike to protest prison conditions (EGY 10/2022).

57. **The impact of Egyptian legislation on the ability of individuals and civil society groups to cooperate with the United Nations** has been included in the reports of the

⁷⁴ EGY 10/2020, EGY/5/2021, EGY/8/2021, EGY 1/2022.

⁷⁵ <https://www.ohchr.org/en/press-releases/2022/11/un-experts-call-immediate-release-alaa-abdel-fattah>
<https://www.ohchr.org/en/press-releases/2022/11/un-experts-call-immediate-release-alaa-abdel-fattah>.

⁷⁶ See government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37326>.

⁷⁷ <https://media.un.org/en/asset/k12/k1260210x0>.

⁷⁸ A/HRC/51/29, p. 13.

⁷⁹ A/HRC/36/31, Annex I, para. 34; A/HRC/39/41, Annex II, para. 17–18, 21; A/HRC/42/30, Annex II, paras. 45–46; A/HRC/45/36, Annex II, paras. 44–46; A/HRC/48/28, Annex II paras. 48; A/HRC/51/47 Annex II, paras. 62–63.

Secretary-General since 2017⁸⁰ with references to the misuse of the Terrorist Entities Law (Law 8 of 2015) and the Anti-Terrorism Law (Law 94 of 2015) to inhibit or punish cooperation with the UN as well as to the use of travel bans.⁸¹ According to information received by OHCHR, **the use of travel bans** under national security legislation has become a significant obstacle for civil society actors based in Egypt to cooperate with the UN. During the reporting period, travel bans severely limited the ability of civil society actors and human rights defenders to engage with the UN outside the country and led to self-censorship for fear of retribution. In March 2023, the UN Human Rights Committee⁸² expressed concern that significant numbers of activists and human rights defenders perceived as critical of the Government have been subjected to arbitrary travel bans and asset freezes under counter-terrorism legislation. The Committee urged Egypt to ensure that human rights defenders and civil society actors and organizations can operate safely, and lift travel bans and asset freezes against them.

12. Guatemala

58. Alleged acts of reprisals against judges and prosecutors who worked on cases investigated with the technical assistance of the the International Commission against Impunity (CICIG) have been included since 2019 in the Secretary-General's reports⁸³ During the reporting period, UN actors noted developments on ongoing cases or situations included in previous reports.

59. In its 2023 report to the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights (OHCHR) noted an alarming increase in the number of justice officials who were the target of attacks related to their role in cases of corruption and serious human rights violations, including the cases below. The report also noted online defamation and slander campaigns against justice officials (A/HRC/52/23, paras. 60–63).⁸⁴

60. Alleged reprisals continued against prosecutors from the Special Prosecutor's Office Against Impunity (FECI) who investigated cases in collaboration with the CICIG, and two of their lawyers.

61. The case of **Ms. Virginia Laparra**, former FECI chief in Quetzaltenango, was included in the 2022 report of the Secretary-General⁸⁵ on allegations of arrest and arbitrary detention for her work with the FECI in high-profile corruption cases against public officials and organized crime, including many investigated with the technical assistance of the CICIG (GTM 1/2022).⁸⁶ On 22 and 25 November 2022, the Special Rapporteur on the independence of judges and lawyers expressed concern over the criminalisation of Ms. Laparra noting that the proceedings had been characterised by violations to due process and an excessive use of pretrial detention, amongst others (GTM 6/2022).⁸⁷

62. According to information received by OHCHR, on 16 December 2022, Ms. Laparra was convicted and sentenced to four years' imprisonment, commutable, and barred from holding public office for four years for abuse of authority. Between October 2022 and January 2023, Ms. Laparra received an arrest warrant for a second criminal case against her and criminal proceedings were initiated accusing her of leaking confidential information in a hearing as FECI prosecutor. On 3 January 2023, the judge in charge of Ms. Laparra's case

⁸⁰ A/HRC/36/31, Annex I, para. 33; A/HRC/42/30, Annex II, paras. 49–50; A/HRC/45/36, Annex II, paras. 50–53; A/HRC/48/28, Annex II paras. 50–53; A/HRC/51/47 Annex II, para. 73.

⁸¹ A/HRC/48/28, Annex II paras. 50–52.

⁸² CCPR/C/EGY/CO/5, paras. 49–50.

⁸³ A/HRC/42/30, Annex I, paras. 40–42; A/HRC/45/36, Annex II, paras. 56–59; A/HRC/48/28, Annex II, paras. 53–61; A/HRC/51/47, Annex I, paras. 27–30, Annex II, paras. 74–79.

⁸⁴ See also GTM 4/2022; E/C.12/GTM/CO/4, para. 6; and A/HRC/53/9, paras. 90.37–90.52; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37232>.

⁸⁵ A/HRC/51/47, Annex I, paras. 27–30.

⁸⁶ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36970>.

⁸⁷ <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27705>; <https://www.ohchr.org/en/press-releases/2022/11/guatemala-un-expert-condemns-targeting-prosecutor-and-judge>.

ordered a criminal investigation against Ms. Laparra's lawyer, Ms. Wendy Geraldina López presumably for the crimes of disobedience and/or public disorder. The order was issued when Ms. López protested against the judge's instruction of the secrecy of the proceedings and told her to leave the court room. On 1 April 2023, the judge barred Ms. López from defending Ms. Laparra.

63. The cases of **Ms. Siomara Sosa, Ms. Paola Escobar, Mr. William Racanac**, and Ms. Sosa's lawyer and former CICIG worker **Ms. Leily Santizo**, were included in the 2022 report of the Secretary-General⁸⁸ on allegations of undue criminal proceedings against them on charges of abuse of authority, usurpation of functions, obstruction to justice and false testimony. According to information received by OHCHR, the criminal proceedings against Ms. Sosa, Ms. Escobar, Mr. Racanac, and Ms. Santizo continued during the reporting period. In his 2023 report to the Human Rights Council, the High Commissioner for Human Rights expressed concerns about violations of the rights to liberty and to fair trial guarantees in their cases (A/HRC/52/23, para. 60).

64. The case of **Mr. Juan Francisco Sandoval**, a former chief prosecutor of FECCI, has been included since 2020 in reports of the Secretary-General⁸⁹ on allegations of reprisals for his work in high-profile cases, including cases investigated with the technical assistance of the CICIG. According to information received by OHCHR, on 12 September and 19 October 2022, two arrest warrants and an extradition request were issued against Mr. Sandoval on charges of influence peddling, obstruction and denial of justice. A second arrest warrant was issued against **Ms. Leily Santizo** on 19 October 2022 for allegedly leaking confidential information to Mr. Sandoval.

65. The Attorney General's Office and the Supreme Court of Justice continued legal proceedings against **high-risk court judges and two of their lawyers** working on cases investigated with the technical assistance of the CICIG.

66. The case of **Mr. Miguel Ángel Gálvez**, a former High-risk Court judge, was included in the 2022 of the Secretary-General⁹⁰ on allegations of surveillance and harassment addressed by special procedures mandate holders.⁹¹ According to information received by OHCHR, on 15 June 2022, the Supreme Court initiated proceedings to impeach Judge Gálvez for abuse of authority, breach of duty, illegal arrests, and judicial abuse of power. In November 2022, Judge Gálvez resigned from his position and left the country denouncing lack of due process. On 22 and 25 November 2022, the Special Rapporteur on the independence of judges and lawyers regretted the legal proceedings against and targeting of Judge Gálvez (GTM 6/2022).⁹²

67. The case of **Ms. Erika Aifán**, former High-risk Court judge, has been included since 2019 in reports of the Secretary-General⁹³ on allegations of intimidation, attacks and reprisals from State and non-state actors linked to her decisions on high impact and emblematic cases. Special procedures mandate holders addressed her case on several occasions.⁹⁴ In March 2022, Ms. Aifán resigned and left the country alleging "lack of sufficient guarantees for her protection" and threats against "her life and integrity". According to information received by OHCHR, penal and disciplinary proceedings continued against Ms. Aifán during the

⁸⁸ A/HRC/51/47, Annex I, paras. 27–30.

⁸⁹ A/HRC/45/36, Annex II, paras. 56–59; A/HRC/48/28, Annex II, paras. 53–61; A/HRC/51/47, Annex II, paras. 74–79.

⁹⁰ A/HRC/51/47, Annex II, paras. 74–79.

⁹¹ GTM 7/2018.

⁹² GTM 6/2022; see Government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37330>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27705>;

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

⁹³ A/HRC/42/30, Annex I, paras. 40–42; A/HRC/45/36, Annex II, paras. 56–59; A/HRC/48/28, Annex II, paras. 53–61; A/HRC/51/47, Annex II, paras. 74–79.

⁹⁴ GTM 1/2022; GTM 3/2021; GTM 6/2019; GTM 7/2018;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34899>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36292>;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36970>.

reporting period and her appeals for protection (writ of amparo) were denied on the basis that she is not in the country and is no longer a judge.

