The UN Special Rapporteur on the situation of human rights defenders, Ms. Mary Lawlor invites you or your organization to respond to the questionnaire below. Submissions received will inform the thematic report of the Special Rapporteur on the issue of long term detention of human rights defenders, which will be presented to the UN General Assembly in October 2021.

The questionnaire on the report is available at OHCHR website in English (original language) as well as in French, Spanish, Russian and Arabic (unofficial translations): (https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/SRHRDefendersIndex.aspx).

All submissions received will be published in the aforementioned website, unless you/your organization clearly indicated that you did not wish to have your input be made publicly available when submitting your response.

There is a word limit of 2500 words per questionnaire. Please submit the completed questionnaire to defenders@ohchr.org

Deadline for submissions: 19 March 2021

Contact Details

Please provide your contact details in case we need to contact you in connection with this survey. Note that this is optional.

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<th>Type of Stakeholder (please select one)</th>
<th>International or Inter-governmental Organisations</th>
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<td>Civil Society Groups or Organisations</td>
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<tr>
<th>Name of Stakeholder/ Organization (if applicable)</th>
<th>International Federation for Human Rights (FIDH)</th>
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| Email                                           | hgabber@fidh.org                                 |

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<th>Can we attribute responses to this questionnaire to you or your organization publicly*?</th>
<th>Yes x No</th>
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*On OHCHR website, under the section of SR on human rights defenders.

Questions
Human rights defenders are persons, who individually, or in association with others, work peacefully to promote and protect universally recognized human rights and fundamental freedoms, in accordance with the UN Declaration on Human Rights Defenders.

Defenders around the world peacefully promoting and defending human rights operate under national legal frameworks not always fully consistent with the United Nations Charter and international human rights law. In some instances, as echoed in multiple Human Rights Council and General Assembly resolutions, national legislation, in particular national security and counter-terrorism laws, or regulations on civil society and public freedoms have been misused to target defenders in a manner contrary to international law, that might result in long-term arbitrary deprivation of liberty.

1) Do you know of any human rights defender(s) currently detained by States, who have been imprisoned on charges that carry a prison sentences of at least 10 years or more? Please provide a list of cases.


* **Huang Qi** (China), sentenced to 12 years: https://www.fidh.org/en/issues/human-rights-defenders/china-huang-qi-sentenced-to-12-years-in-prison
* **Naâma Asfari** (Morocco), sentenced to 30 years: https://www.fidh.org/fr/regions/maghreb-moyen-orient/maroc/maroc-sahara-occidental-prisonniers-de-gdeim-izik-deja-10-ans-de
* **Nasrin Sotoudeh** (Iran), sentenced to 33 years: https://www.fidh.org/en/issues/human-rights-defenders/iran-nasrin-sotoudeh-sentenced-to-33-more-years-in-jail
* **Pablo Lopez Alavez** (Mexico), sentenced to 30 years: https://www.fidh.org/es/temas/defensores-de-derechos-humanos/mexico-debe-cumplir-la-opinion-de-la-onu-y-liberar-al-defensor-pablo
2) Do you know of any human rights defender(s) currently detained by States, who have been imprisoned on continuous sentences amounting to 10 years or more? For example, a defender who completes a sentence of four years in detention but instead of being released is given another six year sentence? Please provide a list of cases or examples if possible.

3) Do you know of any human rights defender(s) whose time in pre-trial detention and/or administrative detention by States combines with a sentence that amounts, or would amount to 10 years or more? Please provide a list of cases.

4) Do you know of any human rights defender(s) falling under any of the previous categories above, who were released before ending their long-term prison sentences for any reasons (e.g. granted a pardon, as a result of an appeal, or released on humanitarian or other grounds)? Please provide a list of cases.