68. During the reporting period, OHCHR received information of intimidation against **Ms. Aifán's lawyer** who is a close relative. On 1 August 2022, police officers and staff from the General Attorney's Office visited the house of Ms. Aifán's lawyer, arguing that there was a criminal investigation against Ms. Aifán. The same day, police officers and personnel of the General Attorney's Office attempted to search the office of Ms. Aifán's lawyer without a search warrant. Ms. Aifán's lawyer has reportedly requested information from the Attorney General's Office on the alleged criminal investigation related to the visits, to no avail.

69. The case of **Mr. Pablo Xitumul**, a High-risk court judge, was included since 2020 in reports of the Secretary-General⁹⁵ on allegations of intimidation, attacks and reprisals linked to his decisions on high impact and emblematic cases. Special procedures mandate holders addressed his case on several occasions.⁹⁶ Judge Xitumul's was suspended on 9 February 2022 and his immunity was revoked. According to information received by OHCHR, criminal proceedings against Judge Xitumul continued during the reporting period; however, two judges recused themselves from the case in May and December 2022, respectively, which caused significant delays.

70. The case of **Ms. Claudia Maselli**, a former Deputy Ombudsperson of the national human rights institution, was included in the 2022 report of the Secretary-General on allegations of criminal proceedings in February 2021 related to the exercise of her official duties on charges of alleged breach of duties and abuse of authority (A/HRC/49/20, para. 10). According to information received by OHCHR, criminal proceedings against Ms. Maselli continued during the period although there were delays as the competent judge recused himself of the case in October 2022.

71. On 27 July 2023, the Government provided a response to the note verbale sent in connection to the present report, with information on two criminal cases against former FECCI prosecutor Ms. Virginia Laparra. It clarified that in one of them she had been convicted and sentenced to four years imprisonment commutable, and that the defence had filed a special appeal on the merits that prevented the execution of the sentence. The Government noted further that the investigation was ongoing in the other case.

72. The Government provided updated information on the criminal proceedings against Ms. Siomara Sosa, Ms. Paola Escobar, Mr. William Racanac, and Ms. Leily Santizo. It noted that Ms. Sosa had appealed the indictment against her for the crime of collusion, that was still under consideration. The Government added that a second arrest warrant had been issued against Ms. Leily Santizo, whose whereabouts were unknown. It provided information on four criminal cases filed against Ms. Paola Escobar under various charges including abuse of authority, noting that they were under investigation and that they had also been filed against other individuals including Mr. William Racanac.

73. The Government also shared information on four criminal cases against FECCI former chief prosecutor Mr. Francisco Sandoval Afaro and other individuals, noting that one of the criminal cases had been dismissed and an opposition hearing had been scheduled. It also provided updated information on over 20 cases against Ms. Erika Aifán, 13 of which were under investigation (one with no criminal charges), four had been closed, and four had been dismissed and it shared a list of preliminary proceedings filed against Mr. Miguel Ángel Gálvez. The Government also confirmed the level of risk faced by Judge Mr. Pablo Xitumul and that personalized security measures had been recommended and noted it had no updated information on Ms. Claudia Maselli.

⁹⁵ A/HRC/45/36, Annex II, paras. 56–59; A/HRC/48/28, Annex II, paras. 53–61; A/HRC/51/47, Annex II, paras. 74–79.

⁹⁶ GTM 1/2022; GTM 3/2021; GTM 6/2019; GTM 7/2018;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34899>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36292>;
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36970>.

13. India

74. The situation of the **Jammu and Kashmir Coalition of Civil Society (JKCCS)**, a union of various non-profit organizations based in Srinagar, has been included since 2020 in the reports⁹⁷ of the Secretary-General on allegations of reprisals, including for cooperation with OHCHR in the preparation of the 2019 report on the situation of human rights in Indian-administered Kashmir and Pakistan-administered Kashmir. The JKCCS, its chair, **Mr. Khurram Parvez**, and other members of the coalition, were reportedly subject to travel bans, ill treatment, and arbitrary detention on counter-terrorism charges in relation with their cooperation with the United Nations. Mr. Parvez was last arrested on 22 November 2021 on terrorism and other charges, and his case has been addressed on several occasions by special procedures mandate holders⁹⁸, to which the Government has responded.⁹⁹

75. In November 2022 and March 2023, mandate holders called¹⁰⁰ for Mr. Parvez's release noting that his arrest and detention has a chilling effect on others and urged authorities to end the crackdown on civil society in the region. On 20 March 2023, a former associate of the JKCCS, human rights defender and journalist and an OHCHR Minorities Fellow, **Mr. Irfan Mehraj**, was arrested under the same case and transferred to New Delhi. Mandate holders noted that former associates and volunteers of the JKCCS face coercion and intimidation from the authorities. Mr. Parvez and Mr. Mehraj are currently detained at the Rohini Jail Complex. If convicted, Mr. Parvez could face up to 14 years of imprisonment or even the death penalty.

76. The situation of **Mr. Henri Tiphagne**, Executive Director of the **Centre for Promotion of Social Concerns (CPSC, also known as People's Watch)**, was included in the 2018, 2020, 2021 and 2022 reports of the Secretary-General.¹⁰¹ Special procedures mandate holders¹⁰² have raised the case on multiple occasions, expressing concern over the use of the **Foreign Contribution (Regulation) Act of 2010 (FCRA)** to restrict the work of non-governmental organizations seeking to cooperate with the United Nations and noted that the postponement and further non-renewal of CPS's license was a case of reprisal against Mr. Tiphagne in this context. The Government responded in August 2021 stating that the FCRA was enacted to regulate the acceptance and utilization of foreign contributions and ensure that these funds are not detrimental to the national interest.

77. According to information received by OHCHR, the Central Bureau of Investigation (CBI) visited the CPSC 12 times between January and November 2022 and reportedly seized over 80,000 documents and 17,000 vouchers. Between June 2022 and March 2023, the Income Tax Department reportedly asked CPS to submit evidence from the books of account and other documents, such as details of foreign donations received. CPS submitted all documents required and as of 30 April 2023 is waiting for a response. The number and nature of the requests, questions and queries from government agencies is reportedly disrupting the regular functioning of the CPS office. The case for the renewal of CPS's license is still pending in the Delhi High Court.

78. The situation of the **Centre for Social Development (CSD)** in Manipur and its staff, including its secretary **Mr. Nobokishore Urikhimbam**, has been included in the reports of

⁹⁷ A/HRC/42/30, Annex II, para. 59; A/HRC/48/28, Annex II paras. 62–64; A/HRC/51/47, Annex II paras. 82–83.

⁹⁸ IND 7/2016; IND 9/2016; IND 2/2020; IND 19/2021.

⁹⁹ See government replies at:

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

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

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

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

¹⁰⁰ <https://www.ohchr.org/en/press-releases/2022/11/one-year-detention-un-experts-demand-immediate-release-kashmiri-activist>; <https://www.ohchr.org/en/press-releases/2023/03/india-un-expert-demands-immediate-end-crackdown-kashmiri-human-rights>.

¹⁰¹ A/HRC/39/41, para. 50, and Annex I, paras. 61–62; A/HRC/42/30, para. 58 and Annex II, para. 58; A/HRC/48/28, Annex II para. 65; A/HRC/51/47, Annex II paras. 84–85.

¹⁰² IND 14/2018; OTH 27/2017.

the Secretary-General¹⁰³ since 2018 on allegations of surveillance, the freezing of bank accounts under the FCRA and attempted killing of close relatives for his engagement with the United Nations in relation to uranium mining and cement factories in Meghalaya.

79. Special procedures mandate holders addressed¹⁰⁴ the case of Mr. Urikhimbam concerning the registration of the CSD. According to information received by OHCHR, CSD's renewal of registration under the Foreign Contribution Regulation Act (FCRA) has not been formally acknowledged or granted. On 23 March 2023, the Ministry of Home Affairs notified CSD that the validity of their registration certificate under the FCRA was extended until 23 September 2023. During the period, CSD and its staff have reportedly been under constant surveillance and periodically visited in their offices by individuals who ask about their activities and whereabouts. CSD has notified the Ministry of Interior about these visits, both in person and in writing, to no avail.

80. The case of the **International Dalit Solidarity Network (IDSN)**, a Denmark-based non-governmental organization working against caste-based discrimination and for the rights of Dalits, has been included since 2020 in the reports of the Secretary-General¹⁰⁵ related to its application for consultative status with the Economic and Social Council of the United Nations (ECOSOC). Since 2008, the IDSN application was repeatedly deferred by the Committee on Non-Governmental Organizations, the body mandated to consider applications for consultative status with ECOSOC, hence limiting its cooperation with United Nations bodies and mechanisms. In August 2021, the Government responded stating that the legitimate scrutiny of an application for a special status with the United Nations cannot be termed as reprisal.¹⁰⁶

81. On 7 December 2022, a vote by ECOSOC member States¹⁰⁷ granted IDSN consultative status with the United Nations along with nine other civil society organizations (E/2023/L.6). This vote overturned a previous decision by the NGO Committee at its September 2022 session refusing to grant the same nine organizations consultative status and put an end to 15 years of deferrals.

82. On 18 July 2023, the Government responded to the note verbale sent in connection with the present report expressing regret that previous responses concerning Mr. Khurram Parvez and the NGO-Centre for Social Development (CSD) had been ignored and that actions by the Government had been incorrectly considered reprisals or intimidation for cooperating with the UN system. The Government underlined its strong commitment to human rights and its active cooperation with the United Nations. It stressed that the preventive detention of Mr. Khurram Parvez was in accordance with the Code of Criminal Procedures, that law enforcement agencies had found that Mr. Parvez had instigated and executed violent acts and disturbances in the Union Territory of Jammu and Kashmir since July 2016 and noted that a person under investigation should not try to leave the country until its is completed. Regarding the CSD, the Government clarified that it was suspended after being in violation of the Foreign Contribution (Regulation) Act of 2010.

14. Indonesia

83. The case of **Mr. Victor Mambor**, affiliated with the newspaper Tabloid Jubi and The Jakarta Post, was included in the 2021 report of the Secretary-General¹⁰⁸ on allegations of acts of harassment, intimidation and threats for reporting on the situation in West Papua and

¹⁰³ A/HRC/51/47, para. 61, Annex II, paras. 80–81; A/HRC/48/28, Annex II, paras. 66–68; A/HRC/45/36, para. 76, Annex II, paras. 72–73; A/HRC/42/30, Annex II, para. 57; A/HRC/39/41, Annex I paras. 63–65.

¹⁰⁴ IND 18/2019.

¹⁰⁵ A/HRC/51/47, Annex II, paras. 86–87; A/HRC/48/28, Annex II para. 69; A/HRC/45/36, Annex I, paras. 58–59.

¹⁰⁶ A/HRC/48/28, Annex II, para. 70.

¹⁰⁷ 24 votes in favour, 17 votes against and 11 abstentions.

¹⁰⁸ A/HRC/48/28, para. 72, Annex I, paras. 48–49.

Papua provinces (Papua region), that included engaging with OHCHR (IDN 7/2019¹⁰⁹). On 10 March 2023, special procedures mandate holders addressed three incidents against Mr. Mambor: a bomb attack outside his residence in January 2023, the earlier vandalism of his car in May 2022, and the hacking and deletion of his twitter account in 2022. Reportedly these incidents took place after Mr. Mambor had shared a video depicting violent acts by the Indonesian security forces. Mandate holders expressed concern for his safety and retaliation against his human rights work. (IDN 1/2023).¹¹⁰

84. On 27 July 2023 the Government responded to the note verbale sent in connection to the present report and requested that the response it had provided to special procedures mandate holders on the case of Mr. Mambor be included in the present report.¹¹¹ It explained the challenges encountered in the investigative process into the incidents alleged, shared the initial conclusions pointing to one incident constituting a criminal act, and further clarified that the target and the motive of the offence remained unidentified and therefore no assumptions should be made, or conclusions reached until the ongoing investigations conclude. The Government reiterated its cooperative engagement and its commitment to protect the rights of human rights defenders.

15. Iran (Islamic Republic of)

85. The case of **Mr. Manouchehr Bakhtiyari**, the father of Pouya Bakhtiari, a protestor who was shot in the head by security forces and killed during the nationwide November 2019 protests, was included in the 2021 and 2022 report of the Secretary General¹¹² on allegations of repeated arrests, interrogations and threats for publicly calling for justice for his son's death, including in an open letter addressed to the United Nations High Commissioner for Human Rights and others. He was arrested in January 2020 with other members of his family and convicted on national security charges and sentenced to three years' imprisonment and one-year outside the city of Tehran.¹¹³ Mr. Bakhtiyari remains in detention since 29 April 2021.

86. According to information received by OHCHR, on 30 July 2022, the ninth chamber of the Supreme Court revoked Mr. Bakhtiyari's conviction and sentence on national security charges by the first chamber of Karaj's Revolutionary Court for national security related offences. The retrial of this case has yet to take place.

87. During the reporting period, the Qazvin's Prosecution Office filed charges of "insulting the Supreme Leader" against Mr. Bakhtiyari. On 30 April 2023, the first chamber of the Qazvin Revolutionary Court sent the case back to the Prosecution Office for further evidence. According to information received by OHCHR, Mr. Bakhtiyari has allegedly been mistreated and denied access to adequate health care, despite medical assessments from two coroner offices prescribing two different surgeries.

88. On 26 July 2023 the Government responded to the note verbale sent in connection to the present report noting that Mr. Manouchehr Bakhtiyari had not been prosecuted for "writing a letter to the United Nations High Commissioner for Human Rights", but rather for committing criminal offences under the Penal Code, in particular for insulting the Supreme Leader (article 514) and for inciting and encouraging individuals to spark riots (article 499). It further stated that Mr. Bakhtiyari had no interest in treatment at public hospitals and insisted on treatment in private ones, and that allegations that he might be deprived of adequate treatment are baseless and untrue.

¹⁰⁹ See government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34873>.

¹¹⁰ See government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37519>.

¹¹¹ Ibid.

¹¹² A/HRC/48/28, para. 76 and Annex I, para. 52, A/HRC/51/47, Annex II, paras. 94–95.

¹¹³ A/HRC/49/75, para. 64.

16. Israel

89. The cases of six Palestinian human rights and humanitarian organizations, namely the **Addameer Prisoner Support and Human Rights Association (Adameer)**, **Al Haq**, **the Bisan Center for Research and Development (Bisan)**, **Defense for Children International – Palestine, (DCI-P)** **the Union of Agricultural Work Committees (UPWC)** and the Union of Palestinian Women’s Committees (UPWC) were included in the 2022 report of the Secretary General on allegations that their designations as “terror[ist] organizations” under the Counter-Terrorism Law 5776 of 2016 were related to their cooperation with the United Nations and their human rights and humanitarian work.¹¹⁴ UN actors condemned the designations¹¹⁵ and noted the critical work of these long-standing key partners of the United Nations in the Occupied Palestinian Territory.¹¹⁶

90. According to information received by OHCHR, on 17 August 2022, the Israeli Military Commander for the West Bank rejected the procedural objection that five of these organisations – Addameer, Al-Haq, Bisan, DCI-P, and UPWC- had filed in February 2022 against the November 2021 decision of the Israeli Military Commander of the West Bank declaring them “unlawful”. The procedural objection was filed on the basis that the designations lacked evidence and had not followed due process.

91. On 18 August 2022, Israeli military forces broke into, searched and sealed the offices of the six human rights and humanitarian organizations. Between 18 August and 15 September 2022, the directors of four of the organizations designated as “terror organizations” (DCI-P, Al Haq, UPWC and UAWC) were summoned by the Israeli Security Agency for interrogation. They were reportedly threatened by Israeli Security Agency with further consequences, including arrest, if they did not stop working for the organizations. Two directors also reported acts of intimidation directed at their children by the Israeli Security Agency ([A/HRC/52/75](#), para. 29).

92. According to information received by OHCHR, as of 30 April 2023 no formal charges had been filed against the directors of the organizations.

93. Reportedly, since the designation as “terror organizations”, at least 15 staff and volunteers of the Union of Palestinian Women’s Committee were summoned for interrogations by Israeli intelligence services or received phone calls, threatening them for their continued involvement with UPWC and some were threatened with “consequences” against them and their children ([A/HRC/52/75](#), para. 34).¹¹⁷ During the reporting period, UPWC executive director, **Ms. Tahreer Jaber**, was unable to participate in person in the public hearing organized in Geneva before the United Nations Independent International Commission of Inquiry on the OPT, including East Jerusalem, and in Israel, due to a travel ban applied to her by the Israeli authorities a month prior to the hearing.¹¹⁸

94. On 1 June 2022, **Mr. Ubai Al-Aboudi**, the director of the Bisan Center for Research and Development, was prevented from traveling to Amman, Jordan, to attend a two-day expert meeting with the United Nations Economic and Social Commission for Western Asia. Reportedly, Israeli authorities had imposed a travel ban against Mr. Al-Aboudi since 10 April 2022. In November 2022, due to the reported travel ban, Mr. Al-Aboudi was unable to participate in person in a public hearing organized in Geneva before the United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem and in Israel.¹¹⁹

95. The case of **Mr. Issa Amro**, founder of **Youth Against Settlements** in Hebron was included in the 2014, 2021 and 2022 reports of the Secretary-General¹²⁰ on allegations of

¹¹⁴ [A/HRC/51/47](#), Annex I, paras. 35–39.