* Amir Amirgholi (Iran), sentenced to 18 years and released on bail in 2019: https://www.fidh.org/en/issues/human-rights-defenders/iran-release-on-bail-of-6-hrds
* Amirhossein Mohammadi (Iran), sentenced to 18 years and released on bail in 2019: https://www.fidh.org/en/issues/human-rights-defenders/iran-release-on-bail-of-6-hrds
* David Ravelo Crespo (Colombia), sentenced to 18 years, released after 7 years: https://www.fidh.org/es/temas/defensores-de-derechos-humanos/colombia-libertad-condicional-para-david-ravelo-crespo-despues-de
* Esmail Bakshi (Iran), sentenced to 14 years and released on bail in December 2019: https://www.fidh.org/en/issues/human-rights-defenders/iran-release-on-bail-of-6-hrds
* Firmin Yangambi (RDC), released in March 2019: https://www.fidh.org/fr/regions/afrique/rdc/Condamnation-de-M-Firmin-Yangambi
* Mam Sonando (Cambodia), sentenced to 20 years: https://www.fidh.org/en/region/asia/cambodia/CAMBODIA-Independent-radio-station-12240
* Mohammad Seddiq Kaboudvand (Iran), sentenced to 10,5 years, released in 2017: http://en.freedom-defenders.org/
* Narges Mohammadi (Iran), sentenced to 10 years, reduced to 8,5 years and released in October 2020: https://www.fidh.org/en/region/asia/iran/iran-prominent-human-rights-defender-narges-mohammadi-released-from
* Sanaz Alahyari (Iran), sentenced to 18 years and released on bail in 2019: https://www.fidh.org/en/issues/human-rights-defenders/iran-release-on-bail-of-6-hrds
* Sayed Pervez Kambaksh (Afghanistan), sentenced to 20 years: https://www.fidh.org/en/region/asia/afghanistan/Death-sentence-against-Mr-Sayed
* Sepideh Gholian (Iran), sentenced to 18 years, released on bail in October 2019: https://www.fidh.org/en/issues/human-rights-defenders/iran-release-on-bail-of-6-hrds
* Ta Phong Tan (Vietnam), sentenced to 10 years, released after 5 years: https://www.fidh.org/en/region/asia/vietnam/Viet-Nam-Three-pro-democracy-12230

5) What actions do you suggest the Special Rapporteur can take to:

a) Prevent defenders from being detained for long terms in connection to their human rights work? And
Take as quick actions as possible with concerned authorities when HRDs are arrested, before charges are pressed (it is typically more difficult to get HRDs released once a case has been brought against them).

Publish statements, op-eds and other public material to raise the awareness of the general public on the issue of arbitrary detention of HRDs. Such public positions could be published jointly with other Special Procedures (e.g. UN Special Rapporteur on the right to freedom of expression, UN Working Group on Arbitrary Detention – UNWGAD, etc.), as well as regional HRD-protection mandate-holders (ACHPR Special Rapporteur on the situation of HRDs, IACHR Rapporteur on the situation of HRDs, etc.).

Organise webinars, and consider local visits (sanitary situation allowing), to interact with local HRDs in order to exchange on the issue of long-term arbitrary detention of HRDs, express public support with those arbitrarily detained, and publicly call for their release.

b) Have those human rights defenders arbitrarily detained under long sentences released?

Call for the release of arbitrarily detained HRDs as part of regular engagement with UN member-States.

Cooperate with the UNWGAD to follow-up on cases of arbitrarily detained HRDs, relay UNWGAD decisions on HRDs through public statements, and follow-up with concerned UN member-States.

Cooperate with the UN Special Rapporteur on counter-terrorism and human rights, especially as many HRDs detained for more than 10 years were initially sentenced under terrorism charges.

Engage with UN Treaty Body experts to raise their awareness about long-term arbitrary detention of HRDs, and formulate recommendations ahead of UN member-States reports’ examination.

Stress the issue of long-term arbitrary detention of HRDs and formulate recommendations as part of pre-UPR briefings.

**NOTE:** When providing the list of cases/examples under each question, please include: the name of the human rights defender(s), a summary of their human rights work, history of detention (date of arrest(s), charges and conviction including articles of the relevant law(s)), a brief explanation of facts relevant to their case.)