¹¹⁵ <https://www.ohchr.org/en/press-releases/2021/10/un-experts-condemn-israels-designation-palestinian-human-rights-defenders>.

¹¹⁶ [A/HRC/49/25](#) para. 36.

¹¹⁷ <https://media.un.org/en/asset/k1p/k1pn7mkrqz>.

¹¹⁸ <https://media.un.org/en/asset/k1p/k1pn7mkrqz>.

¹¹⁹ <https://media.un.org/en/asset/k1p/k1pn7mkrqz>.

¹²⁰ [A/HRC/27/38](#), para. 25; [A/HRC/48/28](#) Annex II para. 75.

reprisals for his engagement with the Human Rights Council in 2013 (ISR 7/2013). Following almost five years of judicial proceedings, in March 2021, Mr. Amro received a three-month suspended sentence with a two-year probation period and a fine in relation to his human rights work, which he appealed. The next hearing or verdict on his appeal was scheduled for 25 June 2023.

96. On 17 November 2022, special procedures mandate holders condemned attacks against Mr. Amro and urged the immediate lifting of the closed military zone imposed on his house, a day after he had filed a police complaint against Israeli settler violence.¹²¹ According to information received by OHCHR, on 28 November, Mr. Amro was brought for interrogation at the Givat Ha'avot Israeli police station, in connection to a video he had filmed and uploaded online on 25 November 2022, of an Israeli soldier physically assaulting an Israeli citizen in the city of Hebron, for which two soldiers had been suspended. Mr. Amro was released two days later, upon being formally charged by the competent military court with "attacking a soldier, disturbing the Israeli army work, breaching public order, disturbing the police investigation and assaulting a police officer and preventing him from doing his work."

97. On 2 December, Mr. Amro was reportedly searched and detained by four Israeli intelligence officers while conducting a media interview. He was released on the same day. On 13 February 2023, Mr. Amro was reportedly assaulted by an Israeli soldier while providing a tour for international journalists on the human rights situation of Palestinians in the H2 area of Hebron. Mr. Amro allegedly sustained bruises on his hand, arm and back as a result. The soldier involved was sentenced to 10 days in prison.

17. Libya

98. During the reporting period, multiple UN actors¹²² continued to address the impact of requirements imposed on civil society organizations on their ability to engage with the United Nations in the field of human rights, which have been included in the reports of the Secretary-General since 2021.¹²³ In October 2020, the Tripoli Civil Society Commission issued a Decree in implementation of Presidential Council decision No. 286, requiring all civil society organizations registered in the previous five years to re-register or be considered illegitimate and dissolved by the Commission.

99. Legal measures curtailing the activities of civil society, including requiring them to report any interaction with any international actors, including the United Nations officials (S/2022/31, para. 53), continued during the reporting period.

100. The Human Rights, Transitional Justice and Rule of Law Division (HRS) of UNSMIL reported that, on 18 July 2022, the South Benghazi primary court issued a decision temporarily suspending the Presidential Council decision No. 286. On 7 March 2023, the head of the Law Department under the Supreme Judicial Council provided a legal opinion in response to a request for clarification from the Civil Society Commission of Benghazi. The legal opinion stated that civil society organisations registered in Libya after 2011 were considered illegal.

101. The enforcement of the Presidential Council decision No. 286 as per the interpretation of the legal opinion of 7 March 2023 reportedly led to a campaign of arrests and spread fear amongst civil society organisations in some parts of country. On 9 March 2023, the Criminal Investigation Department raided offices of community, local and international organisations in Sabha and arrested local staff without arrest warrants, reportedly on suspicion or under accusations of spying for the organizations they work for, but without presenting legal

¹²¹ <https://www.ohchr.org/en/press-releases/2022/11/israel-un-experts-condemn-attacks-against-human-rights-defender-issa-amro>.

¹²² <https://www.ohchr.org/en/press-releases/2023/04/human-rights-spotlight-libya-must-be-maintained-turk>; A/HRC/52/83, para. 73; <https://www.ohchr.org/en/statements-and-speeches/2023/03/global-update-high-commissioner-outlines-concerns-over-40-countries>.

¹²³ A/HRC/48/28, Annex I, paras. 63–68; A/HRC/51/47, Annex I, paras. 42–43.

charges. UN agencies further received reports of banks closing the accounts of civil society organizations receiving international funding, following the issuance of the legal opinion.

102. On 13 March, the Government of National Unity announced its support to the legal opinion in Circular no. 5803 issued by the Director of Foreign Affairs and International Cooperation of the Prime Minister's Office. The Circular affirmed the illegality of civil society organizations that were not established in accordance with Law Nr. (19) of 2001 on the reorganization of civil associations. Reportedly, on 6 April 2023, a coalition of 22 civil society organizations signed a statement denouncing the legal opinion.

18. Maldives

103. The case of the women's human rights organization **Uthema and its members** was included in the 2021 report of the Secretary-General¹²⁴ on allegations of online smearing campaigns, threats by religious groups and individuals, and a police investigation for blasphemy following the publication of its alternative report submitted to the Committee on Elimination of all forms of Discrimination against Women (CEDAW).¹²⁵ The Committee addressed the allegations and the Government responded.

104. According to information received by OHCHR, and following repeated enquiries, Uthema was officially informed by the Maldives Police Service in March 2023 that the case against it has been temporarily put on hold – not closed – due to insufficient evidence. To date, Uthema has reportedly not received updates on the investigation undertaken in response to the communication it submitted in June 2020 to the Maldives Police Service regarding the targeted on-line harassment, intimidation and smear campaign against the organization, including direct threats against individuals affiliated with Uthema.

105. The case of the human rights organization **Maldivian Democracy Network (MDN)** and its members was included in the 2018 and 2021 reports of the Secretary-General¹²⁶ for an investigation allegedly in connection with their participation in an NGO side event in the margins of the June 2017¹²⁷ Human Rights Council, and online harassment and threats, including death threats, following a joint submission to the 2020 Universal Periodic Review of the Maldives.¹²⁸ In 2019, the MDN was deregistered reportedly in connection to a 2016 report on radicalization.¹²⁹ In 2020, due to the continued threats, MDN's members relocated abroad.

106. According to information received by OHCHR, during the period **Ms. Shahindha Ismail**, Executive Director of MDN, faced undue challenges while seeking redress for MDN's deregistration and subsequent seizure of bank accounts. On 19 September 2022, Ms. Ismail filed a lawsuit at the Civil Court of Maldives contesting the freezing of MDN's bank accounts and transfer of funds to an undisclosed location. On 9 November 2022, the Registrar of the court decided not to register the case. The Registrar noted that Ms. Ismail did not have the standing to file a lawsuit on the matter, that MDN was a legal entity and therefore it should be able to file lawsuits in its own capacity, disregarding the fact that MDN was deregistered in 2019. On 21 November 2022, an appeal was filed against the Registrar's decision. As of the end of the reporting period, the case was still ongoing.

107. On 28 March 2023, the Civil Court of Maldives ruled on a lawsuit that Ms. Ismail filed in 2020 against the Ministry of Youth, Sports and Community Empowerment claiming that MDN's deregistration had been carried out without due process. The court ruled that the

¹²⁴ A/HRC/48/28, Annex I paras. 70–71.

¹²⁵ tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=2489&Lang=en.

¹²⁶ A/HRC/39/41, Annex I paras. 71–72; A/HRC/48/28, Annex I paras. 87–89 and 91.

¹²⁷ MDV 1/2018; MDV 3/2018; see government replies at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34215>.
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34216>.

¹²⁸ See Universal Periodic Review joint submission 5 at <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=7986&file=EnglishTranslation>.

¹²⁹ MDV 1/2019; see government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35112>.

decision of the Ministry was in line with applicable laws due to the content of the report MDN published in 2016, without addressing the claim on whether due process had been followed.

108. On 31 July 2023, the Government responded to the note verbale sent in connection to the present report indicating that the Maldives Police Service (MPS) did not carry out an investigation for blasphemy following the publication of Uthema's alternative report submitted to the Committee on the Elimination of Discrimination against Women. The Government noted that MPS investigated the alleged threats and harassment against Uthema members, that most of the social media accounts used for the threats were deactivated at the time when the complaint had been filed and added that the investigation was ongoing to identify the accounts reactivated and their users. It also provided information on another investigation related to a complaint filed against Uthema that MPS filed due to lack of evidence.

109. Regarding the Maldivian Democracy Network, the Government referred to its response to a communication from special procedures mandate holders on the decision to dissolve the organization.¹³⁰ It noted further that MPS had carried out multiple investigations on the allegations of threats and harassment faced by MDN members through social media platforms, specifically against Ms. Shahindha Ismail, Executive Director of MDN. It added that arrests were made, that some cases were forwarded to the Prosecutor General's Office for prosecution and that investigations are still ongoing. Regarding the freezing of MDN's bank accounts and transfer of funds, the Government noted that MDN was afforded 45 days to settle any debts or claims over its assets and to provide information on this to the Ministry of Youth, Sports and Community Empowerment. However, according to the Government, MDN failed to do so.

110. As for the Civil Court's decision of 28 March 2023 in the case of Ms. Shahidha Ismail against the Ministry of Youth Sports and Community Empowerment, the Government noted that the decision to dissolve MDN was reached after following due process as affirmed by the Civil Court and added that Ms. Shahindha Ismail appealed the decision on 3 July 2023.

19. Mexico

111. The case of **Mr. Felipe Hinojo Alonso** was included in the 2022, 2021 and 2020 reports of the Secretary-General¹³¹ on allegations of intimidation, threats, and surveillance for his cooperation with the UN in the documentation of alleged violations, including torture, in the state of Aguascalientes by the former General Prosecutor. According to information received by OHCHR, Mr. Hinojo Alonso has continued to suffer intimidation, harassment and (unwarranted) legal action during the reporting period. On 17 April 2023, the Federal Prosecutor's Office changed the charges against Mr. Hinojo Alonso from "inconsistencies in his complaint" to "providing false evidence", and related hearings were postponed several times since May 2022. On 21 April 2023, a hearing took place, and the Federal Prosecutor requested the judge to issue precautionary measures prohibiting Mr. Hinojo Alonso from publicly voicing accusations against the former Prosecutor of the state of Aguascalientes. The judge rejected the request for precautionary measures and the accusations. Mr. Hinojo filed these complaints in connection with OHCHR-Mexico's work in Aguascalientes, investigating allegations of torture and ill-treatment. OHCHR-Mexico is closely monitoring Mr. Hinojo's situation and is in contact with relevant authorities.

20. Nicaragua

112. During the period, a number of individuals and organizations whose cases were previously included in reports of the Secretary-General were compelled to leave the country, were stripped of their nationality and consequently of a broad range of their human rights,

¹³⁰ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35112>.

¹³¹ A/HRC/45/36, Annex I, para. 76; A/HRC/48/28, Annex II, para. 92; A/HRC/51/47 Annex II, paras. 108 and 110.

including the rights to a nationality, to hold public office, to a legal personality, to a social security pension and to exercise their legal professions.¹³²

113. The case of the **Comisión Permanente de Derechos Humanos (CPDH)** and its staff has been included since 2019 in the reports of the Secretary-General¹³³ on allegations of threats, harassment, and intimidation by police for regularly engaging with OHCHR. On 23 July 2022, special procedures mandate holders addressed the dissolution of the CPDH through the publication of Decree No. 8795 in the Official Gazette No. 73, which cancelled the legal personality of 25 civil society organisations (NIC 2/2022). As a result of this cancellation, CPDH was no longer able to receive national and international funding, including from the United Nations Voluntary Fund for Victims of Torture. Mandate holders noted that most of the CPDH employees have reportedly fled the country while those remaining in the country have been officially declared “unemployed”. The organisation’s real estate and vehicles were reportedly confiscated (NIC 2/2022). According to information received by OHCHR, the CPDH and its staff relocated abroad to be able to continue their human rights work and activities.

114. The case of **Mr. Félix Alejandro Maradiaga** was included in the 2019 and 2022 reports of the Secretary-General¹³⁴ for an arrest warrant in 2018¹³⁵ and conviction in March 2022 and sentencing to 13 years in prison under Law No. 1055 in connection to his briefing to the UN Security Council in September 2018 (S/PV.8340, pages 4–5). Mr. Maradiaga is a political scientist, was the executive director of the Institute for Strategic Studies and Public Policy (IEEPP) and a pre-candidate for the 2021 presidential elections.¹³⁶ According to information received by OHCHR, on 9 February 2023 Mr. Maradiaga and another 221 persons were arbitrarily deprived of their liberty and deported from Nicaragua based on an order from the Court of Appeals of Managua.¹³⁷ Mr. Maradiaga, together with the others, was also arbitrarily deprived of his nationality and his records were reportedly erased from the Civil Registry, which had multiple negative impacts on his human rights.

115. The case of **Mr. Anibal Toruño**, of Radio Darío, was included in the 2020 and 2022 reports of the Secretary-General¹³⁸ on allegations of threats following UN action on his case. In 2021, Mr. Toruño relocated outside the country due to concerns about his safety. Several of Mr. Toruño’s close relatives and co-workers were the target of repeated acts of harassment, intimidation, and physical surveillance by police officers. According to information received by OHCHR, on 15 February 2023 the Managua Court of Appeals issued a decision stripping Mr. Toruño and 92 other individuals of their nationality, declared them “fugitives from justice, and requested the confiscation of their properties. This decision was not taken as part of a criminal trial or any other legal procedure. On 24 March 2023, the authorities confiscated a house belonging to Mr. Toruño’s relatives, including all the belongings inside.

116. The case of **Ms. Vilma Nuñez de Escorcía**, of the Centro Nicaragüense de Derechos Humanos (CENIDH), was included in the 2020 and 2021 reports of the Secretary-General¹³⁹ on allegations of harassment following her engagement with the United Nations High Commissioner for Human Rights in 2019 and concerns expressed about the situation of CENIDH by various UN actors.¹⁴⁰ The CENIDH and nine other civil society organizations were the first to be deprived of their legal personality in 2019 for alleged administrative omissions or activities contrary to their statutory purposes, including providing support to “terrorist activities”. Their assets were liquidated and disposed of by the authorities. According to information received by OHCHR, on 15 February 2023, the Managua Court of Appeals issued a decision stripping Ms. Nuñez de Escorcía and 92 other individuals of their

¹³² <https://www.ohchr.org/en/statements/2023/03/oral-update-asg-situation-human-rights-nicaragua>.

¹³³ A/HRC/42/30, Annex I, para. 78; A/HRC/45/36, Annex II, paras. 95–96; A/HRC/48/28, Annex II para. 105; A/HRC/51/47, Annex II para. 120.

¹³⁴ A/HRC/42/30, Annex I para. 82; A/HRC/51/47, Annex II para. 118.

¹³⁵ NIC 5/2021.

¹³⁶ A/HRC/49/23, para. 8.

¹³⁷ The order of “immediate deportation” was based in the Constitution, the Penal Code and the Law of Defense of the Rights of the People to Independence, Sovereignty and Self-Determination for Peace.

¹³⁸ A/HRC/45/36, Annex II, para. 90; A/HRC/51/47, Annex II para. 119.

¹³⁹ A/HRC/45/36, Annex I para. 89; A/HRC/48/28, Annex II paras. 102–103.

¹⁴⁰ NIC 4/2021 and A/HRC/46/21, paras. 18–20.

nationality, declared them “fugitives from justice, and requested the confiscation of their properties. This decision was not taken as part of a criminal trial or any other legal procedure.

21. Pakistan

117. The case of **Mr. Fazal ur Rehman Afridi** was included in the 2021 report¹⁴¹ of the Secretary-General on allegations of intimidation, threats of reprisal and harassment as well as threats against his relatives, following his cooperation with the United Nations on human rights issues, including enforced disappearances (PAK 12/2020). Mr. Afridi is a human rights defender, president of the Institut de recherche et d'études stratégiques de Khyber (IRESK), and member of the Pashtun Protection Movement, and has been in exile since 2009.

118. On 27 December 2022, special procedures mandate holders addressed calls by the National Assembly Standing Committee on Human Rights of investigations into the alleged existence of a “kill list” naming several individuals, including Mr. Afridi. On 12 August 2022, the Standing Committee had reportedly expressed concern about an alleged “kill list” that was published in a Facebook post by the Spokesperson of the Pakistani Taliban. The “kill list” reportedly contained the name of Mr. Afridi, among others. Some of these individuals were allegedly placed on this list due to their work defending human rights of the Pashtun minority and reporting on gross human rights violations, including on enforced disappearances (PAK 8/2022).

22. Philippines

119. The cases of the **Karapatan Alliance of People's Rights**, a national alliance of human rights organizations, its Secretary General,¹⁴² **Ms. Cristina Palabay**, and its staff have been included since 2018 in the reports of the Secretary-General on allegations of red-tagging – i.e. the labelling as communists or terrorists – state-linked cyber-attacks, arbitrary arrests and charges in connection with their engagement with the United Nations.¹⁴³ During the reporting period, Karapatan continued to engage with the United Nations, including during the fourth cycle of Universal Periodic Review of the Philippines.

120. On 18 June 2022, days before Ms. Palabay was due to testify in a perjury court case brought by the authorities against her and other members of Karapatan in 2019, the Special Rapporteur on human rights defenders¹⁴⁴ called on the authorities to protect human rights defenders instead of pursuing countersuits against them for seeking legal protection from threats. The September 2022 report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) on the implementation of HRC res 45/33 noted that, as of June 2022, several human rights defenders, including from Karapatan, were facing perjury charges (A/HRC/51/58, para. 35).

121. According to information received by OHCHR, on 9 January 2023, a judge from the Quezon City Metropolitan Trial Court Branch acquitted Ms. Palabay and other Karapatan staff in the perjury case.¹⁴⁵ On 2 March 2023, the Prosecutor Office of Quezon City and the current National Security Adviser filed a petition for certiorari concerning the judge and the human rights defenders as public and private respondents, respectively for a “grave abuse of discretion” in relation to the acquittal.

¹⁴¹ A/HRC/48/28, Annex I paras. 83–86.

¹⁴² A/HRC/39/41, Annex I paras. 86–89; A/HRC/42/30, Annex II, para. 8; A/HRC/45/36, Annex II, paras. 100–101; A/HRC/48/28, Annex II, paras. 108–110; A/HRC/51/47, Annex II paras. 121–125.

¹⁴³ PHL 1/2020, PHL 3/2021, PHL 5/2021, see government replies at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36533>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36754>.

¹⁴⁴ <https://srdefenders.org/information/philippine-authorities-should-protect-human-rights-defenders/>.

¹⁴⁵ PHL 1/2020.

122. On 7 March 2023, while the High Commissioner for Human Rights welcomed¹⁴⁶ the acquittals of human rights defenders, he noted that there must be an end to other politically motivated charges, and a safer environment for civil society. Karapatan and its staff have reportedly continued to be the subject of red-tagging, threats, and stigmatisation on social media in connection to their engagement with the United Nations during the period, including for their participation in the fourth cycle of Universal Periodic Review of the Philippines.

23. Russian Federation

123. Several incidents from previous reporting periods concerning **Ms. Yana Tannagasheva and Mr. Vladislav Tannagashev**, representatives of the Shor indigenous peoples from Southwest Siberia, were included in the 2018 and 2019 reports of the Secretary-General¹⁴⁷ on allegations of harassment, surveillance, threats, and intimidation against them and their relatives for cooperation with the Committee on the Elimination of Racial Discrimination in 2017. In April 2018, as a consequence of the threats, they left the Russian Federation and relocated to a third country. In May 2018, the Committee on the Elimination of Racial Discrimination raised their situation with the State party¹⁴⁸ and in June 2018 special procedures mandate holders raised concerns with the authorities.¹⁴⁹ On 12 September 2018, the Government responded to mandate holders that further investigations were ongoing since July 2018, when a prior decision refusing a preliminary investigation of the case had been overturned.¹⁵⁰

124. On 12 and 13 April 2023, during the consideration of the periodic review of the Russian Federation, the Committee on the Elimination of Racial Discrimination sought clarifications about the status of the investigations into the allegations of previous incidents of reprisals against Ms. Yana Tannagasheva and Mr. Vladislav Tannagashev for cooperation with the Committee in 2017 (CCPR/C/SR.2959 para. 28). In its concluding observations of 25 April 2023, the Committee addressed concerns about the lack of information on investigations into the allegations of reprisals against them. In its concluding observations of 1 December 2022, the Human Rights Committee reiterated its previous concerns about allegations of harassment of indigenous human rights defenders,¹⁵¹ raised further allegations received, and urged the State to protect indigenous human rights defenders from all harassment, including in respect to their participation in relevant international forums on indigenous peoples' rights. (CCPR/C/RUS/CO/8, paras. 40–41 (c)).¹⁵²

125. The alleged **impact of the arbitrary application of restrictive legislation**,¹⁵³ in particular laws on “foreign agents” or “undesirable organizations”, on the willingness and ability of civil society actors to engage with international bodies, including with the United

¹⁴⁶ <https://www.ohchr.org/en/statements-and-speeches/2023/03/global-update-high-commissioner-outlines-concerns-over-40-countries>.

¹⁴⁷ A/HRC/39/41, Annex I, paras. 90–91; A/HRC/42/30, Annex II, para. 87. See also RUS 11/2018, OTH 34/2018 and government reply at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34329>.

¹⁴⁸ See the letter sent by the Committee on the Elimination of Racial Discrimination on 10 May 2018.

¹⁴⁹ RUS 11/2018, OTH 34/2018; A/HRC/40/60/Add.1 paras. 512 and 677. See also government reply to RUS/11/2018, at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34329>.

¹⁵⁰ See government reply at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=34329>.

¹⁵¹ CCPR/C/RUS/Q/8, para. 24.

¹⁵² See also CCPR/C/SR.3934, para. 55.

¹⁵³ These included the N 121-FZ Foreign Agent Law for Non-Commercial Organizations, adopted in July 2012 and amended in June 2016 (N 147-FZ and N 179-FZ) and several pieces of federal legislation signed into effect on 30 December 2020 as well as Federal Law No. 538-FC, which introduced a five-year prison sentence for libel, and Federal Law No. 525-FZ which introduced criminal liability for malicious violation of the duties of a “foreign agent” with a penalty of up to five years in prison. On 5 April 2021, Bills No.1052327-7 and 105895-7 were adopted and published introducing amendments and penalties for non-compliance with the norms mentioned above.

Nations, were included in the 2013, 2014 and 2015, 2019, 2020, 2021 and 2022 reports of the Secretary-General.¹⁵⁴

126. During the reporting period, multiple United Nations actors expressed concerns over new legislative developments, and the impact of the long-term application of the aforementioned legislation.¹⁵⁵

127. Between July and November 2022, special procedures mandate holders noted concerns over the amendments that had come into force on 1 December 2022 to the Foreign Agents Law of 2012, including “on control over the activities of persons being under foreign influence” (RUS 16/2022),¹⁵⁶ while reiterating concerns over the Law itself and its subsequent amendments. The Special Rapporteur on the situation of human rights defenders raised concerns about the introduction of prison terms of up to eight years for those convicted of “confidentially co-operating, including with an international organization”, if the cooperation aims to assist in “activities knowingly aimed against the state security”.¹⁵⁷

128. In its concluding observations adopted on 31 October 2022, the Human Rights Committee noted concern about provisions on “foreign agents” and “undesirable” organizations, and their expansion, including through the law broadening the categories of “foreign agents” to include additional groups¹⁵⁸ as well as the new law criminalizing confidential cooperation with foreign States and international or foreign organizations¹⁵⁹ (CCPR/C/RUS/CO/8, para. 30 (c)). The Committee noted the significant restrictions that the application of these laws has imposed on the activities of numerous human rights organizations, leading even to closures.

129. In its concluding observations adopted on 25 April 2023, the Committee on the Elimination of Racial Discrimination (CERD) noted concerns about the low number of civil society organizations operating and registered in the State party and the unusually low level of submissions by civil society organizations in the context of the consideration of the report of the State party. The Committee considers that this may be attributed to the closure of many domestic organizations because of the restrictive legal framework (CERD/C/RUS/CO/25-26, paras. 18 and 19).

24. Saudi Arabia

130. The case of **Mr. Mohammad Fahad Al Qahtani**, of the Saudi Association for Civil and Political Rights (ACRPA), was included in the 2012, 2013, 2019, 2020 and 2021 reports of the Secretary-General¹⁶⁰ on allegations of interrogation, travel ban and sentencing to 10 years of imprisonment for providing false information to outside sources, including UN human rights mechanisms. Special procedures mandate holders have addressed his situation repeatedly with the relevant authorities, including allegations of acts of reprisals for his

¹⁵⁴ A/HRC/24/29, paras. 29–31; A/HRC/27/38, para. 43; A/HRC/30/29, Annex II para. 3; A/HRC/42/30, Annex II, para. 88; A/HRC/45/36, Annex II, paras. 105–107; A/HRC/48/28 Annex II, paras. 111–114; A/HRC/51/47, Annex II, paras. 126–127.

¹⁵⁵ OL RUS/16/2022; CCPR/C/RUS/CO/8, para. 30 (c)). CERD/C/RUS/CO/25-26, paras. 18 and 19.

¹⁵⁶ See also A/HRC/50/23, para. 26; <https://www.ohchr.org/en/press-releases/2022/07/russia-un-experts-condemn-civil-society-shutdown>.

¹⁵⁷ <https://www.ohchr.org/en/press-releases/2022/09/russia-un-expert-alarmed-continued-targeting-human-rights-defenders>.

¹⁵⁸ This refers to Federal Law No. 121-FZ dated 20 July 2012 (“Foreign Agents Law”) with subsequent amendments as well as the Federal Law No. 255-FZ dated 14 July 2022 broadening different categories of “foreign agents” to new groups.

¹⁵⁹ This refers to Federal Law No. 260-FZ adopted on 14 July 2022 (CCPR/C/RUS/CO/8, 32). This law introduced new Article 275.1 in the Criminal Code on ‘Cooperation on a confidential basis with a foreign state, international or foreign organization’ which criminalizes the establishment and maintenance by a Russian citizen of ‘relations of cooperation’ on a confidential basis with a representative of an international organization (among others) in order to assist them in activities knowingly directed against the security of the Russian Federation.

¹⁶⁰ A/HRC/21/18, paras. 35–37; A/HRC/24/29, para. 42; A/HRC/42/30, Annex II, para. 92; A/HRC/45/36, Annex II, para. 114; A/HRC/48/28, Annex II, paras. 119–120.

cooperation with the UN.¹⁶¹ Mr. Al Qahtani is currently held in Al-Ha'ir Prison in Riyadh. According to information received by OHCHR in May 2022, Mr. Al Qahtani and around other 30 prisoners were moved to the psychiatric ward. There, he was reportedly beaten by co-detainees and held two hunger strikes to demand transfer and in protest of the lack of contact with his family, respectively. Reportedly, in mid-March 2023, Mr. Al Qahtani was seen in King Saud medical City as his health has deteriorated in connection to the hunger strikes.

131. On 9 November 2022, the Special Rapporteur on the situation of human rights defenders raised concerns over the health and life of Mr. Al Qahtani, jailed in 2013 for allegedly providing false information to outside sources, including UN human rights mechanisms.¹⁶² The Special Rapporteur raised further concerns over reports that his family had lost communication with him since 23 October 2022 after he complained about attacks by other prisoners and that he was being held in incommunicado detention.

132. The case of **Mr. Essa Al Nukheifi**, a human rights defender and anti-corruption activist, was included in the reports of the Secretary-General since 2018,¹⁶³ following his six-year prison sentence, with a six-year travel and social media ban upon release, for his cooperation with the Special Rapporteur on extreme poverty during a visit to Saudi Arabia in January 2017 (SAU 2/2017). In November 2019, the Working Group on Arbitrary Detention stated that Mr. Al Nukheifi's detention was arbitrary (A/HRC/WGAD/2019/71, paras. 76, 83, 90, 95), and raised particular concern about the reprisals against him for his consultation with the Special Rapporteur on extreme poverty (para. 93). Mr. Al Nukheifi is currently held in Al Ha'ir Prison in Riyadh.

133. On 30 November 2022, special procedures mandate holders addressed Mr. Al Qahtani's and Mr. Al-Nukehifi ongoing detention past the expiry of their sentences of 10- and 6-years imprisonment respectively and their lack of access to legal counsel. They also raised concerns over the alleged ill treatment in detention of Mr. Al Qahtani, including attacks by co-detainees in May 2022 and October 2022 and the lack of contact with his family. (SAU 10/2022) On 30 January 2023, the Government responded to special procedures mandate holders noting his access to the necessary medical care, denied allegations of beatings from inmates and clarified that both Mr. al-Qahtani and Mr. Al-Nukeifi were charged with a number of criminal offences, including inciting others to commit criminal offences within prison, and that investigation by the Public Prosecution Service was ongoing, hence their continued detention.¹⁶⁴

134. The case of **Mr. Fawzan Mohsen Awad Al-Harbi**, a human rights defender and member of ACPRA was included in the 2014, 2019, 2020, 2021 and 2022 reports of the Secretary-General,¹⁶⁵ on allegations of arrest and detention for his cooperation with the UN. Special procedures mandate holders have addressed his situation repeatedly with the relevant authorities, including allegations of acts of reprisals for his cooperation with the UN.¹⁶⁶ According to information received by OHCHR, his sentence of a 10-year prison term is due to expire in September 2023.

¹⁶¹ SAU 13/2021, SAU 12/2017, SAU 4/2016, SAU 11/2014, SAU 5/2013, SAU 8/2013, SAU 7/2012.

¹⁶² <https://www.ohchr.org/en/press-releases/2022/11/saudi-arabia-allow-immediate-contact-human-rights-defender-held>.

¹⁶³ A/HRC/39/41, para. 65 and Annex I, paras. 95–96, 98. A/HRC/42/30, para. 74 and Annex II, para. 93; A/HRC/45/36, Annex II, paras. 115–116; A/HRC/48/28, Annex II, paras. 120–121; A/HRC/51/47, Annex II, paras. 132–135.

¹⁶⁴ See government reply at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37348>.

¹⁶⁵ A/HRC/27/38, para. 30; A/HRC/42/30, para. 74 and Annex II, para. 94; A/HRC/45/36, Annex II, para. 118 and A/HRC/48/28, Annex II, para. 124; A/HRC/51/47, Annex II, paras. 131, 133–35.

¹⁶⁶ SAU 6/2021, SAU 13/2021, SAU 4/2016, SAU 11/2014, SAU 8/2013.

25. Venezuela (Bolivarian Republic of)

135. The case of the **NGO Azul Positivo** and five of its members was included in the 2021 and 2022 reports of the Secretary-General¹⁶⁷ on allegations of detention and criminal charges in connection to their work as United Nations implementing partners.¹⁶⁸ The NGO Azul Positivo provided humanitarian aid to people living with HIV/AIDS and implemented cash transfer programmes as part of the United Nations humanitarian response plan.¹⁶⁹ Members of the Azul Positivo were conditionally released on 10 February 2021. During her presentation¹⁷⁰ of the 2022 report to the Human Rights Council, the High Commissioner for Human Rights noted the dismissal on 28 June 2022 of the criminal case against the five members of the NGO who had been accused of money laundering, illicit association and others in connection with their humanitarian work.

136. The case of **Ms. Karen Caruci**, a human rights lawyer who had reportedly been subjected to arbitrary detention and torture or ill-treatment in December 2020 (**VEN 7/2021**), was included in the 2022 report of the Secretary-General¹⁷¹ on allegations of re-arrest and questioning by police about her engagement with the United Nations. According to information received by OHCHR, on 16 February 2023, the Attorney General Office during a preliminary hearing formally accused Ms. Caruci of the crime of incitement to hatred (article 20 of the Law against Hate, for Peaceful Coexistence and Tolerance), which can carry sentences between 10 and 20 years of imprisonment. On the same day, the court assigned to the case determined the opening of the trial stage. As of 30 April 2023, the date for the first hearing has not yet been set.

137. The case of judge **Ms. Lourdes Afiuni** was included in the 2010, 2014, 2015, 2016, 2019, 2020, 2021 and 2022 reports of the Secretary-General¹⁷² on allegations of arbitrary detention and ill-treatment following a judicial decision based on an Opinion of the Working Group on Arbitrary Detention opinion (No. 10/2009).¹⁷³ In September 2010, the Working Group considered her detention as arbitrary (No. 10/2010).¹⁷⁴ The Criminal Cassation Chamber of the Supreme Court confirmed the March 2019 five-year imprisonment sentence. Ms. Afiuni's was considered as an emblematic case resulting in generalized fear among judges to issue rulings against the Government¹⁷⁵ or provide testimonies to United Nations investigative bodies.¹⁷⁶ In March 2022, the Third Enforcement Court of Caracas denied Ms. Afiuni's request to leave the country for medical treatment abroad. She had reportedly taken the necessary examinations with the Penitentiary Ministry and was awaiting the results. According to information received by OHCHR, as of 30 April 2023 Ms. Afiuni continues to wait for the outcome of the 2022 medical examinations to opt for an alternative sentence. Her exit ban and prohibition to speak to the media reportedly remain in place. OHCHR continues to monitor the case and is in close contact with relevant authorities.

¹⁶⁷ A/HRC/48/28, Annex I paras. 117–120; A/HRC/51/47, Annex II para. 150.

¹⁶⁸ VEN 1/2021; see Government response at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35987>.

¹⁶⁹ A/HRC/47/55, para. 71.

¹⁷⁰ <https://www.ohchr.org/en/statements/2022/06/dialogo-interactivo-sobre-el-informe-de-la-alta-comisionada-sobre-venezuela>.

¹⁷¹ A/HRC/51/47, Annex I para. 77.

¹⁷² A/HRC/14/19, paras. 45–47; A/HRC/27/38, para. 46; A/HRC/30/29, para. 7; A/HRC/33/19, para. 45; A/HRC/42/30, Annex II, para. 109 and 146; A/HRC/45/36, Annex II, paras. 139–140; A/HRC/48/28, Annex II, paras. 142–43; A/HRC/51/47, Annex II para. 151.

¹⁷³ A/HRC/13/30/Add.1.

¹⁷⁴ A/HRC/16/47/Add.1.

¹⁷⁵ VEN 11/2020; see Government response at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36139>.

¹⁷⁶ <https://www.ohchr.org/en/press-releases/2021/09/venezuelan-justice-system-plays-significant-role-states-repression?LangID=E&NewsID=27479>.

26. Viet Nam

138. The cases of several members of independent religious communities and activists who attended or sought to attend the Southeast Asia Freedom of Religion or Belief Conference (SEAFORB) were included in the 2019 report of the Secretary-General¹⁷⁷ on allegation of threats, harassment, travel restrictions and acts of violence that either prevented their participation or took place as a result of it (VNM 2/2020). The SEAFORB Conference includes interaction with the United Nations and awareness-raising about how to engage with United Nations human rights mechanisms.

139. On 28 April 2023, special procedures mandate holders addressed the alleged arbitrary arrest, threats, surveillance, undue travel restrictions and harassment of **Mr. Y Khiu Niê** and **Mr. Y Sĩ Êban**, human rights defenders belonging to the “Montagnards” indigenous community and religious minority of Christian Protestants, which prevented them from participating in the SEAFORB Conference, held in Bali (Indonesia) in November 2022 (VNM 2/2023). On 6 November 2022, Mr. Niê and Mr. Êban were reportedly not allowed to board the plane from Tân Sơn Nhất International Airport (Ho Chi Minh City) and were interrogated by the police about their motive to attend the SEAFORB conference. Police allegedly threatened Mr. Niê with imprisonment and forced him to sign a document stating that he will cease all communication with international human rights organizations, specifically for the purpose of submitting information to the United Nations and foreign governments. During the interrogations, the police officers allegedly informed that Mr. Niê had been under surveillance. Mr. Niê and Mr. Êban were both released hours later. Mandate holders noted that these restrictions might amount to intimidation and reprisals for cooperating or attempting to cooperate with the United Nations, its representatives, and mechanisms in the field of human rights. They expressed concern about the chilling effect of the restrictions, which could inhibit cooperation with the United Nations and lead to self-censorship (VNM 2/2020).

140. The case of **Ms. Pham Doan Trang**, a blogger, journalist, and democracy activist, was included in the 2022 report of the Secretary-General¹⁷⁸ on allegations of long-term arbitrary detention and lengthy sentencing for sharing reports on the human rights situation in the country with the United Nations and other international actors. Ms. Trang was the subject of several communications by special procedures mandate holders¹⁷⁹ and an Opinion by the Working Group on Arbitrary Detention¹⁸⁰ in 2021, which found her deprivation of liberty arbitrary. On 2 November 2022, special procedures mandate holders addressed Ms. Trang’s detention, including alleged restriction of her right to family visits and her deteriorating health status (VNM 6/2022). On 7 September 2022, Ms. Trang was allowed to meet her mother and brother for the first time since her arrest in October 2020. On 1 October 2022, without any prior notification to her family, Ms. Trang was transferred to An Phuoc prison, in Binh Duong province. In October 2022, Ms. Trang’s family was allowed to visit her. Ms. Trang is allegedly not receiving adequate health care in detention (VNM 6/2022).

141. The case of **Ms. Bui Thi Kim Phuong**, the wife of Mr. Nguyen Bac Truyen,¹⁸¹ was included in the 2019 and 2021 reports of the Secretary-General¹⁸² on allegations of police action to prevent her in 2018 from meeting with OHCHR in the country and travel restrictions that did not allow her in 2019 to travel to Geneva to engage with the Human Rights

¹⁷⁷ A/HRC/45/36 para. 124, Annex I paras. 146–151 and 154.

¹⁷⁸ A/HRC/51/47, Annex II paras. 82–85.

¹⁷⁹ VNM 3/2020; VNM 5/2020, and VNM 6/2021. See government replies at <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35828>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35948>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36751>.

¹⁸⁰ A/HRC/WGAD/2021/40.

¹⁸¹ A/HRC/30/29, para. 42; A/HRC/42/30, Annex II para. 110 and 113. See also VNM 4/2014; VNM 11/2014; VNM 8/2016; VNM 6/2017. See government replies at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32016>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=32686>; <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=33363>.

¹⁸² A/HRC/42/30, Annex I para. 120; A/HRC/48/28, Annex I para. 126.

Committee on the case of her husband. According to information received by OHCHR, Ms. Phuong has been placed on an exit ban list since 2018 and has not been able to travel abroad during the period to attend international events or engage with United Nations human rights bodies and mechanisms.

27. Yemen

142. The case of **Mr. Abdulmajeed Sabrah**, a lawyer representing journalists and human rights defenders in the northern areas of Yemen under the control of the Houthi forces, was included in the 2021 and 2022 reports of the Secretary-General since 2021¹⁸³ on allegations of intimidation, including on social media, and surveillance for sharing information with the United Nations. According to information received by OHCHR, in July 2022, Mr. Sabrah was subjected to intimidation by the Security and Intelligence Service, and harassment by the Specialized Criminal Court for sharing information with the United Nations and other international organizations on some of his cases. Reportedly, he was under continued surveillance by the Security and Intelligence Service.

143. The case of the **Mwatana Organization for Human Rights**, a Sana'a-based civil society organization, and members of its staff, was included in the 2019 and 2021 reports of the Secretary-General¹⁸⁴ on allegations of detention and prevention of travel following engagement with the United Nations Security Council and United Nations human rights mechanisms (SAU 8/2018; YEM 4/2018). On 25 January 2022, the head of Mwatana, **Ms. Radhya al-Mutawakel**, briefed the Security Council on the situation in Yemen¹⁸⁵ and was subjected to a smear campaign following her participation. According to information received by OHCHR, 15 incidents against Mwatana's field researchers and lawyers were documented during the reporting period where all parties to the conflict used threats, intimidation, arbitrary detention, incitement and smear campaign and travel bans against staff in different geographical areas, including in Sana'a, Taiz, Hadhramout, Marib, Dhamar, Hajjah, Abyan, Al Dhalea Aden, and Amran.

28. State of Palestine

144. The case of **several Palestinian and international women's organizations and human rights defenders** has been included in the reports of the Secretary General since 2020¹⁸⁶ concerning allegations of online smearing, intimidation and threats against them for their support for the Convention on the Elimination of Discrimination against Women (CEDAW) and for their actual or perceived engagement with the United Nations Committee on the Elimination of Discrimination against Women (CEDAW/C/PSE/CO/1, para. 15c).

145. During the reporting period, the so-called "Mass Movement against CEDAW" group regularly posted pictures with intimidating messages and vilifying statements about women human rights defenders and activists, publicly naming them, in connection to their support to women and gender-based violence survivors, as well as for their engagement with United Nations human rights mechanisms and participation in United Nations events. Specifically, in November 2022, this campaign reportedly intensified, following the participation of Palestinian women's organizations and women human rights defenders in the CEDAW pre-session working group held in October 2022, and their engagement in the international 16 Days of Activism campaign against gender-based violence of November–December 2022.

146. In Gaza, OHCHR documented hate speech against women human rights defenders Ms. Zainab al Ghonaimi, director of the Center for Women's Legal Research and Consultation (CWLRC) and Hayat Women's Shelter, and Ms. Amal Syam, director of Women's Affairs Centre (WAC). In early September 2022, an online smear campaign was

¹⁸³ A/HRC/48/28, Annex I, para. 133, and A/HRC/51/47, Annex II, para. 157.

¹⁸⁴ A/HRC/42/30, paras. 74, 85, Annex I, para. 94, 124 and A/HRC/48/28, Annex II, paras. 160–161.

¹⁸⁵ <https://media.un.org/en/asset/k19/k19ame0jq8>.

¹⁸⁶ A/HRC/45/36, para. 128, Annex I paras. 159–61, A/HRC/48/28 paras. 162–165 and A/HRC/51/47 paras. 160–161.

reportedly launched against Ms. Zainab al Ghonaimi. She was accused of “kidnapping”, being “anti-Islam” and there were explicit calls to kill her. On 26 December 2022, an influential sheikh from southern Gaza published messages on social media threatening “CEDAW women”. He allegedly posted a photo of Ms. al Ghonaimi with a red circle over her head, accusing her of being “the head of CEDAW women” and of “damaging family integrity by benefiting from the colonizing power”.

147. In September 2022, Ms. Amal Syam was explicitly named in a new wave of reported online attacks. On behalf of her organization, she filed a complaint against one of the perpetrators, including for defamation and insult, death threats and misuse of technology. While she was summoned by the Attorney General’s office for additional information, at the end of April 2023, she had not been informed of any investigative or other steps taken regarding her complaint. Threats and stigmatizing posts against her and WAC from the perpetrator Ms. Syam had filed a complaint against reportedly continued during the following months. The Facebook page Mass Movement against CEDAW, with over 33,000 followers, was taken down by the platform in early 2023. As of mid-April 2023, the movement continues to operate through its back-up Facebook account as well as on two other social networks. Across the three current social media platforms, the movement has a combined following of over 8,100 users.

148. During the reporting period, OHCHR documented the case of a detainee in the custody of Palestinian authorities in the West Bank. The detainee concerned allegedly faced torture and ill-treatment after having shared information with OHCHR about his treatment in detention, in the context of the interviews carried out by OHCHR staff during a visit made by the Office to the detention facility. Names and details of those concerned have been withheld due to fear of further reprisals.
